

DEPARTMENT: Community Services

BY: Mary Williams

PHONE: 966-3696

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes X No X)

~4/5 vote required~

Authorize the sale of a 1991 Chevrolet Astro van to Area 12 Agency on Aging (A12AA) in the amount of \$250. A12AA would use the van in the Food Bank program for delivery of food items to providers of nutrition services, including Mariposa County Senior Services. The van was purchased to transport individuals to their medical appointments, however, it has since depreciated and is no longer useful. According to Fleet/Fiscal Manager, Marty Allan, the low Blue Book on the van is \$2,485. Pursuant to Government Code section 25365 (copy attached), the Board has the authority to sell the van to another public agency if the property is no longer necessary for County use.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

None on this action.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

- A negative action would result in additional mileage expenses to the department's vehicles as Food Bank items would have to be picked up in Sonora for the County's Senior Services program.

COSTS: () Not Applicable
A. Budgeted current FY \$ _____
B. Total anticipated costs \$ _____
C. Required additional funding \$ _____
D. Internal transfers \$ _____
SOURCE: (X) 4/5ths Vote Required
A. Unanticipated revenues \$ 250
B. Reserve for contingencies \$ _____
C. Source description: _____
Balance in Reserve for Contingencies, if approved: \$ _____

SPECIAL INSTRUCTIONS:
List the attachments and number the pages consecutively:
Copy of Government Code section 25365.

CLERK'S USE ONLY:
Res. No.: 99-241
Vote - Ayes: 5
Absent: _____
Approved: _____
Minute Order Attached ()
Ord. No. _____
Noes: _____
Abstained: _____
() Denied
() No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.
Date: _____
ATTEST: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California
By: _____
Deputy

ADMINISTRATIVE OFFICER'S RECOMMENDATION:
This item on agenda as:
 Recommended
 Not Recommended
 For Policy Determination
 Submitted with Comment
 Returned for Further Action
Comment: _____
A.O. Initials: *Jr*

COUNTY PROPERTY—GENERAL
Div. 2

§ 25365

Notes of Decisions

Computer services 3
Construction with other laws 1
Hospitals 2

this section; chartered counties may sell the hospitals in accordance with their charters. 59 Ops.Atty.Gen. 685, 12-17-76.

1. Construction with other laws

Enactment of § 25520 et seq. authorizing the sale or lease of any real property belonging to a county did not repeal or supersede this section, and where applicable, the method of sale set forth under either statute may be used. 35 Ops.Atty.Gen. 38.

2. Hospitals

General law counties are authorized to sell packaged disaster hospitals in accordance with

3. Computer services

Counties may furnish computer services for certain other public agencies in the county and may lease the computer equipment to but not furnish any attendant services for nonpublic entities. 54 Ops.Atty.Gen. 139, 8-11-71.

§ 25364. Sale or exchange of surplus plants, etc.; requisites of sale

The board may dispose of surplus plants, trees, shrubs, and nursery stock belonging to the county and not required for public use, by public or private sale, or by exchanging them with any person or any other public body for other property required by the county. The sale or exchange may be made without advertisement or competitive bidding.

(Added by Stats.1947, c. 424, p. 1117, § 1.)

Historical Note

Derivation: See Derivation under § 25363.

§ 25365. Conveyance or exchange of county property; publication of notice

The board of supervisors may, by a four-fifths vote, grant, convey, quitclaim, assign, or otherwise transfer to the state or to any community redevelopment agency, housing authority, community development commission, surplus property authority, federal agency, city, school district, irrigation, flood control, county board of education, or other special district within the county or exchange with such public entities, any real or personal property, or interest therein belonging to the county upon such terms and conditions as are agreed upon and without complying with any other provisions of this code, if the property or interest therein to be granted and conveyed or quitclaimed is not required for county use or in the event of an exchange, the property to be acquired is required for county use. The board of supervisors may also, by a four-fifths vote, exchange real property of equal value with any person, firm or corporation, for the purpose of removing defects in the title to real property owned by the county, or where the real property to be exchanged is not required for county use and the property to be acquired is required for county use.

