

DEPARTMENT: Public Works/County Service Areas

BY: Dana Hertfelder

PHONE: 966-5356

RECOMMENDED ACTION AND JUSTIFICATION:

Public Hearing concerning the adoption of a resolution reaffirming the current fee structure for County Service Area No. 1 (Road Maintenance Zones of Benefit), County Service Area No. 1-M (Lake Don Pedro off-season fire protection) and County Service Area No. 3 (structural fire protection) and authorizing those fees to be placed on the property tax roll for fiscal year 2009-10.

Once a year a report is prepared that lists fees for County Service Areas whose fees are placed on the property tax roll. Today's public hearing gives property owners within those County Service Areas notice of what the proposed fees are for fiscal year 2009-10 and allows them to speak in favor of or opposition to the proposed fees if they wish to. No changes to the existing fees are being recommended at this time. We are asking for Board approval of the fees and authorization to place the fees on the property tax roll for fiscal year 2009-10.

The report of fees is included with the Resolution as Exhibit "A".

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board approved a similar report last year on August 5, 2008 Res. No. 08-364.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Do not approve the requested action; we would be unable to charge the fees needed to continue providing the above mentioned services.

Financial Impact? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Current FY Cost: \$	Annual Recurring Cost: \$
Budgeted In Current FY? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Partially Funded		
Amount in Budget: \$ _____		List Attachments, number pages consecutively
Additional Funding Needed: \$ _____		1. Resolution
Source:		2. Public Hearing Notice
Internal Transfer _____		_____
Unanticipated Revenue _____ 4/5's vote		_____
Transfer Between Funds _____ 4/5's vote		_____
Contingency _____ 4/5's vote		_____
() General () Other		_____

CLERK'S USE ONLY:

Res. No. 09-395 Ord. No. _____
Vote - Ayes: 5 Noes: _____
Absent: _____
AW Approved
() Minute Order Attached () 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

COUNTY ADMINISTRATIVE OFFICER:

Requested Action Recommended
 No Opinion
Comments:

CAO: [Signature]

MARIPOSA COUNTY

RESOLUTION NO. 09-393

A RESOLUTION REAFFIRMING THE CURRENT FEE STRUCTURE FOR MARIPOSA COUNTY SERVICE AREA NO. 1, COUNTY SERVICE AREA NO. 1-M AND COUNTY SERVICE AREA NO. 3

SECTION 1. WHEREAS,

(a) This Board has enacted ordinances relative to certain County Service Areas declaring that service charges shall be collected on the tax roll in the same manner and at the same time as the County's general ad valorem property taxes are collected; and

(b) This Board desires to proceed in accordance with the provisions of Government Code Section 54985 and 54986 and Articles XIII C and XIII D of the California Constitution in order to carry said ordinances into effect; and

(c) This Board ordered the preparation of a written report containing a description of each parcel of real property receiving services and the amount of the charge for each parcel for the fiscal year 2009-2010, and further requiring the Clerk of the Board to select a date and time for a hearing on said report, and to cause a notice of hearing thereon to be published in a newspaper of general circulation in the County pursuant to the provisions of Section 6061 of the Government Code; and

(d) The Public Works Department has investigated possible environmental impacts of the proposed assessments and found this action to be categorically exempt from the requirements for preparation of environmental documents pursuant to Public Resources Code Section 21080(b)(8) and Section 15273 of the State CEQA Guidelines; and

(e) The Director of Public Works having duly prepared said written report and filed the same with the Clerk of the Board, whereupon said Clerk duly selected the date and time for hearing on said report, caused a notice of the filing of said report and the time and place of hearing thereon to be published pursuant to the provisions of Section 6066 of the Government Code, and caused said report to be available for public inspection for a period of not less than ten (10) days prior to the date of said hearing; and

(f) In accordance therewith, a public hearing has been held before this Board today at which time the Board considered said report and heard and considered all objections and protests to said report; and

SECTION 2. NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Mariposa County, State of California, as follows:

1. This Board finds and determines that each of the facts recited hereinabove is true, and that this Board has jurisdiction to proceed and make the determination set forth below.

2. This Board further finds that because the proposed action is for the reaffirming of rates and charges necessary to meet operating expenses, for the purchase or lease of supplies, equipment and materials, to meet financial reserve needs and requirements and to obtain funds for capital projects necessary to maintain service within existing County Service Areas it is, therefore, categorically exempt from the provisions of the California Environmental Quality Act (CEQA) of 1970 pursuant to Public Resources Code Section 21080(b)(8) and Section 15273 of the State CEQA Guidelines.

3. The Clerk of the Board will file with the County Clerk a Notice of Exemption, pursuant to CEQA and said Guidelines, if requested.

