RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes___ No_X_)  

Authorize Public Works to initiate the zone of benefit formation process for the proposed Brodiea Lane zone of benefit and to borrow the funds for formation cost from the revolving zone of benefit Fund 298. The funds needed for the zone formation is estimated at $15,000.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

Condition Number 8 of Land Division Application 1549, required the applicant to file a petition with the County to form a zone of benefit within County Service Area No. 1 for road maintenance of Brodiea Lane from Cole Road to the project remainder and the emergency access road from the existing turnaround on Brodiea Lane to the southern parcel boundary of APN 014-170-056. In the Condition of Approval the Planning Commission supported the use of the County's revolving fund for the fees necessary to establish the zone of benefit and that the cost for the formation of the zone of benefit be included in the annual property assessments pursuant to the provisions of the existing covenants of non-protest.

The covenants of non-protest filed for APNs 014-170-023, 014-330-058,056,055, and 054 state that the owners of these parcels shall be responsible for their fair share of the costs of the formation of the zone of benefit. The number of parcels created by the previous recent subdivisions and the number of parcels proposed by this division, are more than 50% of the total number of parcels to be included in the proposed zone of benefit. The estimate zone of benefit formation cost is $15,000. The estimated cost for annual maintenance of the proposed zone of benefit is $6,000.

Previous related Board action includes Mariposa County Resolution No. 90-140 that established amended procedures for the formation of a zone of benefit. More recent action included the establishment of revolving zone of benefit Fund 298 in order to encourage the formation of zones of benefit.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

1) Authorize Public Works to proceed with the formation of the zone of benefit but do not authorize a loan from the revolving fund account. The developer would be responsible for paying the formation cost and would be reimbursed from the annual assessments as the money is collected.
2) Do not authorize Public Works to proceed with the zone of benefit formation process.

COSTS:  (X) Not Applicable
A. Budgeted current FY $  
B. Total anticipated costs $  
C. Required additional funding $  
D. Internal transfers $  

SOURCE: ( ) 4/5ths Vote Required
A. Unanticipated revenues $  
B. Reserve for contingencies $  
C. Source description: Donation  
Balance in Reserve for Contingencies, if approved: $  

SPECIAL INSTRUCTIONS: List the attachments and number the pages consecutively:
1. Zone of benefit application

Clerk's Use Only:
RECOMMENDATION:  
Res. No.: 85-520  
Ord. No.  
Absent:  
Approved:  
Denied:  
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'S
This item on agenda as:  
Recommended  
Not Recommended  
For Policy Determination  
Submitted with Comment  
Returned for Further Action
Comment:  

C.A.O. Initials:  

Action Form Revised 5/92
MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: JIM PETROPULOS, Public Works Director

FROM: MARGIE WILLIAMS, Clerk of the Board

SUBJECT: Zone of Benefits Formation for Brodiea Lane
Resolution No. 450

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,

ADOPTED THIS Order on December 17, 2002

ACTION AND VOTE:

B) Authorize the Public Works Director to Initiate the Zone of Benefit Formation Process for the Proposed Brodiea Lane Zone of Benefit and to Borrow Funds for the Formation Cost from the Revolving Zone of Benefit Fund 298

BOARD ACTION: Discussion was held with Jim Petropoulos and Dana Hertfelder/Assistant Public Works Director, relative to the request and timeframes. (M)Pickard, (S)Reilly, Res. 02-450 was adopted approving the request. Supervisor Parker noted that when the Revolving Zone of Benefit Fund was not established, it was not intended to be available for new development. Ayes: Unanimous.

cc: Ken Hawkins, Auditor
    Mary Hodson, Administrative Analyst
    File