DEPARTMENT: Public Works/County Service Areas

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? (X) Yes ( ) No    Current FY Cost: $    Annual Recurring Cost: $
Budgeted In Current FY? ( ) Yes ( ) No ( ) Partially Funded
Amount in Budget: $__________
Additional Funding Needed: $__________
Source:
Internal Transfer
Unanticipated Revenue
Transfer Between Funds
Contingency
( ) General ( ) Other

List Attachments, number pages consecutively
1. Resolution
2. Public Hearing Notice

CLERK’S USE ONLY:
Res. No. 08-365   Ord. No. ______
Vote – Ayes: 5   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: ______

Revised Dec. 2002
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 XIIIC and XIIIID 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.
5. This Board does hereby confirm that these assessments and fees comply with the applicable provisions of Article XIII D 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

<table>
<thead>
<tr>
<th>CSA NAME</th>
<th>ADDRESS*</th>
<th>SERVICE</th>
<th>09-10 FEE</th>
</tr>
</thead>
<tbody>
<tr>
<td>County Service Area No.1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location: County-Wide</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Zones of Benefit:</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Black Oak Ridge</td>
<td>All</td>
<td>Road Maintenance</td>
<td>$100.00</td>
</tr>
<tr>
<td>Lakeside Drive</td>
<td>5641</td>
<td>$100.00</td>
<td></td>
</tr>
<tr>
<td>Sherlock Road</td>
<td>5843</td>
<td>$100.00</td>
<td></td>
</tr>
<tr>
<td>Whitlock Road</td>
<td>5830</td>
<td>$100.00</td>
<td></td>
</tr>
<tr>
<td>Broncho Hollow</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Broncho Hollow Lane</td>
<td>4029, 4089</td>
<td>Road Maintenance</td>
<td>$61.24</td>
</tr>
<tr>
<td>Broncho Hollow Lane</td>
<td>4004</td>
<td>$122.50</td>
<td></td>
</tr>
<tr>
<td>Broncho Hollow Lane</td>
<td>3786 to 3984</td>
<td>$141.70</td>
<td></td>
</tr>
<tr>
<td>Hidden Valley</td>
<td>All</td>
<td>$61.24</td>
<td></td>
</tr>
<tr>
<td>Indian Peak</td>
<td>3950</td>
<td>$61.24</td>
<td></td>
</tr>
<tr>
<td>Rocky Hollow</td>
<td>All</td>
<td>$61.24</td>
<td></td>
</tr>
<tr>
<td>Wildcat Springs</td>
<td>3347, 3360</td>
<td>$185.48</td>
<td></td>
</tr>
<tr>
<td>Windy Hollow</td>
<td>All</td>
<td>$185.48</td>
<td></td>
</tr>
<tr>
<td>Coyote Court</td>
<td>4153, 4195</td>
<td>Road Maintenance</td>
<td>$243.40</td>
</tr>
<tr>
<td>El Toro Road</td>
<td>All</td>
<td>Road Maintenance</td>
<td>$170.20</td>
</tr>
<tr>
<td>Hornitos Road</td>
<td>5425</td>
<td>$170.20</td>
<td></td>
</tr>
<tr>
<td>Greeley Hill Estates</td>
<td></td>
<td>Road Maint &amp; Water Tank</td>
<td></td>
</tr>
<tr>
<td>Dogtown Road</td>
<td>All except 6363</td>
<td>$12.00</td>
<td></td>
</tr>
<tr>
<td>Dogtown Road</td>
<td>6363</td>
<td>$36.00</td>
<td></td>
</tr>
<tr>
<td>Ponderosa</td>
<td>All</td>
<td>$36.00</td>
<td></td>
</tr>
<tr>
<td>Quail Mine</td>
<td>All</td>
<td>$72.00</td>
<td></td>
</tr>
<tr>
<td>Texas Hill</td>
<td>All</td>
<td>$12.00</td>
<td></td>
</tr>
<tr>
<td>Jordan View</td>
<td>All</td>
<td>Road Maintenance</td>
<td>$10.00</td>
</tr>
<tr>
<td>Leichtlin Lane</td>
<td>All</td>
<td>Road Maintenance</td>
<td>$100.00</td>
</tr>
<tr>
<td>Little Bear Road</td>
<td>All</td>
<td>Road Maintenance</td>
<td>$346.50</td>
</tr>
<tr>
<td>Totockon</td>
<td>4338</td>
<td>$346.50</td>
<td></td>
</tr>
<tr>
<td>Miami Mountain</td>
<td></td>
<td>Snow Removal</td>
<td></td>
</tr>
<tr>
<td>Apple Seed</td>
<td>1841</td>
<td>$25.00</td>
<td></td>
</tr>
<tr>
<td>Highway 49 South</td>
<td>1777</td>
<td>$25.00</td>
<td></td>
</tr>
<tr>
<td>Miami Meadow</td>
<td>2019</td>
<td>$25.00</td>
<td></td>
</tr>
<tr>
<td>Nutter Ranch</td>
<td>All</td>
<td>$25.00</td>
<td></td>
</tr>
<tr>
<td>Stage Coach</td>
<td>1740</td>
<td>$25.00</td>
<td></td>
</tr>
<tr>
<td>Millbrow Estates</td>
<td></td>
<td>Road Maintenance</td>
<td></td>
</tr>
<tr>
<td>Millbrow</td>
<td>All</td>
<td>$110.00</td>
<td></td>
</tr>
<tr>
<td>Holtzel</td>
<td>10224, 10258</td>
<td>$110.00</td>
<td></td>
</tr>
<tr>
<td>Montana de Paz</td>
<td>All</td>
<td>Road Maintenance</td>
<td>$261.80</td>
</tr>
<tr>
<td>Pagala Springs</td>
<td>All</td>
<td>Road Maintenance</td>
<td>$355.44</td>
</tr>
<tr>
<td>Sierra Vista Estates</td>
<td></td>
<td>Road Maintenance</td>
<td></td>
</tr>
<tr>
<td>Indian Peak</td>
<td>4138</td>
<td>$250.00</td>
<td></td>
</tr>
<tr>
<td>Mountain Way</td>
<td>All</td>
<td>$250.00</td>
<td></td>
</tr>
<tr>
<td>Sierra Vista</td>
<td>All</td>
<td>$250.00</td>
<td></td>
</tr>
<tr>
<td>St. Andrews Road</td>
<td>5072, 5075</td>
<td>Road Maintenance</td>
<td>$795.00</td>
</tr>
</tbody>
</table>

