

DEPARTMENT: PWD/Engineering

BY: Jim Petropulos

PHONE: 209.966.5356

RECOMMENDED ACTION AND JUSTIFICATION:

Adopt the Mitigated Negative Declaration based on no significant impacts found from the Initial Study; approve the plans and specifications for the Mariposa Skate Park Project (97-11); and authorize the Public Works Director to advertise the project and award to the lowest responsible bidder.

At the July 9th, 2002 Board of Supervisors meeting, Public Works was directed to re-evaluate the noise and circulation elements of the Initial Study regarding the environmental documents for this project. A noise study has been completed. The study recommends that after the skate park is operational, another sound survey be done to determine the exact necessity of a sound wall. To minimize costs involved in building a sound wall, should it be necessary, Public Works recommends that a design for the footings be incorporated into the project's design and construction phase.

The second issue regarded the Transportation/Circulation Element of the Initial Study. Additional measures will be taken on the pedestrian walkway leading from the Best Western Hotel up to Mariposa Park. These measures will include routine maintenance of the stairway and signs and striping to direct people to the stairway, this will make the walkway more accessible to pedestrians and improve the quality of the stairway itself.

With the additional noise study after the park becomes operational and accommodations in the design to handle a noise barrier, adoption of the Mitigated Negative Declaration would allow the project to move forward and still satisfy all the stated concerns.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

During the fiscal year 1997-98 budget hearings, the Board approved \$20,000 for a Skate Park.

On November 18th 1997 a Resolution approving a County Skate Park Project to be located on the grounds at the Mariposa Park and accepting responsibility for long-term maintenance of the facility was adopted.

On July 13th 1998 a Resolution approving an additional \$70,000 toward the construction cost of Skate Park was adopted.

On September 12th 2000 the Board provided direction to staff to investigate various options regarding size and location of the Skate Park.

On February 22nd 2001 the Skate Park Committee recommended that staff return to Board requesting direction on possible alternate locations.

On May 23rd 2001 the Board approved a resolution to receive public donations from the fund raising efforts of the Skate Park Committee and allocated said funds to the Skate Park project.

On June 19th 2001 the Board selected option 6 as the site for the Skate Park, which is north of amphitheater access road at the Mariposa Park.

On September 12th 2001 the Board added \$82,000 to the CIP budget for this project.

On June 18th 2002 the Board continued to July 9, 2002 due to time constraints.

On July 9th 2002 the matter was continued to allow time for a noise study to be done.

On March 31st 2003 the Parks and Recreation Committee drafted a letter in favor of the project and its location.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Negative action will result in not allowing Public Works to move forward with this project. The youth of Mariposa County will not have a safe place to utilize their skateboards.

Financial Impact? (X) Yes () No	Current FY Cost: \$	Annual Recurring Cost: \$
Budgeted In Current FY? (X) Yes () No () Partially Funded		
Amount in Budget:	<u>\$166,373.00</u>	<u>List Attachments, number pages consecutively</u>
Additional Funding Needed:	<u>\$0.00</u>	<u>1. Initial Study (8 pgs)</u>
Source:		<u>2. May 19, 2003 Letter from Planning (2 pgs)</u>
Internal Transfer	_____	<u>3. Mitigated Negative Declaration (2 pgs)</u>
Unanticipated Revenue	_____ 4/5's vote	<u>4. Noise Study & Relative correspondence(26 pgs)</u>
Transfer Between Funds	_____ 4/5's vote	<u>5. Public Notice (1 pg)</u>
Contingency	_____ 4/5's vote	<u>6. Park Commissioner Letter (1 pg)</u>
() General () Other		<u>7. Staff Report (2pgs)</u>
		<u>8. Plans and Specifications (See Clerk of the Board)</u>

CLERK'S USE ONLY:

Res. No.: 03-238 Ord. No. _____

Vote - Ayes: _____ Noes: _____

Absent: _____

() 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: 



COUNTY of MARIPOSA

P.O. Box 784, Mariposa, CA 95338 (209) 966-3222

BOB PICKARD, CHAIR
GARRY R. PARKER, VICE-CHAIR
LEE STETSON
DOUG BALMAIN
JANET BIBBY

DISTRICT V
DISTRICT IV
DISTRICT I
DISTRICT II
DISTRICT III



MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: JIM PETROPULOS, Public Works Director
FROM: MARGIE WILLIAMS, Clerk of the Board *mmw*
SUBJECT: PUBLIC HEARING TO RELATIVE TO THE SKATE PARK PROJECT
Resolution No. 03-238