4. The public hearing upon the levying of assessments and fees within each County Service Area is hereby concluded and closed.

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5. This Board does hereby confirm that these assessments and fees comply with the applicable provisions of Article XIID of the California Constitution and that no balloting will be required except to increase the assessments or fees beyond the approved level.

6. This Board hereby approves all assessments and fees described in Exhibit "A" which have remained unchanged since the last fiscal year and adopts this resolution recommended by the Public Works Department prepared for consideration of this Board setting County Service Area fees that are to be placed on the tax roll for fiscal year 2009-2010.

7. The Clerk of the Board shall send a certified copy of this resolution to each of the following:

Public Works Department
County Counsel
County Auditor
County Administrative Officer

PASSED AND ADOPTED by the Mariposa County Board of Supervisors this 4th day of August, 2009, by the following vote:

AYES: ABORN, TURPIN, BIBBY, CANN, ALLEN

NOES: NONE


ABSENT: NONE

ABSTAINED: NONE



BRAD ABORN, Chair
Mariposa County Board of Supervisors

ATTEST:


MARGIE WILLIAMS, Clerk of the Board

APPROVED AS TO FORM


STEVEN W. DAHLEM, County Counsel

EXHIBIT "A"

**COUNTY SERVICE AREA FEES
TO BE PLACED ON TAX ROLL FISCAL YEAR 2009-10**

CSA NAME	ADDRESS*	SERVICE	09-10 FEE
County Service Area No.1			
Location: County-Wide			
Zones of Benefit:			
Black Oak Ridge	All	Road Maintenance	\$100.00
Lakeside Drive	5641		\$100.00
Sherlock Road	5843		\$100.00
Whitlock Road	5830		\$100.00
Broncho Hollow:		Road Maintenance	
Broncho Hollow Lane	4029, 4089		\$61.24
Broncho Hollow Lane	4004		\$122.50
Broncho Hollow Lane	3786 to 3984		\$141.70
Hidden Valley	All		\$61.24
Indian Peak	3950		\$61.24
Rocky Hollow	All		\$61.24
Wildcat Springs	3347, 3360		\$185.48
Windy Hollow	All		\$185.48
Coyote Court	4153, 4195	Road Maintenance	\$243.40
El Toro Road	All	Road Maintenance	\$170.20
Hornitos Road	5425		\$170.20
Greeley Hill Estates		Road Maint & Water Tank	
Dogtown Road	All except 6363		\$12.00
Dogtown Road	6363		\$36.00
Ponderosa	All		\$36.00
Quail Mine	All		\$72.00
Texas Hill	All		\$12.00
Jordan View	All	Road Maintenance	\$10.00
Leichtlin Lane	All	Road Maintenance	\$100.00
Little Bear Road	All	Road Maintenance	\$346.50
Totokon	4338		\$346.50
Miami Mountain		Snow Removal	
Apple Seed	1841		\$25.00
Highway 49 South	1777		\$25.00
Miami Meadow	2019		\$25.00
Nutter Ranch	All		\$25.00
Stage Coach	1740		\$25.00
Millbrow Estates		Road Maintenance	
Millbrow	All		\$110.00
Holtzel	10224, 10258		\$110.00
Montana de Paz	All	Road Maintenance	\$251.80
Pagala Springs	All	Road Maintenance	\$355.44
Sierra Vista Estates		Road Maintenance	
Indian Peak	4138		\$250.00
Mountain Way	All		\$250.00
Sierra Vista	All		\$250.00
St. Andrews Road	5072, 5075	Road Maintenance	\$795.00

*Note: For Zones of Benefit "All" means all addresses on that road within the zone

EXHIBIT "A"

**COUNTY SERVICE AREA FEES
TO BE PLACED ON TAX ROLL FISCAL YEAR 2009-10**

CSA NAME	ADDRESS*	SERVICE	09-10 FEE
County Service Area No.1			
Location: County-Wide			
Zones of Benefit:			
Terrace View	All	Road Maintenance	\$109.50
Usona Ridge Road	3189 to 3230	Road Maintenance	\$100.00
Black Bear Mtn	1812 to 1818		\$100.00
Yosemite View Estates		Road Maintenance	
Carson Creek View	4214, 4225		\$420.32
Wilbur's Way	All		\$420.32
County Service Area No.1-M			
Location: Lake Don Pedro		Off-Season Fire Protection	
Developed Lots			\$80.00
Undeveloped Lots			\$16.00
County Service Area No. 3			
Location: County-Wide,		Structural Fire Protection	
Excluding parcels in MPUD			
Developed Lots			\$80.00

*Note: For Zones of Benefit "All" means all adresses on that road within the zone

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PUBLIC HEARING NOTICE

On Tuesday, August 4, 2009 at 10:30 a.m. the Mariposa County Board of Supervisors will conduct a public hearing in the Board Chambers of the Government Center at 5100 Bullion Street, Mariposa, California, to set fees for County Service Area No. 1 (Road Maintenance Zones of Benefit), County Service Area No. 1-M (Lake Don Pedro off-season fire protection) and County Service Area No. 3 (structural fire protection). These fees are to be placed on the property tax roll for fiscal year 2009-10. No changes to existing fees are being recommended at this time.

