RECOMMENDED ACTION AND JUSTIFICATION:
Adopt a resolution Initiating Proceedings for Formation of County Service Area (CSA) Number 3; Set the Public Hearing for July 22, 2008, at 2:00 P.M.; Direct the County Administrative Officer to mail notices and ballots, along with an engineer’s report to all affected property owners and to conduct a public meeting; Direct the Clerk of the Board to publish the Notice of Hearing; Approve budget action reducing General Contingency to fund costs associated with the voting process on the formation of the CSA ($17,000).

Please see the attached memorandum for additional information.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
On January 15, 2008, the Board gave direction to staff to initiate the formation process for a County Service Area. On March 18, 2008, the Board adopted a Resolution of Application to the Local Agency Formation Commission (LAFCO).

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
Without further action, the County Service Area formation cannot proceed and the Board will need to direct staff to identify an alternative funding source for the purchase of the fire equipment.

Financial Impact? (X) Yes ( ) No Current FY Cost: $14,500
Budgeted In Current FY? ( ) Yes (X) No ( ) Partially Funded
Amount in Budget: $0
Additional Funding Needed: $14,500
Source:
Internal Transfer
Unanticipated Revenue
Transfer Between Funds
Contingency (X)
General ( ) Other

Annual Recurring Cost: $
List Attachments, number pages consecutively
Memorandum
Resolution Initiating Proceedings
Notice of Hearings (2)
Draft Engineer’s Report
Brochure
Draft Ballot
Budget Action

CLERK’S USE ONLY:
Res. No.: 222 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

Revised Dec. 2002

COUNTY ADMINISTRATIVE OFFICER:

Requested Action Recommended
____ No Opinion
Comments:

____

CAO: __________

____
MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: RICHARD J. BENSON, CAO
FROM: MARGIE WILLIAMS, Clerk of the Board

SUBJECT: Adopt a Resolution Initiating Proceedings for Formation of County Service Area (CSA) Number 3; Set the Public Hearing for July 22, 2008, at 2:00 p.m.; Direct the County Administrative Officer to Mail Notices and Ballots, Along with an Engineer’s Report to all Affected Property Owners and to Conduct a Public Meeting; Direct the Clerk of the Board to Publish the Notice of Hearing; Approve Budget Action Reducing General Contingency to Fund Costs Associated with the Voting Process on the Formation of the CSA ($17,000) (4/5ths Vote Required)

RESOLUTION 08-222

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on May 27, 2008

ACTION AND VOTE:

Richard J. Benson, County Administrative Officer/Personnel/Risk Manager;
Adopt a Resolution Initiating Proceedings for Formation of County Service Area (CSA) Number 3; Set the Public Hearing for July 22, 2008, at 2:00 p.m.; Direct the County Administrative Officer to Mail Notices and Ballots, Along with an Engineer’s Report to all Affected Property Owners and to Conduct a Public Meeting; Direct the Clerk of the Board to Publish the Notice of Hearing; Approve Budget Action Reducing General Contingency to Fund Costs Associated with the Voting Process on the Formation of the CSA ($17,000) (4/5ths Vote Required)

BOARD ACTION: Discussion was held with Rick Benson relative to the formation process; the parcels that are included in the assessment and whether the assessment could be phased; concerning the CEQA review; and relative to use of the Tobacco Settlement Fund revenues toward the purchase of the equipment. Jim Wilson, Fire Chief, responded to questions relative to the status of the replacement plan for the fire equipment.

Input from the public was provided by the following:

Ruth Sellers commented on the importance of safety; however, she expressed concern with her observations of the Board and its authorization of expenditures that she does not feel that the public is benefiting from. She questioned who enforces the property clearances.

Ruth Catalan stated she agrees that fire protection is important, but she always thought the costs were included in the normal taxes. She questioned the leasing versus purchase of equipment and the term of 15 years for the assessment. She asked if the equipment will be off-road accessible; and she agreed that the fire clearances need to be enforced. Chair Turpin noted that the enforcement of the fire clearances is the responsibility of CAL FIRE.
Paul Chapman commented on the need for enforcement of the fire clearances; and he asked about the recommendation for obtaining vehicles for structure protection versus wildland. He stated he feels the fire services should be covered by the taxes that are paid. He feels that this matter should be on the ballot as a regular initiative versus the Proposition 218 process.

