

528

MARIPOSA COUNTY
BOARD OF SUPERVISORS

AGENDA
ACTION FORM

DATE: November 13, 1990
AGENDA ITEM NO. RA 21

DEPT.: COUNTY COUNSEL

BY: JEFFREY G. GREEN

PHONE: 966-3625

RECOMMENDED ACTION AND JUSTIFICATION:

Pass and Adopt this Resolution:

WHEREAS, it is necessary for the Mariposa Public Utility District (MPUD) to have construction plans reviewed by fire officials prior to authorizing permits, see Mark Rowney's letter to County Counsel dated October 9, 1990 marked Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, the County has a contract with the State Fire Marshal for this type of service; and

WHEREAS, MPUD contacted the State Fire Marshal on February 6, 1990 regarding these services and a proposal was received in a letter dated February 7, 1990 from the State Fire Marshal, marked Exhibit "B" attached hereto and incorporated herein by this reference; and

WHEREAS, MPUD has requested County's assistance in processing plans requiring State Fire Marshal review by passing MPUD Resolution No. 90-1072 dated October 2, 1990 marked Exhibit "C" attached hereto and incorporated herein by this reference;

NOW THEREFORE, BE IT HEREBY RESOLVED by the Mariposa County Board of Supervisors as follows:

1. MPUD will process construction plans requiring State Fire Marshal review through the County's Public Works Building Division.
2. The Applicant will pay for these services at the existing rate contained in the County's contract with the State.
3. County will collect service fees and process such payments to the State Fire Marshal as required.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

No previous action on this matter has been taken.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

MPUD would not have local access to State Fire Marshal services.

MPUD would continue processing its plans directly with the State Fire Marshal's office.

COST: (x) Not Applicable

A. Budgeted current FY \$ _____

B. Total anticipated costs \$ _____

C. Required add'l funding \$ _____

D. Source: _____

SPECIAL INSTRUCTIONS:

List the attachments and number the pages consecutively:

Letter to Counsel dated 10/9/90

Letter to MPUD dated 2/7/90

Resolution #90-1072

SOURCE: () 4/5ths Vote Required

A. Internal transfers \$ _____

B. Unanticipated revenues \$ _____

C. Reserve for contingency \$ _____

D. Description: _____

Balance in Reserve for Contingencies, if approved: \$ _____

cont.

CLERK'S USE ONLY:

Resolution No. 90-528

Ordinance No. _____

Vote: Ayes: 5 Noes: _____

Absent: _____ Abstained: _____

knw Approved _____ () Denied _____

() Minute Order Attached

The foregoing instrument is a correct copy of the original on file in this office.

DATE: _____

ATTEST: MARGIE WILLIAMS
Clerk of the Board of Supervisors
County of Mariposa, State of Calif.

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: AP

DIRECTORS:

DANA L. FINNEY
JAMES A. MC GEE
KENNETH E. MELTON
GLENN MICHAEL
DAVID RADANOVICH

Mariposa Public Utility District

MARK L. ROWNEY, SEC.-MGR

P. O. BOX 494
MARIPOSA, CALIFORNIA
(209) 966-2515

RECEIVED
OCT 10 1990
MARIPOSA CO. COUNSEL

October 9, 1990

Mr. Jeff Green
Mariposa County Counsel
Box 189
Mariposa, Ca. 95338

REF: STATE FIRE MARSHAL SERVICE RESOLUTION

Dear Jeff:

Enclosed please find a copy of MPUD Resolution #90-1072 and a letter from the State Fire Marshal's office concerning State Fire Marshal (SFM) plans reviews and construction inspection services within MPUD. As you are aware the latest contract between the SFM and Mariposa County no longer omits State Fire Marshal services within the MPUD. It is our intention that SFM services within the MPUD would only be requested by the Building Division IF the SFM fees were eligible to be billed to the project proponent. MPUD will continue to request advisory inspections of existing buildings when there is not a building permit pending for purposes of public safety.

