

**B.**

**22-1297:**

Consideration to adopt a Resolution expressing the County's desire to purchase from California Department of Transportation excess parcels 047-101-012 and 047-101-013.



# BOARD OF SUPERVISORS COUNTY OF MADERA

MADERA COUNTY GOVERNMENT CENTER  
200 WEST 4<sup>TH</sup> STREET / MADERA, CALIFORNIA 93637  
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Agendas available: [www.MaderaCounty.com](http://www.MaderaCounty.com)

## Members of the Board

Tom Wheeler  
Brett Frazier  
David Rogers  
Robert L. Poythress  
Leticia Gonzalez

## The Board of Supervisors

January 10, 2023  
Chairman David Rogers

<b>DEPARTMENT</b> GENERAL SERVICES DIVISION/CAD	<b>DEPARTMENT CONTACT</b> Ambar Mojica 559-675-7703	<b>AGENDA ITEM</b> <b>B</b> <b>CONSENT CALENDAR</b>								
<b>SUBJECT:</b> Property purchase for Fire Station	<b>REQUIRED VOTE:</b> 3/5 Vote Required	<b>DOC. ID NUMBER</b> 22-1297								
<b>STRATEGIC FOCUS AREA(S):</b> Public Safety, Infrastructure										
<b>CLERK NOTES:</b> <div style="text-align: center;"><u>For Clerk of the Board's Office Use Only</u></div> <div><table><tr><td><b>RESULT:</b></td><td><b>[ TO ]</b></td></tr><tr><td><b>MOVER:</b></td><td>{{motions.mover format="[[firstname]] [[lastname]], [[title]]"}}</td></tr><tr><td><b>SECONDER:</b></td><td>{{motions.seconder format="[[firstname]] [[lastname]], [[title]]"}}</td></tr><tr><td><b>AYES:</b></td><td>{{voting.for_names format="[[lastname]]"}}</td></tr></table></div>			<b>RESULT:</b>	<b>[ TO ]</b>	<b>MOVER:</b>	{{motions.mover format="[[firstname]] [[lastname]], [[title]]"}}	<b>SECONDER:</b>	{{motions.seconder format="[[firstname]] [[lastname]], [[title]]"}}	<b>AYES:</b>	{{voting.for_names format="[[lastname]]"}}
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<b>SECONDER:</b>	{{motions.seconder format="[[firstname]] [[lastname]], [[title]]"}}									
<b>AYES:</b>	{{voting.for_names format="[[lastname]]"}}									
Is this item Budgeted? N/A Will this item require additional personnel? No Previous Relevant Board Actions: N/A PowerPoint Presentation? No Supporting Documents: Resolution		<b>DOCUMENT NO(S).</b>								

## RECOMMENDED ACTIONS:

Consideration to adopt a Resolution expressing the County's desire to purchase from California Department of Transportation excess parcels 047-101-012 and 047-101-013.

## DISCUSSION / FISCAL IMPACT / STRATEGIC FOCUS:

### DISCUSSION:

The California Department of Transportation is authorized to sell excess land directly to public agencies at their request, at a price representing the fair market value, without calling for competitive bids, and upon determination that such intended use shall be for public purpose. The County desires to purchase excess parcels 047-101-012 and 047-101-013 for the purpose of constructing a new Fire Station No. 1.

This initial resolution is required by California Department of Transportation (CalTrans) to determine if the proposed use of the parcels meet the public purpose requirements per California Transportation Commission resolution G-98-22 and Streets and Highways Code section 118. In order for the County to purchase the parcels, the County would be



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required to enter into the Purchase and Sale Agreement with CalTrans and the County at which time, staff would return to your Board.

### **FISCAL IMPACT:**

There is no impact to the County General Fund.

### **CONNECTION TO THE COUNTY OF MADERA STRATEGIC PLAN - MISSION 2023:**

#### STRATEGIC FOCUS AREAS

- Focus Area 3: Public Safety
- Focus Area 6: Infrastructure

### **ATTACHMENTS**

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1. Resolution

**BEFORE  
THE BOARD OF SUPERVISORS  
OF THE COUNTY OF MADERA  
STATE OF CALIFORNIA**

In the Matter of	)	Resolution No.: <u>2023-</u> _____
	)	
PROPERTY PURCHASE FOR	)	A RESOLUTION OF THE BOARD OF
FIRE STATION SITE	)	SUPERVISORS OF MADERA COUNTY
	)	CALIFORNIA, EXPRESSING ITS DESIRE
	)	TO PURCHASE FROM CALIFORNIA
	)	DEPARTMENT OF TRANSPORTATION
	)	EXCESS PARCELS 047-101-012 and 047-
	)	101-013
_____	)	

**WHEREAS**, the California Department of Transportation (CalTRANS) owns vacant parcels 047-101-012 and 047-101-013 of land located at Avenue 12 and Highway 99 as generally shown on Exhibit "A" of this Resolution ("PARCELS"); and

**WHEREAS**, the ultimate use of the PARCELS by the County will be restricted to a new fire station #1; and

**WHEREAS**, CTC Resolution G-98-22 authorizes the direct sale of CalTRANS excess property to public agencies for fair market value, subject to the approval of the CTC as provided in Streets and Highways Code section 118, if the intended use of the property is for a public purpose; and

**WHEREAS**, the County desires to purchase the PARCELS as specified herein from CalTRANS by direct sale in order to realize a public purpose; and

**WHEREAS**, it is the intent and objective of the County that the final sale and transfer of the PARCELS from CalTRANS to the County to proceed expeditiously; and

**WHEREAS**, California Government Code Section 65402(a) provides that, if a general plan or part thereof has been adopted, no real property shall be acquired by dedication or otherwise for street, square, park or other public purposes, if the adopted

general plan or part thereof applies thereto, until the location, purpose and extent of such acquisition have been submitted to and reported upon by the planning agency as to conformity with said adopted general plan or part thereof; and

**WHEREAS**, in order for the County to purchase the PARCELS, the County must enter into the Purchase and Sale Agreement with Caltrans and the County is prepared to approve and execute such an Agreement.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of the County of Madera, State of California, that:

1. The Chief Administrative Officer or his designee is authorized to negotiate with CalTRANS to finalize the terms for the purchase of the PARCELS for the public uses of the County set forth herein.

