TO: DANA HERTFELDER, Public Works Director
FROM: MARGIE WILLIAMS, Clerk of the Board
SUBJECT: Approval of Consent Agenda

RESOLUTION 08-527

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on November 10, 2008

ACTION AND VOTE:

Item 18 – Supervisor Bibby initiated discussion relative to the Encroachment Permit and sponsorship; and suggested that the County should sign the Permit. Rick Benson concurred that as Risk Manager he or the Public Works Director should sign the Permit, and discussion was held. Paul Hall, Chamber of Commerce, provided input on the process and advised that they are agreeable with the County being the applicant. Rick Benson asked that the Chamber bring this matter to the County’s attention earlier next year for review. (M)Bibby, (S)Aborn, item 18 was approved with direction for the Risk Manager to make necessary changes in the application to reflect the County’s sponsorship/Ayes: Unanimous.

CA-18 Approve the Application for a Cal Trans Encroachment Permits in Support of Closing Highway 140 from 11:00 a.m. to 12:30 p.m., Between Highway 49 South, Saturday, December 6, 2008, and for Christmas Banners Along Highway 140 and Authorize the Board of Supervisors Chair to Sign the Letter Documenting the Board’s Support and Approval (Chamber of Commerce); Res. 08-527, with direction for changes in the Application to reflect the County’s sponsorship

Cc: Chamber of Commerce
    File
November 12, 2008

Mariposa County Public Works
Dana Hertfelder, Public Works Director
4639 Ben Hur Road
Mariposa, CA 95338

Dear Dana:

We appreciate your assistance in applying for the encroachment permits to hang holiday banners and for the detour during the Merry Mountain Christmas Parade.

I enclosed the whole package needed to send to Cal Trans and have filled out the necessary encroachment permit applications. We will need you to sign the applications (see signature arrows) and provide us a copy of the completed applications. Also, a copy of the permit applications will need to go to the County Administration office. This was requested by Margie Williams.

Please let me know if you want us to mail the information to Cal Trans. They will be mailing the permits to your office and as soon as they arrive, we will need copies of the encroachment permits to have available for the persons hanging the banners and during the parade.

I am waiting for the letter from the County Board of Supervisors approving the action to add to the package before sending to Cal Trans.

Thanks again for all your assistance.

Sincerely,

Dorothy Kuhnel
Executive Director
November 5, 2007

Mariposa County Board of Supervisors
P.O. Box 784
Mariposa, CA 95338

Dear Supervisors:

We are in the planning stages of the 11th Annual Merry Mountain Christmas Festival & Parade. The date for this event is scheduled for December 6, 2008.

We are requesting your support to approve the detour of traffic from State routes to Mariposa County roadways for the duration of the Merry Mountain Christmas Festival & Parade.

We are also requesting your support in applying for the encroachment permits to hang the Christmas banners along Hwy. 140 to existing brackets on power poles and for the Parade.

We received a letter from Permit Engineer, Steve Waldron, suggesting that if the County applies for the encroachment permits the fees will be exempt. (See attached letter)

I have also enclosed the applications for both permits, copies of last year permits with parade route and map of banner placement, certificate of liability insurance, and a letter from the California Highway Patrol.

We appreciate your support in this community event.

Sincerely,

Dorothy Kuhnel
Executive Director

Enclosures (5)
November 10, 2008

Steve Waldron
Department of Transportation District 10
Post Office Box 2048
Stockton, CA 95201

Dear Mr. Waldron:

On November 10, 2008, the Mariposa County Board of Supervisors adopted a Resolution approving the Encroachment Permit Applications for the detour of traffic from state routes to Mariposa County roadways on Saturday, December 6, 2008, for the duration of the “Merry Mountain Christmas Parade” and for the Christmas banners.

Mariposa County agrees to hold CalTrans and the State of California harmless for any damages to county roadways as a result of this detour or the banners.

Thank you for your consideration in this matter.