If you are satisfied with the resolution and intent of this program would you please initiate the necessary action to facilitate the plan review and inspection process outlined in the MPUD resolution. If this requires Board of Supervisor action I would be willing to make the presentation to the Board. Please let me know if you need any further information.

Thank you.

Sincerely,



Mark L. Rowney
General Manager

MLR:gp
encl: SFM letter
cc: John McCamman
John Davis
Bill Bondshu

EXHIBIT A

STATE FIRE MARSHAL
OFFICE OF THE CHIEF
7171 BOWLING DRIVE, SUITE 600
SACRAMENTO, CA 95823-2034

(916) 427-4161
ATSS 8-466-4161
FAX (916) 427-4616



RECEIVED
FEB 12 1990

Mr. Mark Rowney, Manager
Mariposa Public Utility District
P.O. Box 494
Mariposa, CA 95338

February 7, 1990

Dear Mr. Rowney:

This letter will confirm our telephone conversation of February 6th, 1990; in which the California State Fire Marshal's Office agrees to accept building construction plans, for review, from the Mariposa Public Utility District (MPUD) via the County of Mariposa.

It is our thought, that you would submit your building construction plans (that originate within the Mariposa Public Utility District) to the Mariposa County Building Department, who in turn, would submit them to the State Fire Marshal for review. We would treat these plans as if they were originating from the County of Mariposa, and would bill them according to our existing contract.

It would be up to the County of Mariposa and MPUD to work out any process for reimbursement between these two entities, and that the CSFM will not bill MPUD directly for any services rendered.

If you have any further questions, please call.

Sincerely,

A handwritten signature in cursive script that reads "David D. Walizer".

David D. Walizer
Assistant State Fire Marshal

cc: Jeff Green, Mariposa County

RESOLUTION #90-1072

RESOLUTION AUTHORIZING MARIPOSA COUNTY TO
ADDRESS STATE FIRE MARSHAL REQUIREMENTS
ON BEHALF OF THE
MARIPOSA PUBLIC UTILITY DISTRICT

STATE FIRE MARSHAL SERVICES

WHEREAS, the Attorney General of the State of California has determined that the Mariposa Public Utility District (MPUD) is responsible to see that building standards adopted by the State Fire Marshal are enforced within MPUD boundaries, and

WHEREAS, the Mariposa Public Utility District does not maintain a staff qualified to enforce the building standards adopted by the State Fire Marshal, and

WHEREAS, the County of Mariposa has entered into an agreement with the California State Fire Marshal for fire prevention services, and

WHEREAS, the State Fire Marshal has agreed to review building construction plans for projects within the MPUD through the Mariposa County Department of Public Works, Building Division.

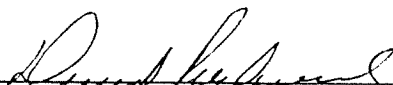
NOW THEREFORE be it resolved that the Mariposa Public Utility District Board of Directors authorize Mariposa County Public Works, Building Division, request the State Fire Marshal to assume jurisdiction and to send construction plans to the State Fire Marshal for review and to request construction inspection services for projects within the MPUD. The MPUD authorizes Mariposa County to charge "applicants" for projects within MPUD the "State Fire Marshal service fees" as provided for in Mariposa County Ordinance #735.

This resolution duly passed and adopted by the Mariposa Public Utility District Board of Directors on the 2nd day of October 1990 by the following vote:

AYES: Directors Radanovich, McGee, Melton, Finney, Michael

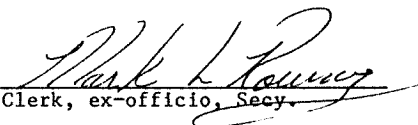
NOES: None

ABSENT: None



President, Board of Directors
Mariposa Public Utility District

ATTEST:



Clerk, ex-officio, Secy.

EXHIBIT C