2. The Board affirms that the County intends to use the PARCELS for those public purpose set forth herein.

3. Prior to development or improvement of the PARCELS, the appropriate California Environmental Quality Act documentation, review, and approval is required.

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The foregoing Resolution was adopted this \_\_\_\_ day of \_\_\_\_\_, 2023,  
by the following vote:

Supervisor Wamhoff voted: \_\_\_\_\_  
Supervisor Rogers voted: \_\_\_\_\_  
Supervisor Poythress voted: \_\_\_\_\_  
Supervisor Gonzalez voted: \_\_\_\_\_  
Supervisor Macaulay voted: \_\_\_\_\_

\_\_\_\_\_  
Chairman, Board of Supervisors

ATTEST:

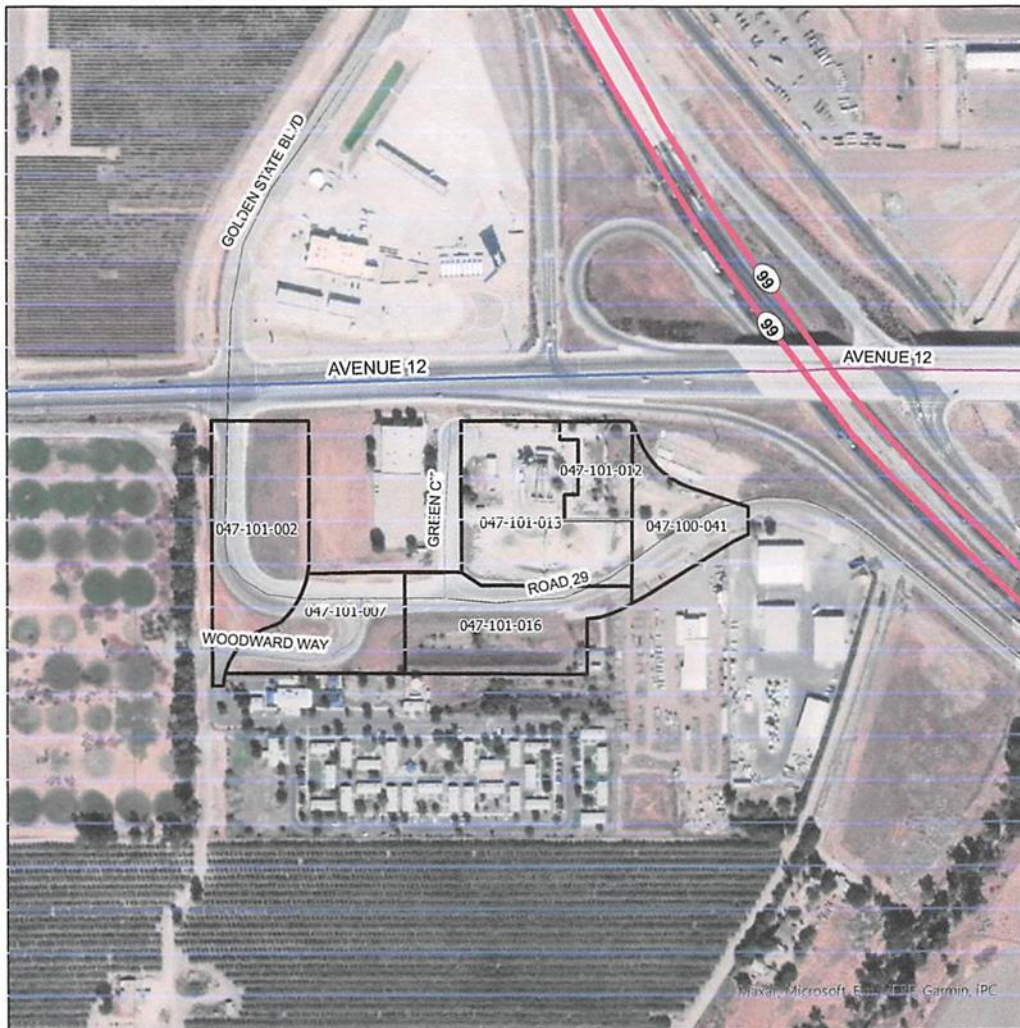
\_\_\_\_\_  
Clerk, Board of Supervisors

Approved as to Legal Form:  
COUNTY COUNSEL

By: Dale E. Bacigalupi  
Deputy County Counsel

 Digitally signed by: Dale E. Bacigalupi  
DN: CN = Dale E. Bacigalupi email =  
dbacigalupi@lozanosmith.com C = US  
O = Lozano Smith  
Date: 2022.12.14 15:48:47 -08'00'

## EXHIBIT "A"



State of California Transportation Parcels - Located at Ave 12 & Highway 99

047-101-012 and 047-101-013