Dave Silverman asked how multiple owners of a parcel would vote; whether there is a provision to provide for a balanced public meeting content; how the School Board votes for their ballot(s); relative to consideration of upgrading the equipment to meet 2009 requirements; notification for new parcels; commented on the assessment amount; and asked who will write balanced ballot arguments.

Eleanor Keuning asked about the June 11th public meeting and the July 22nd public hearing; about the election process; and whether Consent Agenda item 23 relates to this.

Rick Benson explained the process under Proposition 218 for voting for multiple owners; advised that it will be up to the School District to decide how they will vote; he advised that new parcels will be included in the assessment when they change from undeveloped to improved status; and he explained the ballot process versus a regular election.

Sally Punte stated she feels that if the County engines back up MPUD for fires in town that it would be a benefit to MPUD – but parcels in MPUD are excluded from the assessment. She questioned the CEQA exemption. She asked about using the Tobacco Settlement Funds and staggering the equipment purchase versus going through the Proposition 218 process.

Rick Benson clarified the CEQA exemption and advised that the engines would need to meet current standards and they would not need to be retrofitted to meet any new standards that are imposed in the future.

Jim Van Horn stated he is a mechanic for the fire engines, and he provided input on the need for new equipment due to the age and maintenance of the old equipment; and he stated he feels that the new engines will be able to access every road in the County. He feels that if something isn’t done, that we will need to rely on the State for fire protection and he is not willing to do that.

Discussion was held relative to initiating the formation proceedings, use of the Tobacco Settlement Funds, the various issues that were raised and the timeframes. Rick Benson revised his recommendation for a budget action of $17,000 to $18,000.

(M)Pickard, (S)Fritz, Res. 08-222 was adopted initiating proceedings for formation of CSA No. 3, with the inclusion of language that the intent of the Board is to dedicate in future budgets funds from the Master Tobacco Settlement revenue for equipment and capital improvements to meet the needs of the fire stations; that a public meeting be set for June 11, 2008 at 6:30 p.m. at the Government Center; and that a public hearing be set for July 22, 2008 at 2:00 p.m. to receive public comment and tabulate the ballots.

Supervisor Pickard further clarified that the intent of his motion is to dedicate Master Tobacco Settlement revenue or other funds. Following discussion relative to budgeting constraints, Thomas P. Guarino, County Counsel, clarified that the motion is the Board’s intent to dedicate funding from future budgets. Supervisor Aborn stated he feels this matter should be continued for the full Board to be present. Ayes: Turpin, Fritz, Pickard; Noes: Aborn; Excused: Bibby. (M)Pickard, (S)Fritz, to approve the budget action in the amount of $18,000 failed by the following vote: Ayes: Turpin, Fritz, Pickard; Noes: Aborn; Excused: Bibby.
MARIPOSA COUNTY RESOLUTION NO. 08 - 222

A RESOLUTION INITIATING PROCEEDINGS FOR FEES FOLLOWING FORMATION OF COUNTY SERVICE AREA NO. 3; COUNTY FIRE PROTECTION

WHEREAS, the Mariposa County Board of Supervisors desires the formation of a county service area in order to provide structural fire protection to a portion of Mariposa County described hereafter; and

WHEREAS, the Board of Supervisors commenced preliminary proceedings by proposing the formation of County Service Area No. 3 Resolution of Application adopted on March 18, 2008; and

WHEREAS, said Resolution was filed with the Mariposa County Local Agency Formation Commission (LAFCO) on March 20, 2008; and

WHEREAS, the exterior boundaries of the territory proposed for establishment by LAFCO, all within the County of Mariposa, State of California, are generally described as follows:
   All of the County of Mariposa, utilizing the agreed upon assessment boundary with Tuolumne County, with the exception of those properties within the Mariposa Public Utility District. The complete legal description of the boundaries of said territory and a map delineating same are on file with the Clerk of the Board and included herein; and

WHEREAS, the territory proposed for formation is inhabited; and

WHEREAS, County Service Area No. 3 shall provide structural fire protection specifically through the funding for the lease and purchase of fire fighting equipment and for major maintenance and capital improvements to existing fire stations; and

