DEPARTMENT: Technical Services
(On Behalf of the Lions Club)

RECOMMENDED ACTION AND JUSTIFICATION:

Approve the application for a Cal Trans Encroachment Permit in support of closing HWY 140 11 am – 12:30pm, between Hwy 49 North and Hwy 49 South, Saturday, August 30, 2008 authorize the Chair to sign the attached letter documenting the Board’s support and approval.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board has always supported the Labor Day parade.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Cal Trans will likely deny the Encroachment Permit Application and endanger the traditional Fair parade.

Financial Impact? (X) Yes ( ) No

Current FY Cost: $900

Budgeted in Current FY? (X) Yes ( ) No ( ) Partially Funded

Amount in Budget: $

Additional Funding Needed: $

Source:

Internal Transfer

Unanticipated Revenue ______ 4/5's vote

Transfer Between Funds ______ 4/5's vote

Contingency ______ 4/5's vote

( ) General ( ) Other

List Attachments, number pages consecutively:

Board Letter

Lions Letter

Encroachment Permit Application

Parade Map

CHP Letter

Lions Insurance Certificate

CLERK’S USE ONLY:

Res. No.: 2008-29

Vote – Ayes: 4

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:

Request Action Recommended

No Opinion

Comments:

CAO: ___
July 8, 2008

Steve Waldron
Department of Transportation District 10
PO Box 2048
Stockton California 95201

Dear Mr. Waldron,

On July 8, 2008, the Mariposa County Board of Supervisors adopted a Resolution approving the detour of traffic from state routes to Mariposa County roadways on August 30, 2008, for the duration of the “Labor Day Fair Parade.”

Mariposa County agrees to hold Cal Trans and the State of California harmless for any damages to county roadways as a result of the detour.

Thank you for your consideration in this matter.

Sincerely,

LYLE TURPIN
Chair, Mariposa County Board of Supervisors

cc: Board of Supervisors
    Mariposa Lions Club
July 8, 2008

Steve Waldron
Permit Engineer
Department of Transportation
PO Box 2048
Stockton California 95201

Dear Mr. Waldron,

Attached is the Standard Encroachment Permit Application for the annual Mariposa County Labor Day Parade.

The package includes a letter from our Board of Supervisors agreeing to hold Cal Trans and the State of California harmless for any damages to County roadways as a result of the detour. Also included is a letter from the Mariposa office of the California Highway Patrol and a map of the staging area, parade route and detour.

The Local Cal Trans office will provide cones and Detour ahead signs as they have in the past. Our County public works department will provide road barricades and detour signs. They are identified by number on the map. No Parking signs will be posted along the parade route 48 hours in advance (at minimum).

Our Insurance Certificate, covering the event, is included in the permit application.

If you require further information please do not hesitate to contact me at 209 966 8029 or rperesan@mariposacounty.org.

Thank you for your help.

Regards,

Richard Peresan
Past President, Mariposa Lions Club
STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
STANDARD ENCLOSEMENT PERMIT APPLICATION
TR-0100 (REV. 07/2007)

Permission is requested to encroach on the State Highway right-of-way as follows:
(Complete all BOXES [write N/A if not applicable])
This application is not complete until all requirements have been approved.

<table>
<thead>
<tr>
<th>1. COUNTY</th>
<th>2. ROUTE</th>
<th>3. POSTMILE</th>
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<tbody>
<tr>
<td>Mariposa</td>
<td>140</td>
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<tr>
<th>4. ADDRESS OR STREET NAME</th>
<th>5. CITY</th>
<th>6. CROSS STREET</th>
<th>7. PORTION OF RIGHT-OF-WAY</th>
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<tr>
<td>5100 Bullion St</td>
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<th>8. WORK TO BE PERFORMED BY</th>
<th>9. EST. START DATE</th>
<th>10. EST. COMPLETION DATE</th>
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<td>✔ OWN FORCES</td>
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<th>14. CALTRANS PROJECT E.A. NUMBER</th>
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<th>15. DOUBLE PERMIT</th>
<th>Parent Permit Number</th>
<th>Applicant’s Reference Number / Utility Work Order Number</th>
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16. Have your plans been reviewed by another Caltrans branch?  ✔ NO  ☐ YES (If "YES") Who?

17. Completely describe work to be done within STATE highway right-of-way:
Attach 6 complete sets of FOLDED plans (folded 8.5" x 11"), and any applicable specifications, calculations, maps, etc.
All dimensions shall be in U.S. Customary (English) Units.

Detour Traffic on HWY 140 between Hwy 49 North and Hwy 49 South in the town of Mariposa on August 30, 2008, 11:00 AM - 12:30 PM for the Annual Labor Day Parade.

