DEPARTMENT: Public Works/Don Pedro 1-M

RECOMMENDED ACTION AND JUSTIFICATION:

Approve Budget Action for fiscal year 2004-05 for the Don Pedro 1-M budget decreasing reserves by $16,000 and increasing appropriations for Fire Protection Agreement in order to pay the annual invoice from Tuolumne County for off-season fire protection in the Lake Don Pedro subdivision.

Mike Noonan, Assistant County Fire Warden for Tuolumne County, sent an email to Public Works on June 28, 2004 (copy attached) estimating that our cost for fiscal year 2004-05 for fire protection services in Lake Don Pedro would be approximately $29,670 and we budgeted accordingly. The actual invoice was recently received and the amount is $45,388, which is 53% higher than the estimate and a 130% increase over last year’s bill of $19,752. The increase is the result of the State of California paying a higher rate to CDF employees for overtime. Tuolumne County contracts with CDF to operate the Blanchard Fire Station in Lake Don Pedro in the off season.

The cooperative agreement that was signed in June of 2000 with Tuolumne County has no maximum dollar amount for the cost of services provided, nor does it limit the amount that the cost can increase from one year to the next. Under the terms of the agreement we have no choice but to pay the invoice in spite of the cost being so high. The Don Pedro 1-M fund has no source of revenue sufficient to offset this annual cost. After paying this invoice for $45,388 the cash balance of the Don Pedro 1-M fund will be around $87,000.

We are requesting approval to transfer $16,000 from reserves to the Fire Protection Agreement line item to pay the invoice from Tuolumne County for fiscal year 2004-05.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

Last year the Board approved transferring funds within the Don Pedro 1-M budget to pay for the fire protection invoice because it was also higher than estimated, Res. No. 04-327.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Do not approve the requested action, which would leave us short of the necessary appropriations to cover the current invoice for fire protection services.

<table>
<thead>
<tr>
<th>Financial Impact? (X) Yes ( ) No</th>
<th>Current FY Cost: $16,000</th>
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<tbody>
<tr>
<td>Source: DP 1-M reserves</td>
<td>X</td>
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<tr>
<td>Additional Funding Needed:</td>
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<tr>
<td>Unanticipated Revenue</td>
<td>4/5's vote</td>
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<tr>
<td>Transfer Between Funds</td>
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<tr>
<td>Contingency</td>
<td>4/5's vote</td>
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<tr>
<td>General ( ) Other</td>
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List Attachments, number pages consecutively
1. 6/28/04 email from Mike Noonan
2. 6/23/05 cover letter from Mike Noonan
3. Fiscal Year 04-05 invoice
4. Fiscal Year 03-04 invoice
5. Fire protection agreement
6. Budget Action form
Res. No.: 05-3
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

COUNTY ADMINISTRATIVE OFFICER:
☑ Requested Action Recommended
☐ No Opinion
Comments: __________________________

CAO: ______

Revised Dec. 2002
Carl Casey

From: Noonan, Mike [Mike.Noonan@fire.ca.gov]
Sent: Monday, June 28, 2004 9:07 AM
To: ccasey@mariposacounty.org
Subject: 04-05Blanchard

ATT00000.html

Carl,

Here is the rate for next year's salaries. Your commitment would be 50% of this rate or $28,670 plus 50% of the operating expenditures or approximately $1000. In the spirit of cooperation, I did not charge you a true half of the cost for this year because of the significant jump in the salary rate.

2004-05 Amador Cost projections for:

Blanchard  5.0  FC  11/15-5/15  6  $1,630  $48,900
$8,440  $57,340

I hope this helps in your planning.

Mike Noonan
Division Chief
Tuolumne-Calaveras Unit
Office: 209-533-5983
Cell: 209-770-7003
California Department of Forestry and Fire Protection

and

Tuolumne County Fire Department

Cooperative Fire Protection Services
Fred McVay
County Fire Warden

Michael T. Noonan
Asst. County Fire Warden

June 23, 2005

Carl Casey, Fiscal Officer
Mariposa Department of Public Works
4639 Ben Hur Road
Mariposa, CA 95338

Dear Mr. Casey,

Attached you will find our invoice for Mariposa’s half of the costs for keeping the Blanchard fire station open for emergency response during the non-fire season period from November 2004 through May 2005.

As you may recall from previous discussions, the rate is higher than in previous years because of an increase in the overtime rate necessary to meet the Fair Labor Standards Act for hours above and beyond the 53 hours per week. The CDF Company Officer works a 72 hour workweek and our split of the contract is only for the 19 hours per week of “Guaranteed Overtime” per employee.