WHEREAS, an assessment sufficient to pay for such services which are proposed to be furnished within the subject territory will be annually established via an ordinance and placed upon all developed parcels within said County Service Area No. 3. Article XIIID of the California Constitution, requires that the proposed assessments be approved by affected property owners and establishes procedures and requirements for assessments. By ballot the property owners will be requested to approve an annual assessment up to a maximum of $80.00 per developed parcel per year for structural fire protection for a period not to exceed 15 years; and

WHEREAS, the Public Works Department has evaluated the possible environmental impacts of this action and concluded that it can be seen with certainty there is no possibility the proposed action may have a significant effect on the environment pursuant to the provisions of Section 15061(b)(3) of the California Environmental Quality Act (CEQA) of 1970 Guidelines and the possible environmental impacts of the proposed assessments are recommended to be found statutorily 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. Pursuant to the provisions of the State CEQA Guidelines, a Notice of Exemption was
prepared and filed at the time of the approval of the Resolution of Application initiating these proceedings and finding the project to be exempt.

NOW, THEREFORE BE IT RESOLVED, by the Board of Supervisors of the County of Mariposa, a political subdivision of the State of California, as follows:

1. This Board hereby fixes the 11th day of June 2008, at the hour of 6:30 P.M. at the Chambers of the Board of Supervisors, Mariposa County Government Center, 5100 Bullion Street, Mariposa, California, as the time and place for a public information meeting on the proposed fee assessments for the proposed formation of County Service Area No. 3.

2. This Board hereby fixes the 22nd day of July 2008, at the hour of 2:00 P.M. at the Chambers of the Board of Supervisors, Mariposa County Government Center, 5100 Bullion Street, Mariposa, California, as the time and place for a public hearing on the proposed fee assessments and the proposed formation of the County Service Area No. 3.

3. This Board finds and determines that the action being taken is exempt from the requirements of the CEQA of 1970 Guidelines, pursuant to Section 15061(b)(3) and the assessments are statutorily exempt pursuant to Public Resources Code Section 21080(b)(8) and Section 15273 of the State CEQA Guidelines, because it can be seen with certainty that there is no possibility that the activity in question may have significant effect on the environment, for which reason no environmental evaluations or documents will be required.

4. Any interested person desiring to make written protest against said County Service Area establishment shall do so by written communication filed with the Clerk of the Board no later than the time set for the public hearing.

5. Pursuant to Sections 57025, 56153, and 56154 of the Government Code, the Clerk of the Board shall cause notice of public hearing to be published as provided in Government Code Section 6061 in the Mariposa Gazette, a newspaper of general circulation within the affected territory.

6. The Clerk of the Board shall provide written personal notice of time and date of said public hearing to all persons requesting such notice as provided in Government Code Section 54986(a).

7. Pursuant to Sections 57025, 56158, and 56159 of the Government Code, the Clerk of the Board shall cause a copy of said notice to be posted near the door of the Chambers of the Board of Supervisors commencing at least 21 days prior and continuing to the time fixed for said public hearing.

8. Pursuant to Sections 53750(i) and 53753 of the Government Code, the County Administrative Officer shall cause to be mailed to each property owner within the proposed County Service Area No. 3 an engineer’s report, ballot, and notice of the date, time and place of said public meeting and the hearing. The County Administrative Officer shall cause to be sent a notice in at least 10-point type to each property owner as they appear on the last equalized secured county property tax assessment roll. The notice shall include the estimated amount of the assessment, a general description of the purpose or improvement that the assessments will fund, the address to which property owners may mail a protest against said assessment, and the telephone number and address of the County Administrative Office that interested persons may contact to receive additional information about the
assessment. With the notice each property owner will be sent a ballot along with information about the amount of the proposed assessments, the total amount chargeable to the entire district, the amount chargeable to the owner's particular parcel, the duration of the payments, the reason for the assessment, and basis upon which the amount of the proposed assessment was calculated. Each notice shall contain a summary of the procedures applicable to the completion, return, and tabulation of the ballots, including a disclosure statement that the assessments shall not be imposed if the ballots submitted in opposition to the assessments exceed the ballots submitted in favor of the assessments, with ballots weighted according to the financial obligation of the affected property.