18. Is a city, county, or other agency involved in the approval of this project?

   ✔ YES (If "YES", check type of project and attach environmental documentation and conditions of approval.)
   ☐ COMMERCIAL DEVELOPMENT ☐ BUILDING ☐ GRADING ☐ OTHER
   ☐ CATEGORICALLY EXEMPT ☐ NEGATIVE DECLARATION ☐ ENVIRONMENTAL IMPACT REPORT ☐ OTHER

   (Labor Day Parade)

   ☐ NO (If "NO", please check the category below which best describes the project, and complete page 4 of this application.)
   ☐ DRIVEWAY OR ROAD APPROACH, RECONSTRUCTION, MAINTENANCE, OR RESURFACING ☐ FENCE
   ☐ PUBLIC UTILITY MODIFICATIONS, EXTENSIONS, HOOKUPS ☐ MAILBOX
   ☐ FLAGS, SIGNS, BANNERS, DECORATIONS, PARADES AND CELEBRATIONS ☐ EROSION CONTROL
   ☐ OTHER ☐ LANDSCAPING

19. Will this project cause a substantial change in the significance of a historical resource (45 years or older), or cultural resource?  ☐ YES  ✔ NO
   (If "YES", provide a description)

20. Is this project on an existing highway or street where the activity involves removal of a scenic resource including a significant tree or stand of trees, a rock outcropping or a historic building?  ☐ YES  ✔ NO (If "YES", provide a description)

21. Is work being done on applicant's property?  ☐ YES  ✔ NO (If "YES", attach site and grading plans.)

ADA NOTICE: For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-6410 or TDD (916) 654-3810 or write to Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.
22. Will the proposed project require the disturbance of soil?  
☐ YES  ☑ NO

If "YES", estimate the area within State Highway right-of-way in square feet AND acres: 

☐ (ft²) AND ☑ (acres)

estimate the area outside State Highway right-of-way in square feet AND acres:

☐ (ft²) AND ☑ (acres)

23. Will this proposed project require dewatering?  
☐ YES  ☑ NO

If "YES", estimate total gallons AND gallons/month  

☐ (gallons) AND ☑ (gallons/month)

SOURCE: ☐ STORM WATER ☑ NON-STORM WATER


24. How will any storm water or ground water be disposed of from within or near the limits of this proposed project?  
☐ Storm Drain System ☐ Combined Sewer/Storm System ☐ Storm Water Retention Basin

☐ Other (explain):

PLEASE READ THE FOLLOWING CLAUSES PRIOR TO SIGNING THIS ENCOHREMENET PERMIT APPLICATION.

The applicant, understands and herein agrees to that an encroachment permit can be denied, and/or a bond required for non-payment of prior or present encroachment permit fees. Encroachment Permit fees may still be due when an application is withdrawn or denied, and that a denial may be appealed, in accordance with the California Streets and Highways Code, Section 671.5. All work shall be done in accordance with Caltrans rules and regulations subject to inspection and approval.

The applicant, understands and herein agrees to the general provisions, special provisions and conditions of the encroachment permit, and to indemnify and hold harmless the State, its officers, directors, agents, employees and each of them (Indemnitees) from and against any and all claims, demands, causes of action, damages, costs, expenses, actual attorneys' fees, judgments, losses and liabilities of every kind and nature whatsoever (Claims) arising out of or in connection with the issuance and/or use of this encroachment permit and the placement and subsequent operation and maintenance of said encroachment for: 1) bodily injury and/or death to persons including but not limited to the Applicant, the State and its officers, directors, agents and employees, the Indemnitees, and the public; and 2) damage to property of anyone. Except as provided by law, the indemnification provisions stated above shall apply regardless of the existence or degree of fault of indemnities. The Applicant, however, shall not be obligated to indemnify Indemnitees for Claims arising from the sole negligence and willful misconduct of State, its officers, directors, agents or employees.

DISCHARGES OF STORM WATER AND NON-STORM WATER: Work within State Highway right-of-way shall be conducted in compliance with all applicable requirements of the National Pollutant Discharge Elimination System (NPDES) permit issued to the Department of Transportation (Department), to govern the discharge of storm water and non-storm water from its properties. Work shall also be in compliance with all other applicable Federal, State and Local laws and regulations, and with the Department's Encroachment Permits Manual and encroachment permit. Compliance with the Departments NPDES permit requires amongst other things, the preparation and submission of a Storm Water Pollution Control Plan (SWPPP), or a Water Pollution Control Program (WPCP), and the approval of same by the appropriate reviewing authority prior to the start of any work. Information on the requirements may also be reviewed on the Department's Construction Website at: http://www.dot.ca.gov/hrq/construc/stormwater/stormwater1.htm

25. NAME OF APPLICANT or ORGANIZATION (Print or Type)  
Mariposa Lions Club  
E-MAIL ADDRESS  
rperesan@mariposacounty.org

ADDRESS OF APPLICANT or ORGANIZATION WHERE PERMIT IS TO BE MAILED (Include City and Zip Code)  
PO Box 810 Mariposa California 95338

PHONE NUMBER  
209 966 8029  
FAX NUMBER  
209 966 6029

26. NAME OF AUTHORIZED AGENT / ENGINEER (Print or Type)  
Richard Peresan  
IS LETTER OF AUTHORIZATION ATTACHED? ☑ YES ☐ NO