Any interested member of the public may appear at the hearing and be heard or provide written input.

Information on the fees is available from the Clerk of the Board, 5100 Bullion Street, P.O. Box 784, Mariposa, California or the Public Works Department at 4639 Ben Hur Road, Mariposa, California.

Dana S. Hertfelder
Public Works Director

Publication dates: 7/23/09 and 7/30/09

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NOTICE OF EXEMPTION

To: County Clerk
P. O. Box 247
Mariposa, CA 95338

From: Mariposa County Dept. Public Works
4639 Ben Hur Road
Mariposa, CA 95338

County of Mariposa

FILED



AUG 17 2009
KEITH M. WILLIAMS
MARIPOSA COUNTY CLERK

KAREN M. HERMAN

Karen M. Herman
Deputy County Clerk

Project Title: County Service Area No. 1, No. 1-M, and No.3 Authorized Fees

Project Location-Specific: Mariposa County and Lake Don Pedro

Project Location-City: Mariposa Project Location-County: Mariposa

Description of Project: Re-authorizing fees.

Name of Public Agency Approving Project: COUNTY OF MARIPOSA

Name of Person or Agency Carrying Out Project: Mariposa Co. Dept. of Public Works

Exempt Status:

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: Section 15301
- Statutory Exemptions. State code number:

Reasons why project is exempt: Operation of existing facilities.

Lead Agency

Contact Person: Dana Hertfelder Area Code/Telephone/Extension: (209) 966-5356

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project: Yes No

Signed by Lead Agency:

Signature: Dana S. Hertfelder Title: Director of Public Works Date: 8-12-09
Dana S. Hertfelder P.E.

Signed by Applicant: Dana S. Hertfelder
4639 BEN HUR ROAD
MARIPOSA, CA 95338
received for filing at OPR: _____



State of California—The Resources Agency
 DEPARTMENT OF FISH AND GAME
2009 ENVIRONMENTAL FILING FEE CASH RECEIPT

RECEIPT#	374692
STATE CLEARING HOUSE # (if applicable)	

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY

LEAD AGENCY MARIPOSA COUNTY DEPT OF PUBLIC WORKS		DATE 2/17/2009
COUNTY/STATE AGENCY OF FILING MARIPOSA		DOCUMENT NUMBER
PROJECT TITLE COUNTY SERVICE AREA No. 1-M and No. 3 AUTHORIZED FEES		
PROJECT APPLICANT NAME MARIPOSA CO. DEPT OF PUBLIC WORKS		PHONE NUMBER 209 968 5356
PROJECT APPLICANT ADDRESS 4639 Bear Hill Road	CITY MARIPOSA	STATE CA
PROJECT APPLICANT (Check appropriate box):		ZIP CODE 95338

- Local Public Agency
 School District
 Other Special District
 State Agency
 Private Entity

CHECK APPLICABLE FEES:

- | | | | |
|---|------------|----|----------|
| <input type="checkbox"/> Environmental Impact Report | \$2,768.25 | \$ | _____ |
| <input type="checkbox"/> Negative Declaration | \$1,993.00 | \$ | _____ |
| <input type="checkbox"/> Application Fee Water Diversion (State Water Resources Control Board Only) | \$850.00 | \$ | _____ |
| <input type="checkbox"/> Projects Subject to Certified Regulatory Programs | \$941.25 | \$ | _____ |
| <input type="checkbox"/> County Administrative Fee | \$50.00 | \$ | _____ |
| <input checked="" type="checkbox"/> Project that is exempt from fees | | \$ | <u>0</u> |
| <input checked="" type="checkbox"/> Notice of Exemption | | | |
| <input type="checkbox"/> DFG No. Effect Determination (Form Attached) | | | |
| <input checked="" type="checkbox"/> Other CATEGORICAL EXEMPTION SECTION 15301 | | \$ | <u>0</u> |

PAYMENT METHOD:

- Cash
 Credit
 Check
 Other _____

TOTAL RECEIVED \$ 0

SIGNATURE X [Signature]	TITLE Deputy County Clerk
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