9. At said public hearing all protests to the proposed fee assessments will be considered and all ballots in favor of or opposed to said fee assessments will be tabulated.

10. If at the conclusion of the public hearing a majority protest exists this will result in the fee assessment not being imposed.

11. If at the conclusion of the public hearing a majority of the returned ballots are in favor of the fee assessment the Board will be requested to approve the fee assessment as authorized by the balloting.

12. If the assessment is approved by property owners, it is the intent of this Board to dedicate funds from the Tobacco Settlement or other sources to augment those funds collected through County Service Area #3 for the purpose of acquiring fire equipment and for capital improvements to fire stations.

13. A Notice of Exemption, pursuant to CEQA and said Guidelines, has been filed with the Clerk of the Board on April 23, 2008.

PASSED AND ADOPTED by the Board of Supervisors of Mariposa County this 27th day of May 2008, by the following vote:

AYES: TURPIN, FRITZ, PICKARD
NOES: ABORN
ABSENT: BIBBY
ABSTAINED: NONE

LYLE TURPIN, Chairman

ATTEST:
MARGIE WILLIAMS, Clerk of the Board

APPROVED AS TO FORM:
THOMAS P. GUARINO, County Counsel
EXHIBIT B

LEGEND:

MPUD NOT PART OF SERVICE AREA #3
MARIPOSA COUNTY LINE

MARIPOSA COUNTY SERVICE AREA #3

THIS MAP SHOWS SERVICE AREA #3 SITUATED IN MARIPOSA COUNTY
TO: Board of Supervisors  
FROM: Rick Benson, County Administrative Officer  
SUBJECT: Initiate Proceedings for Formation of County Service Area Number 3

On March 18, 2008, the Board adopted Resolution of Application to the Local Agency Formation Commission (LAFCO) for formation of County Service Area Number 3. If approved by Mariposa County property owners, County Service Area (CSA) Number 3 will provide funding for the lease purchase of fire engines and water tenders. In addition, the CSA will provide some funding for capital improvements to the existing county fire stations.

The proposed CSA will be funded by an annual assessment of $80 on each developed parcel in the County, with the exception of those parcels located in the Mariposa Public Utility District. Per the California Constitution, before any assessment can be placed on a property tax bill, it requires the approval of the affected property owners. This approval is documented through a vote of property owners using the process described in Government Code Sections 53750(i) and 53753.

The plan for acquiring the fire engines and water tenders calls for the County to enter into a 15-year lease/purchase agreement. It will cost approximately $3.66 million for the needed equipment and by using a lease/purchase arrangement the County will be required to make estimated annual payments of $355,000.

LAFCO has held a public hearing and issued its Resolution approving the formation of the CSA. In order to proceed with the formation, it is necessary for the Board of Supervisors to adopt a Resolution Initiating Proceedings, which has been reviewed by County Counsel.

Attached for your review are copies of the required notices to be published and mailed to the affected property owners, a brochure explaining the proposal, a draft of the ballot, and a draft of the engineer’s report that is required by law. A public informational meeting is also required and it is recommended that this meeting be held June 11, 2008, at 6:30 P.M. It is not required that this meeting be a meeting of the Board of Supervisors.

A public hearing is necessary to finalize the process and at that hearing the Board will be able to hear comments in favor and opposed to the formation of the CSA as well as comments regarding the proposed assessment. The Board will also oversee the
tabulation of the ballots at that time. If a majority of the returned ballots are in favor of
the proposal, then the Board will be requested to finalize the formation of the CSA and
place the assessment on the property tax bills. The recommended public hearing is July
22, 2008.

A budget action is attached reducing General Contingency by $17,000 to fund the cost of
having the ballots printed ($10,000), postage for mailing the necessary information
($2,900), publication of notices ($2,500), and LAFCO fees ($1,600). If the formation is
approved, then these costs will be reimbursed by the CSA.

