DEPARTMENT: Public Works/Engineering  BY: Dana Hertfelder
PHONE: 966-5356

RECOMMENDED ACTION AND JUSTIFICATION:

Public Works Department recommends authorizing the adoption of a resolution setting a date, time and place of hearing for the proposed Mariposa County/Tuolumne County Boundary Line amendment. Mariposa County is the “Conducting County” in this matter; therefore this will be the first of 3 (or possibly 4) hearings required by California Government Code Sections 23200 through 23212.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

Mariposa County Code Section 16.20.030, subsection B requires that no lot shall be divided by a county, city, or school district boundary line. South Shore Club subdivision No. 12/07/87 has been approved, including the County Boundary Line amendment. The Mariposa County Board of Supervisors previously approved a similar amendment by Resolution No. 97-341.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

If the proposed Boundary Line amendment is not approved, the project applicants would be required to revise the configuration of the subdivision lots to conform to Mariposa County Code requirements.

Financial Impact? ( ) Yes ( X ) No  Current FY Cost: $
Budgeted In Current FY? (X) Yes ( ) No ( ) Partially Funded
Amount in Budget: $
Additional Funding Needed: $ none
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
1. Copy of Tuolumne County resolution No. 57-06
2. Copy of proposed Boundary Line legal description.
3. Copy of two page Record of Survey Map delineating the County Boundary Line amendment.

CLERK’S USE ONLY:
Res. No.: 5-7-99  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
STATE OF CALIFORNIA  
COUNTY OF MARIPOSA  
BOARD OF SUPERVISORS  
RESOLUTION No. 06-459

A resolution setting the time, date and place for a hearing on a proposal to amend the Mariposa/Tuolumne County boundary

WHEREAS on the 9th day of May 2006, the Board of Supervisors of Tuolumne County adopted a resolution proposing a minor adjustment in the boundary line which separates Tuolumne County from Mariposa County to accommodate the proposed subdivision entitled “South Shore Ranch – Phase I”; and

WHEREAS the proposed boundary change is being requested to prevent proposed subdivision parcels from being divided by a County boundary line; and

WHEREAS the Board of Supervisors of Tuolumne County reviewed the proposed boundary change, determined it complies with the statutory requirements set forth in Sections 23200 et seq of the California Government Code in that:

1) the proposed new boundary line is not more than five (5) miles from its original location; and

2) the proposed new boundary line will not reduce the area of either Tuolumne County or Mariposa County by more than five percent (5%); and

3) the proposed new boundary line will not reduce the population of either county by more than five percent (5%); and

4) the proposed new boundary line does not affect inhabited territory; and

WHEREAS Section 23206 of the California Government Code provides that, upon receipt of such a resolution initiating a boundary line adjustment, the Board of Supervisors of the receiving county shall adopt a resolution setting a time, date and place for a hearing on the proposal not less than thirty (30) no more than sixty (60) days following the adoption of that resolution.

NOW THEREFORE BE IT RESOLVED THAT the Board of Supervisors of the County of Mariposa does hereby set 10:00 a.m. on November 14, 2006 in the Board of Supervisors Chambers, 5100 Bullion Street, Mariposa California as the time and place for a public hearing on the proposal initiated by the Tuolumne County Board of Supervisors to make a minor boundary change to the common boundary
line between the County of Mariposa and the County of Tuolumne as depicted and described in the attached Exhibits A and B.

BE IT FURTHER RESOLVED that the Board invites any interested person to appear and be heard at the hearing. Any person desiring to protest against the proposal may file a written protest with the Board of Supervisors on or before the conclusion of the hearing. Any written protest filed by a resident voter shall contain the address of the voter, and any written protest filed by a property owner shall contain a description of the property owned by the protestant.

BE IT FURTHER RESOLVED that notice shall be published pursuant to Section 6061 of the California Government Code in one or more newspapers of general circulation within each affected county, said publication to occur fifteen (15) days or more before the date set for the hearing. A copy of said notice shall be mailed to the Board of Supervisors of Tuolumne County, to each special district and school district which includes the affected territory within its boundaries, to the Local Agency Formation Commission of each county, and to each person who has filed a written request for such special notice.

ON MOTION BY Supervisor Turpin seconded by Supervisor Pickard, this resolution was duly passed and adopted this third day of October, 2006 by the following vote:

AYES: STETSON, TURPIN, BIBBY, FRITZ, PICKARD
NOES: NONE
EXCUSED: NONE
ABSTAIN: NONE

[Signature]
Lee Stetson, Chairman
Mariposa County Board of Supervisors

ATTEST:

[Signature]
MARGIE WILLIAMS
Clerk of the Board of Supervisors

APPROVED AS TO LEGAL FORM

[Signature]
THOMAS P. GUARINO
County Counsel