In a recent study session conducted by the Tuolumne County Board of Supervisors, it was determined that the CDF contract is still the most cost effective method of providing fire protection, versus paying the full salary and benefits for equal staffing for the same level of protection.

The remoteness of this geographic area seems to lend itself to this cost effective way of doing business. The Blanchard station responded to over 300 emergencies in the calendar year 2004. Keeping this station open is of mutual benefit for the citizens and visitors of each of our counties and is a necessary service to be delivered in the Don Pedro Area. Tuolumne County is also struggling with the increased cost and is seeking alternative funding sources to keep this contract.

The projected cost for the next non-fire season period (November 2005 through May 2006) for Mariposa’s portion to keep the Blanchard Fire Station open will be approximately $58,000.

If you have any questions please feel free to contact me at (209) 533-5548.

Respectfully,

Michael T. Noonan, ACFW
June 23, 2005

Mariposa Department of Public Works
4639 Ben Hur Road
Mariposa, CA. 95338

Attention: Carl Casey, Fiscal Officer

INVOICE FOR 2004/05 BLANCHARD STATION AMADOR SCHEDULE

Please process payment to:

Tuolumne County Fire Department
2 South Forest Road
Sonora, CA 95370
Attention: Linda Goldemberg, Fiscal Tech

In accordance with the cooperative agreement for fire protection in the Lake Don Pedro area, signed in June 2000, please forward payment to Tuolumne County Fire Department in the amount of $45,388. This represents Mariposa County's responsibility for the CDF Blanchard station covered in the Amador Plan for the fiscal year of 2004/2005. See the attached Schedule A 4144 breakdown. Thank you for your attention to this matter.

SCHEDULE A – 4144

Blanchard Station  2004/05.........$90,777.00
                      50%.......$45,388.00

Michael Noonan, ACFW
### PERSONNEL SERVICES:

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<tr>
<th>No</th>
<th>CLASS</th>
<th>MONTHS</th>
<th>PERIODS</th>
<th>RATE</th>
<th>SALARY</th>
<th>BENEFITS</th>
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<tr>
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Unplanned Overtime: N/C

| SUBTOTAL PERSONNEL | $80,981 |

### OPERATING EXPENSES

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| SUBTOTAL OPERATING EXPENSES | $1,920 |

TOTAL PERSONNEL & OP EXPENSE $82,901

Administrative Charge 9.5% $7,876

Grand Total Blanchard 4144 $90,777

Mariposa County 50% $45,388
This is Attachment A of Cooperative Agreement originally dated July 1, 2004, by and between the Department of Forestry and Fire Protection of the State of California and LOCAL AGENCY.

XXX_Original  Amendment for Fiscal Year 2004

### PERSONAL SERVICES

#### FIRE CONTROL & EMERGENCY SERVICES

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<tr>
<th>No.</th>
<th>Class</th>
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<th>Rate</th>
<th>Total Salary</th>
<th>Benefits @ 25.72%</th>
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<td>6</td>
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<td>$1,568</td>
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#### COMMAND/SUPPORT

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<thead>
<tr>
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<th>Months</th>
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<th>Rate</th>
<th>Total Salary</th>
<th>Benefits @ 25.72%</th>
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#### OVERTIME

**Unplanned Overtime (1.5)** $25,000

**Total Personal Services** $422,444
June 21, 2004

Mariposa Department of Public Works
4639 Ben Hur Road
Mariposa, CA. 95338

Attention: Carl Casey, Fiscal Officer

INVOICE FOR 2003/2004 BLANCHARD STATION AMADOR SCHEDULE

Please process payment to:

Tuolumne County Fire Department
2 South Forest Road
Sonora, CA 95370
Attention: Linda Goldemberg

In accordance with the cooperative agreement for fire protection in the Lake Don Pedro area, signed in June 2000, please forward payment to Tuolumne County Fire Department in the amount of $19,751.50. This represents Mariposa County’s responsibility for the CDF Blanchard station covered in the Amador Plan for the fiscal year of 2003/2004. See the attached Schedule A 4144 breakdown. Thank you for your attention to this matter.

SCHEDULE A – 4144

Blanchard Station 2003/2004 .......... $39,503.00
50% ......................... $19,751.50

2 South Forest Road Sonora, CA 95370 (209) 533-5548
ATTACHMENT #4
FISCAL YEAR 2003/04

SCHEDULE A – 4144
INDEX 4400 – PCA 48210
BLANCHARD STATION

PERSONAL SERVICES

<table>
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<tr>
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<th>Mo</th>
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OVERTIME

Portion of Unplanned Overtime Estimate

$ 2,000

SUBTOTAL PERSONAL SERVICES:

$ 33,933.