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,

ADOPTED THIS Order on June 24, 2003

ACTION AND VOTE:

10:38 a.m. Jim Petropulos, Public Works Director;

PUBLIC HEARING to Consider the Following Actions Relative the Skate Park Project: 1) Adopt the Mitigated Negative Declaration Based on No Significant Impacts Found from the Initial Study; 2) Approve the Plans and Specifications for the Mariposa Skate Park Project (97-11) and 3) Authorize the Public Works Director to Advertise the Project and Award to the Lowest Responsible Bidder

BOARD ACTION: Jim Petropulos presented the staff report. Matt Freeman/PWD-Junior Engineer, responded to questions from the Board relative to the stairway easement. Staff responded to questions from the Board relative to the noise barrier and whether the cost for the footings would impact the project.

The public portion of the hearing was opened and input was provided by the following:

- Shawn Powers stated he has been skating for six or seven years and the only legal place is Stroming Road. He referred to problems they have had with skating in the area, and he stated their ramps have been confiscated; however, he stated they do not vandalize. He stated he hopes the Board can break ground for the park. He responded to a question from the Board and stated he feels the skate park will solve the problem of skating in other areas. He also stated he does not feel that the skate park will be any louder than the swimming pool. He feels the park will have dusk to dawn usage.

- Jim Allen, Sheriff, noted his predecessor, Pelk Richards, worked on this project for some time. He referred to a 1977 story in the *Mariposa Gazette* that talked about discussion of a skate park. He stated he hopes that an ordinance can be drafted with County Counsel relative to skate boarding in the County since there will be an approved location. He noted that the Department has contributed to this project, and that they are concerned with safety.

- Gordon Dulcich stated he is a neighboring property owner. He advised that he expressed concerns with location of this project about a year ago, and he feels his concerns fell on deaf ears. He stated he is still opposed to the location, and he noted that it will be close to his property. He stated he is not against

the project, just the location. He stated he feels it should be located in the new "field of dreams"/sports complex. He also stated that, given the economic situation, he feels that the County should save its money for more important projects. He stated he feels that this project will benefit a small group of people. He also stated he does not feel that the Initial Study addresses what he feels will be the devaluation of his property as a result of this project. He stated he does not feel that he will be able to build his residence on the neighboring property due to this project.

- Jason Spurling noted that the town has a lot of skaters and the desire for a skate park and has held a lot of fundraisers. He stated that he feels that this project would be very positive for the community. He feels the youth have been promised this project and it should be built. He feels this will provide a place for the youth to show their talent to the community, and he does not feel it would be as loud as the pool.

- Kathy Delaney noted that she first started working on this project in November, 1996, with Sheriff Richards and a group of young people, and not just those who skate. She advised that there was over \$14,000 raised during their fundraisers, and that there is a lot of community support for this project. She noted that this was an important project to the late Janette Uebner. She also stated that she feels that youth who are users of the park should be involved when the details of the regulations of the park are being developed.

- Tom Halencak/DA-Investigator, on behalf of the District Attorney, stated they fully support the project as it gives juveniles something safe to do in town and keeps them off of the streets.

- Eleanor Keuning stated she is not opposed to the skate park; however, she is concerned with its location in relation to the amphitheatre, and she does not feel that these two uses are compatible. She expressed concern that the access road to the amphitheatre would not be usable with the construction of the skate park.

The public portion of the hearing was closed, and the Board commenced with deliberations. Staff responded to questions from the Board relative to access to the amphitheatre; relative to providing for the cost of installing the sound barrier if it is determined that it is needed in the future; improvement of the stairway access; and relative to the change in location from the lawn area to the area by the amphitheatre for the project. Rich Begley, PWD-Deputy Director of Parks and Recreation, responded to questions relative to the issues involved with the lawn area at the park for the location of the skate park. (M)Bibby, (S)Parker, Res. 03-238 was adopted approving the recommended actions for the skate park project, with direction for the addition of the sound barrier wall to be included in the existing budget. Further discussion was held. It was noted that fundraisers could be held if additional funding is desired for the project. The motion was amended by the maker, agreeable with the second, to include direction for the sound barrier wall to be included in the bid documents, with final approval of the award of a bid and contract for the project to come back to the Board. Supervisor Stetson noted that a firm policy will be needed relative to ceasing operation of the skate park during performances and rehearsals at the amphitheatre. Ayes: Unanimous.

cc: Rich Begley, Deputy Director Parks and Recreation
Eric Toll, Planning Director
File