ADDRESS OF AUTHORIZED AGENT / ENGINEER (Include City and Zip Code)  
PO Box 1092 Mariposa California 95338

PHONE NUMBER  
209 966 8029  
FAX NUMBER  
209 966 6029

27. SIGNATURE OF APPLICANT or AUTHORIZED AGENT

28. PRINT OR TYPE NAME  
Richard Peresan

29. TITLE  
Past President

30. DATE  
July 8, 2008
## FEE CALCULATION -- FOR CALTRANS USE

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*The current hourly rate is set annually by Headquarters Accounting. District Office staff do not have authority to modify this rate.*

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![Image of a number 5]
INSTRUCTIONS
for completing page 4

This page needs to be completed when the proposed project does not involve a City, County or other public agency.

Your answers to these questions will assist departmental staff in identifying any physical, biological, social or economic resources that may be affected by your proposed project within the State highway right-of-way. And, to determine which type of environmental studies may be required to approve your application for an encroachment permit.

It is the applicant’s responsibility for the production of all required environmental documentation and supporting studies, in some cases this may be costly and time-consuming. If possible, attach photographs of the location of the proposed project.

Please answer these questions to the best of your ability. Provide a description of any "YES" answers (type, name, number, etc.)

1. Will any existing vegetation and/or landscaping within the highway right-of-way be disturbed?  
   No

2. Are there waterways (e.g. river, creek, pond, natural pool or dry streambed) adjacent to or within the limits of the project or highway right-of-way?  
   No

3. Is the proposed project located within five miles of the coast line?  
   No

4. Will the proposed project generate construction noise levels greater than 86 dBA (e.g. jack-hammering, pile driving)?  
   No

5. Will the proposed project incorporate land from a public park, recreation area or wildlife refuge open to the public?  
   No

6. Are there any recreational trails or paths within the limits of the proposed project or highway right-of-way?  
   No

7. Will the proposed project impact any structures, buildings, rail lines, or bridges within highway right-of-way?  
   No

8. Will the proposed project impact access to any businesses or residences?  
   No

9. Will the proposed project impact any existing public utilities or public services?  
   No

10. Will the proposed project impact existing pedestrian facilities, such as sidewalks, crosswalks, or overcrossings?  
    No

11. Will new lighting be constructed within or adjacent to highway right-of-way?  
    No
June 17, 2008

File No.: 455.9628.10709Lionsclub

Mariposa County Board of Supervisors
P.O. Box 276
Mariposa, CA 95338

Dear Board Members:

The Mariposa office of the California Highway Patrol has received and reviewed an application from the Mariposa Lions Club for a Labor Day Parade in downtown Mariposa. This event is scheduled for August 30, 2008. We ask that while the event is being held, the responsible individual(s) requesting approval, ensure adequate parking areas are available to both event personnel and attendees to prevent any vehicles from parking or interfering with traffic on S.R. 140. In the event more vehicles arrive than anticipated, the responsible individual(s) are asked to immediately notify the CHP at (209) 356-2929.

We appreciate you allowing us the opportunity to respond to the potential concerns we foresee. If there is any additional assistance which can be provided by the California Highway Patrol, please contact Sergeant Byron Duncan at (209) 966-3656.

Sincerely,

[Signature]

D. J. PRICE, Lieutenant
Commander
Mariposa Area
# CERTIFICATE OF LIABILITY INSURANCE

**PRODUCER**
MRH
333 E. Butterfield Road, 5th Floor
Lombard, IL 60148
Phone: (630) 324-7705
Fax: (630) 324-2778

**INSURER**

<table>
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<th>INSURER A</th>
<th>ACE American Insurance Company</th>
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<td>INSURER E</td>
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**INSURED**
Manitoba Lions Club
Manitoba, California

**COVERAGES**

The policies of insurance listed below have been issued to the insured named above for the policy period indicated. Notwithstanding any requirement, term of condition of any contract or other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, exclusions and conditions of such policies. Aggregate limits shown may have been reduced by paid claims.

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<th>TYPE OF INSURANCE</th>
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**OTHER**

**DESCRIPTION OF OPERATIONS, LOCATIONS, VEHICLES, EXCLUSIONS, ENDORSEMENTS, SPECIAL PROVISIONS**

Provisions of the policy apply to the named insured's participation in the following activity during the policy period shown above: Labor Day parade August 30, 2008

Mariposa County is included as an additional insured(s), but only with respect to General Liability arising out of the issuance of permit(s) to the insured shown above and not out of the sole negligence of said additional insured.

Provisions of the policy do not apply to the sale or serving of alcoholic beverages.

**CERTIFICATE HOLDER**

CalTrans
PO Box 2028
Stockton, California 95201

**CANCELLATION**

Should any of the above described policies be cancelled before the expiration date thereof, the issuing insurer will endeavor to mail 30 days written notice to the certificate holder named to the left, but failure to do so shall impose no obligation or liability of any kind upon the insurer, its agents or representatives.

Authorized Representative: [Signature]

ACORD 25 (2001/08)