It is recommended that the following actions be taken:

1. Adopt the Resolution Initiating Proceedings for Formation of County Service
   Area Number 3.
2. Set the public hearing for Tuesday, July 22, 2008, at 2:00 P.M. in the Board
   Chambers to receive public comment and tabulate the ballots.
3. Direct the County Administrative Officer to mail notices and ballots, along with
   an engineer’s report to all affected property owners; and to conduct a public
   meeting in compliance with Article XIIIID of the California Constitution.
4. Direct the Clerk of the Board to publish the Notice of Hearing.
5. Approve the attached budget action reducing General Contingency by $17,000
   to fund the costs associated with the CSA formation.

mbh
Attachments
MARIPOSA COUNTY RESOLUTION NO. 08 -

A RESOLUTION INITIATING PROCEEDINGS FOR FEES FOLLOWING FORMATION OF COUNTY SERVICE AREA NO. 3; COUNTY FIRE PROTECTION

WHEREAS, the Mariposa County Board of Supervisors desires the formation of a county service area in order to provide structural fire protection to a portion of Mariposa County described hereafter; and

WHEREAS, the Board of Supervisors commenced preliminary proceedings by proposing the formation of County Service Area No. 3 Resolution of Application adopted on March 18, 2008; and

WHEREAS, said Resolution was filed with the Mariposa County Local Agency Formation Commission (LAFCO) on March 20, 2008; and

WHEREAS, the exterior boundaries of the territory proposed for establishment by LAFCO, all within the County of Mariposa, State of California, are generally described as follows:
All of the County of Mariposa, utilizing the agreed upon assessment boundary with Tuolumne County, with the exception of those properties within the Mariposa Public Utility District. The complete legal description of the boundaries of said territory and a map delineating same are on file with the Clerk of the Board and included herein; and

WHEREAS, the territory proposed for formation is inhabited; and

WHEREAS, County Service Area No. 3 shall provide structural fire protection specifically through the funding for the lease and purchase of fire fighting equipment and for major maintenance and capital improvements to existing fire stations; and

WHEREAS, an assessment sufficient to pay for such services which are proposed to be furnished within the subject territory will be annually established via an ordinance and placed upon all developed parcels within said County Service Area No. 3. Article XIID of the California Constitution, requires that the proposed assessments be approved by affected property owners and establishes procedures and requirements for assessments. By ballot the property owners will be requested to approve an annual assessment up to a maximum of $80.00 per developed parcel per year for structural fire protection for a period not to exceed 15 years; and

WHEREAS, the Public Works Department has evaluated the possible environmental impacts of this action and concluded that it can be seen with certainty there is no possibility the proposed action may have a significant effect on the environment pursuant to the provisions of Section 15061(b)(3) of the California Environmental Quality Act (CEQA) of 1970 Guidelines and the possible environmental impacts of the proposed assessments are recommended to be found statutorily 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. Pursuant to the provisions of the State CEQA Guidelines, a Notice of Exemption was
prepared and filed at the time of the approval of the Resolution of Application initiating these proceedings and finding the project to be exempt.

NOW, THEREFORE BE IT RESOLVED, by the Board of Supervisors of the County of Mariposa, a political subdivision of the State of California, as follows:

1. This Board hereby fixes the 11th day of June 2008, at the hour of 6:30 P.M. at the Chambers of the Board of Supervisors, Mariposa County Government Center, 5100 Bullion Street, Mariposa, California, as the time and place for a public information meeting on the proposed fee assessments for the proposed formation of County Service Area No. 3.

2. This Board hereby fixes the 22nd day of July 2008, at the hour of 2:00 P.M. at the Chambers of the Board of Supervisors, Mariposa County Government Center, 5100 Bullion Street, Mariposa, California, as the time and place for a public hearing on the proposed fee assessments and the proposed formation of the County Service Area No. 3.

3. This Board finds and determines that the action being taken is exempt from the requirements of the CEQA of 1970 Guidelines, pursuant to Section 15061(b)(3) and the assessments are statutorily exempt pursuant to Public Resources Code Section 21080(b)(8) and Section 15273 of the State CEQA Guidelines, because it can be seen with certainty that there is no possibility that the activity in question may have significant effect on the environment, for which reason no environmental evaluations or documents will be required.

4. Any interested person desiring to make written protest against said County Service Area establishment shall do so by written communication filed with the Clerk of the Board no later than the time set for the public hearing.