Unless the body or agency to which the property is transferred pursuant to this section and the body or agency transferring the property are governed by the same county board of supervisors, the transferring board of supervisors

§ 25365

COUNTIES—BOARD OF SUPERVISORS

Title 3

shall publish a notice of its intended action pursuant to Section 6061 at least one week prior thereto in a newspaper of general circulation published in the county.

(Added by Stats.1947, c. 424, p. 1117, § 1. Amended by Stats.1949, c. 367, p. 645, § 1; Stats.1953, c. 1657, p. 3385, § 1; Stats.1957, c. 919, p. 2127, § 1; Stats.1957, c. 2354, p. 4084, § 1; Stats.1963, c. 201, p. 938, § 1; Stats.1967, c. 448, p. 1657, § 1; Stats.1971, c. 1156, p. 2178, § 1; Stats.1983, c. 1136, § 1.)

Historical Note

Derivation: See Derivation under § 25363.

Forms

See West's California Code Forms, Government.

Cross References

Sale or lease of real property, see § 25520 et seq.

Library References

Counties ⇨108, 110.
C.J.S. Counties § 172.

Notes of Decisions

Defects in title 1

relates only to property owned by county, title to which is defective, and hence this section did not authorize board of supervisors to exchange land title to which was not defective for plaintiff's street. *Gutosky v. City of Garden Grove* (1963) 36 Cal.Rptr. 181, 223 C.A.2d 765.

1. Defects in title

The power conferred by this section upon county board of supervisors to exchange realty

§ 25365.5. Donation or transfer of lands to community services district; purposes

The board of supervisors of a county, without complying with any other provision of this code, may at any time hereinafter donate, or transfer for such consideration as it determines, lands owned by the county, which the board of supervisors deems is not required for other purposes, to a community services district within the county, or to a trustee therefor, for the following purposes:

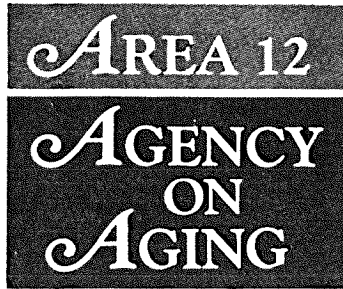
(1) To allow such district to sell, lease or otherwise dispose of, either privately or by public auction, for cash or subject to such financing as it determines, said land or any portion thereof, and

(2) To utilize the net proceeds therefrom to repay a loan from any appropriate source to such district for the construction of streets, drainage, sewage and other public facilities within a townsite replacing an old townsite devastated by floods occurring in December 1964 or January 1965.

Any such donation or transfer to such district for less than the full market value of such land is hereby declared to be for a public purpose.

The county may give assurances to or enter into a written contract with the district or other agency respecting the donation or transfer for the purpose of facilitating the loan.

(Added by Stats.1968, c. 159, § 1, eff. May 20, 1968.)



A Joint Powers Agency serving the counties of:
Alpine · Amador · Calaveras · Mariposa · Tuolumne

June 30, 1999

Mary Williams
Director
Mariposa Community Services
5246 Spriggs Lane
Mariposa, California 95338

Dear Mrs. Williams:

The Area 12 Agency on Aging is interested in obtaining the van you plan to relinquish as soon as the replacement is available.

The Area Agency on Aging is a public agency that contracts with your County for senior services. The Area Agency would use the van for transportation of food bank items to senior nutrition sites. The Agency is able to offer \$250.00 for the van.

This vehicle would make it possible to transport food bank items in the winter, as well as the summer, without the chance that the items would be ruined due to the elements. The van would make it possible to bring food bank items to Mariposa County, as well as the rest of the counties served by the Area 12 Agency on Aging.

Sincerely,

Peggy Lee
Executive Director