



MARIPOSA COUNTY

Administration • 966-3222



RESOLUTION - ACTION REQUESTED 2019-688

MEETING: December 10, 2019
TO: The Board of Supervisors
FROM: Dallin Kimble, County Administrative Officer
RE: NRCS Agreement

RECOMMENDATION AND JUSTIFICATION:

Approve a Memorandum of Collaboration with the National Resource Conservation Service to Sublet Office Space at the Mariposa County Fairgrounds; and Authorize the Board of Supervisors Chair to Sign the Memorandum.

In the mid-1990s, the U.S. Department of Agriculture decided to consolidate local offices of the National Resource Conservation Service (NRCS). Mariposa County's office was identified for closure.

The office was eventually allowed to remain open as a "local partnership office", not an official NRCS office, with the condition that the local NRCS would not be permitted to pay for rent or other expenses associated with operating a local office. Mariposa County Resource Conservation District (RCD) was able to provide space at their location on the fairgrounds and NRCS has continued serving the county under that arrangement ever since.

Although RCD remains supportive of NRCS, operating a nonprofit conservation district is a difficult proposition and the RCD Board of Directors has recently determined it would be in their own best interest to relocate to a smaller office. The smaller space will allow RCD to continue serving the community with the excellent tools they provide; but it places the NRCS office in some jeopardy.

The Mariposa NRCS office is the most productive in the state with more than 350 active contracts valued at over \$19 million. They have been a crucial partner in battling drought and tree mortality on private land throughout our community and are awarded grants on a regular basis that improve our fire safety and resource management.

Regulations have also changed since the mid-1990s. The local office is in the process of requesting authorization from their superiors in the federal government to pay for rent and other expenses. Officials at NRCS are cautiously optimistic their request will

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be granted. A response indicating whether authorization will or will not be provided is expected in the coming months. Staff is simultaneously working with NRCS to identify and evaluate alternatives.

The County is supportive of NRCS and the Mariposa County Fairgrounds. In view of the value each of these organizations brings to our community, and in order to maintain an NRCS office in Mariposa County, the Board approved a lease agreement with 35-A District Agricultural Association to allow NRCS to continue operations in their current office.

With gratitude to NRCS for the work they have and continue to do in our community, staff recommends approval of the attached Memorandum of Collaboration (MOC), which formalizes the County's relationship with NRCS and their ability to continue leading the state from their office in Mariposa.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

On November 5, 2019, the Board approved Resolution 2019-633, a lease agreement with 35A District Agricultural Association for office space at the Mariposa County Fairgrounds for NRCS.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Do not approve this agreement. Staff will notify NRCS and begin the process to terminate the lease with 35-A District Agricultural Association. NRCS will continue working to find solutions, but may or may not ultimately have to close their local partnership office in Mariposa County.

FINANCIAL IMPACT:

There is no direct financial impact for this agreement. The Board previously approved a one-year lease (\$15,000) to accommodate this request.

ATTACHMENTS:

NRCS MOC (DOCX)

RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]

MOVER: Merlin Jones, District II Supervisor

SECONDER: Marshall Long, District III Supervisor

AYES: Smallcombe, Jones, Long, Cann, Menetrey

**MEMORANDUM OF COLLABORATION
BETWEEN MARIPOSA COUNTY
AND
NATIONAL RESOURCE CONSERVATION SERVICES**

THIS MEMORANDUM OF COLLABORATION (MOC) is made and entered into as of December 10, 2019, by and between Mariposa County ("COUNTY") and National Resource Conservation Services ("NRCS").

WITNESSETH:

WHEREAS, the County of Mariposa has an active lease for real property located in the County of Mariposa commonly known as the Fairgrounds Resource Building, 5039 Fairgrounds Road, Mariposa, California 95338 ("Premises"); and

WHEREAS, 35-A District Agricultural Association has given permission to the County to allow NRCS to continue operating from said Premises; and

WHEREAS, NRCS provides technical assistance in natural resource conservation and opportunities for Farm Bill Program financial assistance to farmers, ranchers, private forest managers, and other private land owners in Mariposa County.

NOW, THEREFORE, IT IS AGREED between the parties hereto as follows:

1. **Term**. The term of this agreement is November 1, 2019, through October 31, 2020.
2. **Premises**. County shall provide space, electricity, propane, water, sewer, routine trash pickup and annual inspection of the fire extinguisher. This agreement does not include routine maintenance, janitorial service or technical or communications services.
3. **Use**. The Premises shall be used by NRCS staff to provide services germane to natural resource management and conservation.
4. **Assignment**. NRCS shall not assign this MOC nor any right hereunder, nor sublet the Premises, nor any part thereof, or suffer any other person to occupy the Premises or any portion thereof without prior written consent of the County Administrative Officer. Any such assignment, subletting or occupation by any other

person without such consent shall be void, and shall at the option of the County Administrative Officer terminate this MOC.

5. **Maintenance and Repair.** NRCS shall keep and maintain the Premises in good condition and repair during the term hereof and as set forth herein. NRCS will be responsible for all maintenance and repairs.
6. **Compliance with Law.** NRCS shall observe and comply with all applicable County, State, and federal laws, ordinances, rules, and regulations now in effect or hereafter enacted, each of which are hereby made a part hereof and incorporated herein by reference.
7. **Surrender of Possession:** At the expiration of this MOC, NRCS promises and agrees to deliver unto County the Premises in as good condition as at the date of execution of this MOC, reasonable wear and tear excepted.
8. **Modifications of Memorandum.** This MOC may be modified in writing only, signed by the parties in interest at the time of the modification. Either party may terminate this MOC in writing with a 30-day notice.
9. **Nondiscrimination.** Neither NRCS, nor any officer, agent, employee, servant, or subcontractor of NRCS shall discriminate in the treatment or employment of any individual or groups of individuals on the grounds of race, color, religion, national origin, age, sex, or any other classification protected by law, either directly, indirectly, or through contractual or other arrangements.
10. **Notices.** All notices required or provided for in this MOC shall be provided to the parties at the following addresses, by personal delivery or deposit in the U.S. Mail, postage prepaid, registered or certified mail, addressed as specified herein below. Notices delivered personally shall be deemed received upon receipt; mailed or expressed notices shall be deemed received five (5) days after deposit. A party may change the address to which notice is to be given by giving notice as provided above.

Notice to Administration shall be addressed as follows:

County Administrative Officer
P.O. Box 789
Mariposa, California 95338

Notice to NRCS shall be addressed as follows:

Business Services Specialist

430 G Street #4164
Davis, CA 95618

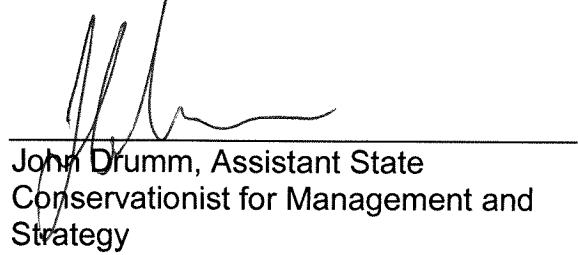
IN WITNESS WHEREOF, each party to this MOC has signed this MOC upon the date indicated, and agrees, for itself, its employees, officers, partners, and successors, to be fully bound by all terms and conditions of this MOC.

MARIPOSA COUNTY:


Miles Menetrey, Chair

Date Dec 12 2019

NATIONAL RESOURCE
CONSERVATION SERVICES:


John Drumm, Assistant State
Conservationist for Management and
Strategy

Date 1/6/20

APPROVED AS TO FORM:


STEVEN W. DAHLEM
COUNTY COUNSEL