5. Pursuant to Sections 57025, 56153, and 56154 of the Government Code, the Clerk of the Board shall cause notice of public hearing to be published as provided in Government Code Section 6061 in the Mariposa Gazette, a newspaper of general circulation within the affected territory.

6. The Clerk of the Board shall provide written personal notice of time and date of said public hearing to all persons requesting such notice as provided in Government Code Section 54986(a).

7. Pursuant to Sections 57025, 56158, and 56159 of the Government Code, the Clerk of the Board shall cause a copy of said notice to be posted near the door of the Chambers of the Board of Supervisors commencing at least 21 days prior and continuing to the time fixed for said public hearing.

8. Pursuant to Sections 53750(i) and 53753 of the Government Code, the County Administrative Officer shall cause to be mailed to each property owner within the proposed County Service Area No. 3 an engineer's report, ballot, and notice of the date, time and place of said public meeting and the hearing. The County Administrative Officer shall cause to be sent a notice in at least 10-point type to each property owner as they appear on the last equalized secured county property tax assessment roll. The notice shall include the estimated amount of the assessment, a general description of the purpose or improvement that the assessments will fund, the address to which property owners may mail a protest against said assessment, and the telephone number and address of the County Administrative Office that interested persons may contact to receive additional information about the
assessment. With the notice each property owner will be sent a ballot along with information about the amount of the proposed assessments, the total amount chargeable to the entire district, the amount chargeable to the owner's particular parcel, the duration of the payments, the reason for the assessment, and basis upon which the amount of the proposed assessment was calculated. Each notice shall contain a summary of the procedures applicable to the completion, return, and tabulation of the ballots, including a disclosure statement that the assessments shall not be imposed if the ballots submitted in opposition to the assessments exceed the ballots submitted in favor of the assessments, with ballots weighted according to the financial obligation of the affected property.

9. At said public hearing all protests to the proposed fee assessments will be considered and all ballots in favor of or opposed to said fee assessments will be tabulated.

10. If at the conclusion of the public hearing a majority protest exists this will result in the fee assessment not being imposed.

11. If at the conclusion of the public hearing a majority of the returned ballots are in favor of the fee assessment the Board will be requested to approve the fee assessment as authorized by the balloting.

12. A Notice of Exemption, pursuant to CEQA and said Guidelines, has been filed with the Clerk of the Board on April 23, 2008.

**PASSED AND ADOPTED** by the Board of Supervisors of Mariposa County this 27th day of May 2008, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

_____________________________________________________
LYLE TURPIN, Chairman

ATTEST:

APPROVED AS TO FORM:

_____________________________________________________
MARGIE WILLIAMS, Clerk of the Board

_____________________________________________________
THOMAS P. GUARINO, County Counsel
NOTICE OF HEARING
COUNTY SERVICE AREA 3, COUNTYWIDE
FOR STRUCTURAL FIRE PROTECTION

NOTICE IS HEREBY GIVEN that the Board of Supervisors will conduct a public hearing on
the proposal to establish County Service Area 3 countywide with the exception of parcels
within the Mariposa Public Utility District, and the proposed ordinance to establish
assessments for parcels within said county service area on Tuesday, July 22, 2007, at the
hour of 2:00 p.m., in the Chambers of the Board of Supervisors, Mariposa County
Government Center, 5100 Bullion St, Mariposa, California. At said time, the Board shall
hear the testimony of all interested persons or taxpayers for or against the establishment
of the area, the extent of the area or the furnishing of specified types of extended services
and consider all objections and protests, if any, to establishing assessments.

The Mariposa County Public Works Department has considered the environmental impacts
of this project and concluded that this project will not have a significant effect on the
environment pursuant to the provisions of Section 21080(b)(8) of the Public Resources
Code and Section 15061 (b) (3) of the State CEQA Guidelines.

Anyone wishing to present evidence or be heard in this matter may present or speak at
said hearing or any continuation thereof. If you challenge the adoption of the proposed
ordinance establishing service charges in court, you may be limited to raising only those
issues you or someone else raised at the public hearing described in this notice, or in
written correspondence delivered to the Board of Supervisors at, or prior to, the public
hearing.