OPERATING EXPENSES

Utilities:

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<th>Blanchard FFS</th>
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<td>Propane – 80% of Actual</td>
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<td>Telephone – Long Distance</td>
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<tr>
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<td>Water/Sewer – 50% of Actual</td>
<td>6@ 40.00</td>
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SUBTOTAL UTILITIES:

$1,920.

SUBTOTAL OPERATING EXPENSES

$1,920.

TOTAL PERSONAL SERVICES & OPERATING EXPENSES

$35,853.00

ADMINISTRATIVE CHARGE @ 10.18%

$3,650.00

GRAND TOTAL SCHEDULE A – 4144

$39,503.00

MARIPOSA COUNTY RESPONSIBILITY (50%)

$19,751.50
COOPERATIVE AGREEMENT
FOR FIRE PROTECTION
IN THE LAKE DON PEDRO AREA

THIS AGREEMENT is entered into on the date or dates last below written by and
between the COUNTY OF MARIPOSA, a political subdivision of the State of California,
herein referred to as “Mariposa”, and the MARIPOSA COUNTY SERVICES AREA
1-M LAKE DON PEDRO, a political subdivision of the State of California, hereinafter
referred to as “Services Area”, and the COUNTY OF TUOLUMNE, a political
subdivision of the State of California, hereinafter referred to as “Tuolumne”

WITNESSETH:

WHEREAS, The Lake Don Pedro subdivision is spread over a large area in both
Mariposa and Tuolumne, and is in need of fire protection during the period of the year
commonly known as the “non-fire season”; and

WHEREAS the fire protection in the Lake Don Pedro subdivision and adjacent
areas could be provided from the Blanchard Forest Fire Station, located in Tuolumne and
operated by the State of California through it’s Department of Forestry and Fire
Protection, hereinafter referred to as “Forestry”; and

WHEREAS, under the authority of Public Resources Code Section 4144, Forestry
may enter cooperative agreements with counties to provide fire protection during the non-
fire season; and

WHEREAS, Tuolumne annually enters into a cooperative agreement with
Forestry for other forest fire stations; and

WHEREAS, Mariposa, Services Area, and Tuolumne desire to share the cost to
add the Blanchard Forest Fire Station to Tuolumne's cooperative agreement with Forestry to give the benefit of fire protection to residents and property in both counties in the Lake Don Pedro area.

NOW, THEREFORE, in the consideration of the mutual covenants and conditions hereinafter contained, the parties hereto agree as follows;

1. Subject to the availability of financing in each fiscal year's budget, Tuolumne shall add the Blanchard Forest Fire Station to its cooperative agreement with Forestry.

2. Upon completion of the annual Schedule A 4144 costs, Tuolumne will submit to Mariposa, a Statement of actual costs associated with this agreement.

3. Upon receipt of an annual statement, Mariposa and Services Area shall pay to Tuolumne the sum of half the cost to operate the Blanchard Forest Fire station.

4. Tuolumne warrants that pursuant to Tuolumne's cooperative agreement with Forestry, that Forestry shall provide during the term of this Agreement twenty-four (24) hour fire protection during the period that Forestry would not otherwise provide fire protection to the Lake Don Pedro area.

5. Mariposa and Tuolumne shall develop a separate agreement delineating Initial Attack and Mutual Aid Boundaries.

6. This agreement shall remain operative and effective until participation is terminated by either party. This agreement may be terminated at any time upon the giving of written notice to the other party at least six (6) months prior to the date of withdrawal.
IN WITNESS THEREOF, the parties have executed this Cooperative Agreement for Fire Protection in Lake Don Pedro on the 20 of June, 2000 at Sonora, Tuolumne County, California.

MARIPOSA COUNTY SERVICES AREA 1-M
LAKE DON PEDRO

COUNTY OF MARIPOSA

By: [Signature]
GARRY PARKER Chairman
Mariposa County Board of Supervisors

ATTEST:
By: [Signature]
MARGIE WILLIAMS, Clerk
Of the Board
Date: 5-31-00

COUNTY OF TUOLUMNE

By: [Signature]
DICK PLAND, Chairman
Tuolumne County Board of Supervisors

ATTEST:
By: [Signature]
Edna Bowcutt, Clerk
Of the Board
Date: 6/20/00

Approved as to Legal Form:
COUNTY COUNSEL
COUNTY OF TUOLUMNE

Approved as to Risk Management Form:
COUNTY OF TUOLUMNE

By: [Signature]
Date: 5/16/00

By: [Signature]
Date: 5/18/00
# BUDGET ACTION FORM

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<tr>
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<th>ACCOUNT</th>
<th>DESCRIPTION</th>
<th>PROJECT</th>
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**TRANSFER BETWEEN FUNDS**