Sincerely,

[Signature]
Lyle Turpin
Board Chair

cc: Board of Supervisors
Mariposa County Chamber of Commerce
File
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.

1. COUNTY
Mariposa

2. ROUTE
3. POSTMILE
140

4. ADDRESS OR STREET NAME
State Route Hwy. 140

5. CITY
Mariposa

6. CROSS STREET (Distance and direction from site)
State Hwy. 140

7. PORTION OF RIGHT-OF-WAY

8. WORK TO BE PERFORMED BY
☑ OWN FORCES ☐ CONTRACTOR

9. EST. START DATE
December 2, 2008

10. EST. COMPLETION DATE
January 5, 2009

11. MAX. DEPTH
AVG. DEPTH
AVG. WIDTH
LENGTH
EXCAVATION

12. FUNDING SOURCE(S)
☐ FEDERAL ☐ STATE ☐ LOCAL ☐ PRIVATE

13. PRODUCT TYPE
DIAMETER
VOLTAGE / PSIG
PIPES

14. CALTRANS PROJECT No.

15. Double Permit Parent Permit Number

Applicant's Reference Number / Utility Work Order Number

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 6.5" x 11"), and all applicable specifications, calculations, maps, etc.
All dimensions shall be in U.S. Customary (English) Units.

Place, maintain and remove "Holiday" banners on existing brackets of power poles along State Highway 140 right of way between Second Street and Jones Street and one banner over and across State Highway 140 at 4th Street in the town of Mariposa from December 2, 2008 to January 5th, 2009.

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
Hang Holiday Banners

☐ 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?
(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) 654-3880 or write to Records andPermits Management, 1128 N. Street, MS-89, Sacramento, CA 95814
STANDARD ENCROACHMENT PERMIT APPLICATION

22. Will this 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 of 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: □ STORMWATER  □ NON-STORMWATER

24. 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 ENCROACHMENT 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 (Indemnities) 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 Indemnities, 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 indemnities for Claims arising from the sole negligence and willful misconduct of State, its officers, directors, agents or employees.

DISCHARGES OF STORMWATER AND NON-STORMWATER: 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 Protection 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/hq/const/permits/permits.htm

25. NAME OF APPLICANT OR ORGANIZATION (Print or Type)
   Mariposa County
   4639 Ben Hur Road
   Mariposa, CA 95338
   E-MAIL ADDRESS: dhertfelder@mariposacounty.org

26. ADDRESS OF APPLICANT OR ORGANIZATION WHERE PERMIT IS TO BE MAILED (Include City and Zip Code)
   4639 Ben Hur Road
   Mariposa, CA 95338

27. PHONE NUMBER (209) 966-5356
28. FAX NUMBER (209) 966-2828

29. NAME OF AUTHORIZED AGENT / ENGINEER (Print or Type)
   Dana Hertfelder, Mariposa County Public Works Director

30. LETTER OF AUTHORIZATION ATTACHED?
   □ YES  □ NO
   E-MAIL ADDRESS: dhertfelder@mariposacounty.org

31. ADDRESS OF AUTHORIZED AGENT / ENGINEER (Include City and Zip Code)
   4639 Ben Hur Road
   Mariposa, CA 95338

32. PHONE NUMBER (209) 966-5356
33. FAX NUMBER (209) 966-2828

34. SIGNATURE OF APPLICANT OR AUTHORIZED AGENT
   [Signature]

35. PRINT OR TYPE NAME
   Dana Hertfelder

36. TITLE
   Public Works Director

37. DATE
   11/12/08
# Fee Calculation -- For Caltrans Use

- **Cash**
- **Credit Card**
- **Check**
- **Exempt**
- **Deferred Billing (Utility)**

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<td>1. ______ HOURS @ $______</td>
<td>$______</td>
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<td>2. ______ HOURS @ $______</td>
<td>$______</td>
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| **Inspection** |     |     |
| 1. ______ HOURS @ $______ | $______ | DATE | $______ | TOTAL FEE / DEPOSIT | $______ |
| 2. ______ HOURS @ $______ | $______ | DATE | $______ | TOTAL FEE / DEPOSIT | $______ |

| **Field Work** |     |     |
| HOURS @ $______ | $______ | $______ | $______ |

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| **Cash Deposit In Lieu of Bond** | $______ | $______ | $______ |

| **Total Collected** | $______ | $______ |

| **Cashier's Initials** | $______ |

*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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INSTRUCTIONS
for completing page 4

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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.)