*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

<table>
<thead>
<tr>
<th>CSA NAME</th>
<th>ADDRESS*</th>
<th>SERVICE</th>
<th>09-10 FEE</th>
</tr>
</thead>
<tbody>
<tr>
<td>County Service Area No.1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location: County-Wide</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Zones of Benefit:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Terrace View</td>
<td>All</td>
<td>Road Maintenance</td>
<td>$109.50</td>
</tr>
<tr>
<td>Usosa Ridge Road</td>
<td>3189 to 3230</td>
<td>Road Maintenance</td>
<td>$100.00</td>
</tr>
<tr>
<td>Black Bear Mtn</td>
<td>1812 to 1818</td>
<td>Road Maintenance</td>
<td>$100.00</td>
</tr>
<tr>
<td>Yosemite View Estates</td>
<td></td>
<td>Road Maintenance</td>
<td></td>
</tr>
<tr>
<td>Carson Creek View</td>
<td>4214, 4225</td>
<td></td>
<td>$420.32</td>
</tr>
<tr>
<td>Wilbur's Way</td>
<td>All</td>
<td></td>
<td>$420.32</td>
</tr>
</tbody>
</table>

| County Service Area No.1-M      |                |                  |           |
| Location: Lake Don Pedro        |                | Off-Season Fire Protection | $80.00   |
| Developed Lots                  |                |                  |           |
| Undeveloped Lots                |                |                  | $16.00    |

| County Service Area No. 3       |                | Structural Fire Protection | $80.00    |
| Location: County-Wide,          |                |                  |           |
| Excluding parcels in MPUD       |                |                  |           |
| Developed Lots                  |                |                  | $80.00    |

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

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

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

County of Mariposa

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: [Signature]
Title: Director of Public Works Date: 8-12-09

[Signature]
Date received for filing at OPR: [Date]
RECEIPT# 374692
STATE CLEARING HOUSE # (if applicable)

2009 ENVIRONMENTAL FILING FEE CASH RECEIPT

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY

LEAD AGENCY
Mariposa County Dept of Public Works

COUNTY/STATE AGENCY OF FILING
Mariposa County

PROJECT TITLE
County Service Area IV - No 1-4 Wand No 3 Authorized Fees

PROJECT APPLICANT NAME
Mariposa County Dept of Public Works

PROJECT APPLICANT ADDRESS
4639 Bell Hill Road, Mariposa

CITY
Mariposa

STATE
CA

ZIP CODE
95338

PHONE NUMBER
209-746-5306

DATE
8/17/2009

DOCUMENT NUMBER

PROJECT APPLICANT (Check appropriate box):
☑ Local Public Agency ☐ School District ☐ Other Special District ☐ State Agency ☐ Private Entity

CHECK APPLICABLE FEES:
☐ Environmental Impact Report $2,788.25
☐ Negative Declaration $1,993.00
☐ Application Fee Water Diversion (State Water Resources Control Board Only) $850.00
☐ Projects Subject to Certified Regulatory Programs $941.25
☐ County Administrative Fee $50.00
☐ Project that is exempt from fees
☐ Notice of Exemption
☐ DFG No. Effect Determination (Form Attached)
☐ Other [TECHNICAL EXEMPTION] SECTION 15301 $ 

PAYMENT METHOD:
☐ Cash ☐ Credit ☐ Check ☐ Other

SIGNATURE:

X

TOTAL RECEIVED

TITLE
Deputy County Clerk

WHITE - PROJECT APPLICANT YELLOW - DFG/ABB PINK - LEAD AGENCY GOLDEN ROOD - COUNTY CLERK FG 755.5a (Rev. 7/08)