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**TOTAL**

16,000 16,000

**ACTION REQUESTED:** (Check all that apply)

( X ) Budget appropriation by Board of Supervisors (4/5ths Vote Required): Amending the total amount available in the county budget, or in any one fund of the budget, or appropriating Reserve for Contingencies

( ) Transfer by Board of Supervisors (3/5ths Vote Required): Moving existing appropriations from one budget to another, or between categories within a budget unit;

**JUSTIFICATION:** To allow payment for fire protection services.

---

**DEPT HEAD SIGNATURE**

**DATE** 07/05/05

**APPROVED BY RES NO**

**CLERK**

**DATE** 7-19-05

315 Don Pedro 1-M

**AUDITOR'S USE ONLY**

**BA#**

Budget Action Form Revised 11/55

ATTACHMENT #6
MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: DANA HERTFELDER, Public Works Director

FROM: MARGIE WILLIAMS, Clerk of the Board

SUBJECT: BUDGET ACTION FOR FISCAL YEAR 2004-2005 DECREASING DON PEDRO 1-M BUDGET RESERVES AND INCREASING APPROPRIATIONS FOR FIRE PROTECTION AGREEMENT

Resolution No. 05-349

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on July 19, 2005

ACTION AND VOTE:


BOARD ACTION: Discussion was held with Dana Hertfelder relative to the status of the budget for Lake Don Pedro 1-M and the fire protection services. (M)Turpin, (S)Bibby, Res. 05-349 was adopted approving the request. Supervisor Turpin asked that this issue be referred to staff to review. Rich Inman, County Administrative Officer, advised that direction could be given to him and he could work with other staff, as necessary, to look at these issues and bring back an item for this and other districts. The Board concurred with this direction. Ayes: Turpin, Bibby, Fritz, Pickard; Excused: Stetson.

cc: File
MARIPOSA COUNTY BOARD OF SUPERVISORS

AMENDED MINUTE ORDER

TO: RICH INMAN, County Administrative Officer
    DANA HERTFELDER, Public Works Director

FROM: MARGIE WILLIAMS, Clerk of the Board

SUBJECT: PUBLIC HEARING RELATIVE TO THE SUBMISSION OF A PLANNING AND TECHNICAL ASSISTANCE GRANT APPLICATION FOR THE PURPOSE OF DEVELOPING A DRAINAGE STUDY

Resolution No. 05-351

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on July 19, 2005

ACTION AND VOTE:

Rich Inman, County Administrative Officer and Dana Hertfelder, Public Works Director; PUBLIC HEARING Involving Community/Public Participation to Develop and Submit a Possible Planning and Technical Assistance Grant (PTA) Application to the State Community Development Block Grant Program for the Purpose of Developing Drainage Study for the Town of Mariposa

BOARD ACTION: Marilyn Lidyoff, Administration-Business Development Coordinator, presented the staff report and reviewed the purpose of the public hearing and the grant requirements. Marilyn responded to a question from the Board and advised that she will check to see whether a special district could apply for this grant. Dana Hertfelder, Public Works Director, provided input relative to the drainage problems in town and in Coulterville, and relative to the purpose of this study. Gwen Foster/PWD-Associate Engineer, provided detailed information on the purpose of the drainage study and what it will accomplish. Staff responded to questions from the Board relative to the grant funding and what is expected to be accomplished with the study; impacts this project will have on staff and the existing workload; whether staff would be compensated through the grant for their work on the study; relative to the possibility of coordinating with the Resource Conservation District for a joint project and for staff assistance; coordinating with MPUD; process for selection of the consultant if the grant is awarded; timeframes for completion of the study; consideration of implementation of recommendations resulting from the study; and clarification of the number of grants that can be submitted per year.

The public portion of the hearing was opened, and the following input was provided:

Paul Chapman provided input on “Darcy’s Law” – the physics of hydrology.

Staff responded to a question from the Board and advised that a grant application from Human Services for the Mother Lode Job Training program would not affect this application.

The public portion of the hearing was closed and the Board commenced with deliberations.

Staff responded to additional questions from the Board relative to the timeline for the grant application and process; and the availability of staffing. (M)Fritz, (S)Bibby, Res. 05-351 was adopted authorizing the submission of the grant application for the towns of Mariposa and Coulterville/Ayes: Turpin, Bibby, Fritz, Pickard; Excused: Stetson. The hearing was closed.

cc: Marilyn Lidyoff, Business Development Coordinator
    File