Prior to the hearing, a public informational meeting on the proposed assessments will be
held by the County Administrative Office, as follows:

The 11th day of June, 2008, at the hour of 6:30 p.m. in the Chambers of the Board
of Supervisors, Mariposa County Government Center, 5100 Bullion St, Mariposa,
California

The proposed charges are as follows:

Developed Parcels - not to exceed $80 annually for a period of no longer than 15 years.

The text of the Board resolution initiating proceedings is as follows:
NOTICE OF HEARING
COUNTY SERVICE AREA 3, COUNTYWIDE
FOR STRUCTURAL FIRE PROTECTION

NOTICE IS HEREBY GIVEN that the Board of Supervisors will conduct a public hearing on the proposal to establish assessments for parcels within County Service Area 3 to be established countywide with the exception of parcels within the Mariposa Public Utility District, on Tuesday, July 22, 2007, at the hour of 2:00 p.m., in the Chambers of the Board of Supervisors, Mariposa County Government Center, 5100 Bullion St., Mariposa, California and at said time shall hear and consider all objections and protests, if any, to said assessments.

The Mariposa County Public Works Department has considered the environmental impacts of this project and concluded that this project will not have a significant effect on the environment pursuant to the provisions of Section 21080(b)(8) of the Public Resources Code and Section 15061 (b) (3) of the State CEQA Guidelines.

Anyone wishing to present evidence or be heard in this matter may present or speak at said hearing or any continuation thereof. If you challenge the adoption of the proposed ordinance in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

Prior to the hearing, a public informational meeting on the proposed assessments will be held by the County Administrative Office, as follows:

The 11th day of June, 2008, at the hour of 6:30 p.m. in the Chambers of the Board of Supervisors, Mariposa County Government Center, 5100 Bullion St, Mariposa, California.

The total amount of the proposed assessment chargeable to the entire district is $569,760 annually.
Amount chargeable to each record owner’s parcel: $80.00 annually
Duration of the payments: Not to exceed 15 years
If approved, the revenues from the proposed assessment will be used to acquire firefighting equipment and to provide for capital improvements at County fire stations.
The costs have been divided equally among all parcels with structures valued at $10,000 or higher.
The assessment shall not be imposed if the ballots submitted in opposition to the assessment exceed the ballots submitted in favor of the assessment, with ballots weighted according to the proportional financial obligation of the affected property. (All ballots within the proposed CSA are weighted equally)

Ballots must be returned to the Mariposa County Government Center, 5100 Bullion Street, Mariposa, California no later than 2 p.m. July 22, 2008 for tabulation at the hearing.

PLEASE REVIEW THE INFORMATION ON THE REVERSE
ENGINEER'S REPORT - SUMMARY ESTIMATE
COUNTY SERVICE AREA NO. 3
FISCAL YEAR 2008-2009

GENERAL BOUNDARIES: Mariposa County excluding parcels within the Mariposa Public Utility District.

SERVICE PROVIDED: Extended Structural Fire Protection (lease/purchase of 11 fire engines and 4 water tenders and capital improvements to fire stations)

COST CALCULATIONS: Improved parcels within this county service area receive 100% of the benefit from these extended services. The estimated assessment for fiscal year 2008-2009 is $80.00 per parcel per year for developed parcels.

**ESTIMATED ANNUAL EXPENSES**
- Lease/Purchase Payment $357,500
- Fire Station Improvements $145,328
- County Administration $1,200
- Formation Costs $18,000
- Contingencies $5,000
- TOTAL EXPENSES $527,028

**ESTIMATED ANNUAL REVENUES**
- Property Owner Contribution
  - 7,122 Parcels @ $80.00 $569,760
  - Delinquent Parcels (5%) $28,488
  - Tax Roll Charge ($2.00/parcel) $14,244

PLEASE NOTE:

WITH THE ENCLOSED BALLOT, YOU ARE BEING ASKED TO APPROVE A TOTAL ASSESSMENT NOT TO EXCEED $80.00 PER DEVELOPED PARCEL FOR A PERIOD OF NO MORE THAN 15 YEARS FOR EXTENDED STRUCTURAL FIRE PROTECTION SERVICES.

PLEASE READ THE INFORMATION ON THE REVERSE OF THIS REPORT
OFFICIAL BALLOT. YOUR VOTE IS IMPORTANT!