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Detour Traffic for the 11th Annual Merry Mountain Christmas Parade along State Hwy. 140 right of way between Jones Street and 3rd Street in Mariposa on December 6, 2008 from 10:00am to 1:00pm. Detour for both eastbound and westbound directions will be off State Hwy. 140 from 3rd Street to Bouillion Street to Jones Street and back onto State Hwy. 140. Traffic control shall be coordinated by California Highway Patrol or local law enforcement agency on Uniform Traffic Control Devices (MUTCD). All signs and equipment shall be removed immediately after completing the event.
22. Will this 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:
   ____________________________________ (sq') AND _________________________ (acres)
   estimate the area outside of State Highway right-of-way in square feet AND acres:
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   If "YES", estimate total gallons AND gallons/ month:
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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: [ ]
   [ ]
   [ ]
   [ ]

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

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26. ADDRESS OF APPLICANT OR ORGANIZATION WHERE PERMIT IS TO BE MAILED (Include City and Zip Code)
    4639 Ben Hur Road, Mariposa, CA 95338

27. SIGNATURE OF APPLICANT OR AUTHORIZED AGENT

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    Public Works Director

30. DATE
    11/12/08
### FEE CALCULATION -- FOR CALTRANS USE

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<td><strong>FIELD WORK</strong></td>
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|                  |         |         |
| **PERFORMANCE BOND** | Date | Amount |
|                  |         | $       |
| **PAYMENT BOND**   | Date | Amount |
|                  |         | $       |
| **LIABILITY INSURANCE REQUIRED?** | YES | NO |
|                  |         | $       |
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CLOSE 12TH STREET ONLY
FROM 3PM - 7PM (FOR FESTIVAL)
AT HISTORY CENTER.

STATE ROUTE 140
STATE ROUTE 49
PARADE ROUTE
DETOUR
PARADE STAGING AREA
(03) LOCATION MAP NO.
**ACORD CERTIFICATE OF LIABILITY INSURANCE**

**PRODUCER** (916) 488-6702  **FAX** (916) 488-2336
DBA: McClatchy Insurance Agency
License #0724020
2410 Fair Oaks Blvd, Suite 140
Sacramento, CA 95825

**INSURED** Mariposa County Chamber Of Commerce
P.O. Box 425
Mariposa, CA 95338

**DATE (MM/DD/YYYY)** 11/04/2008

**INSURERS AFFORDING COVERAGE**

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**COVERAGES**

The policies of insurance listed below have been issued to the insured named above for the policy period indicated. Notwithstanding any requirement, term or condition of any contact 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.

<table>
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<th>POLICY NUMBER</th>
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**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS**


Ten day notice of cancellation applies for non-payment of premium.

**CERTIFICATE HOLDER**
State of California
Dept. of Transportation
Lydia Gudgel
P.O. Box 311
Merced, CA 95341

**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDANGER TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAME TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

ACORD 25 (2001/09) ©ACORD CORPORATION 1988
November 5, 2008

File No.: File No.:455.9628.A13242.Christmas Parade

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 Merry Mountain Christmas Festival & Parade in downtown Mariposa. This event is scheduled for December 6, 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 interfacing with traffic on SR 140. In the event more vehicles arrive than anticipated, the responsible individual(s) are asked to immediately notify the CHP at (209) 356-2900.

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 Ed Greene at (209) 966-3656.

Sincerely,

D. J. Price, Lieutenant
Commander
Mariposa Area

Safety, Service, and Security