I am the owner of record of the parcel listed on the reverse of this ballot as of the last equalized roll, located in the unincorporated area of the County of Mariposa, described in the NOTICE mailed with this ballot. I understand that if approved by a majority of the property owners, my parcel will be charged annually up to the amount described on the information sheet mailed to me with this ballot and that the fire protection service associated with this charge will be provided. I understand that if not approved, the charge will not be imposed and the contemplated improvements to fire stations and acquisition of fire equipment may not take place.

Assessment for C.S.A. 3
Maximum annual charge of $80.00 per parcel for improved parcels.

Return your ballot to: Mariposa County Administrative Office
P.O. Box 784, 5100 Bullion St.
Mariposa, CA 95338

For multi-owner parcels, please see NOTICE.

Please check one

☐ I am FOR the charge
   and the associated service.

☐ I am AGAINST the charge
   and the associated service.

__________________________________________
Signature

__________________________________________
Date
Questions

How much is the proposed assessment?
The proposed assessment is $80 per improved parcel for a period not to exceed 15 years.

Can the assessment be increased?
No, not without property owners consent. The only way to increase the assessment would be to have another vote.

What will the money be used for?
The funds will be used for purchase of fire engines and the capital improvements to fire stations.

What if the assessment is not approved?
If the assessment is not approved by property owners it cannot be placed on property tax bills. The County will then either have to forego or delay the purchase of the equipment or reduce services in other areas to provide for the fire engines. Improvements to fire stations will most likely be delayed indefinitely.

Information

Public Meeting June 11
In order to answer any questions you may have about this proposal, a public meeting has been scheduled for Wednesday, June 11, 2008, at 6:30 p.m. in the Board of Supervisors Chambers, 5100 Bullion Street in Mariposa.

Other meetings will be held throughout the County. Please check the Administrative Office Web site at: www.mariposacounty.org for an updated schedule.

Contact
You can e-mail your questions to: rbenson@mariposacounty.org, or you can call the Mariposa County Administrative Office at (209) 966-3222.

Ballots Due July 22
Mariposa County Service Area #3 - Fire Protection

Hearing and Property Owner Election

As an owner of improved property within Mariposa County, enclosed with this brochure you received a notice of an upcoming hearing regarding the proposed formation of County Service Area #3.

On Tuesday, July 22, 2008, at 2 p.m., the Board of Supervisors will conduct a hearing and count ballots regarding the proposal to establish County Service Area #3, and to establish charges within said County Service Area.

The purpose of the County Service Area is to provide extended structural fire protection through the purchase of fire engines and water tenders, and by making capital improvements to County fire stations.

Background

Citizens of Mariposa are provided fire protection services by the volunteers of the Mariposa County Fire Department. These volunteers are responsible for responding to all structure fires in the county with the exception of occurrences within the Mariposa Public Utility District.

The Situation

The County’s fleet of fire equipment is over 30 years old and is in need of replacement. Unfortunately, but not surprisingly, fire engines and water tenders are very expensive. It is estimated that it will cost approximately $3.6 million to replace the fleet. In addition to the need for new equipment, several of the County fire stations need attention in order to allow them to comply with current standards. The cost for this work exceeds $4.5 million.

The County does not have the resources to carry out all of these upgrades at once without making significant reductions in other services. While the County has been addressing these issues gradually, there is a consensus that many of these needs just can’t wait.

The Proposal

In order to fund the acquisition of new equipment and to repair the fire stations, property owners who are served by the Mariposa County Fire Department are being asked to approve a special assessment for this purpose. The proposed assessment is $80 per year for a period not to exceed 15 years to be used exclusively for acquiring equipment and repairing fire stations.

If approved, the County will enter into a lease/purchase agreement for 11 fire engines and four water tenders. Funds will also be earmarked for improvements at each of the County’s fire stations.

The Choice is Yours

Before a charge can be placed on your property tax bill, the California Constitution requires that property owners be given the right to vote on the proposal.

If a majority of the property owners agree, the charge is permitted. If the property owners do not agree, the charge will not be imposed.

Please note: If a parcel is owned by more than one individual (i.e. husband-and-wife) only one owner’s signature is required.

You have received a ballot asking for your approval of this assessment. The ballot must be returned no later than July 22, 2008 in order to be counted.