RESOLUTION - ACTION REQUESTED 2016-108

MEETING: March 8, 2016

TO: The Board of Supervisors

FROM: Mary Hodson, CAO

RE: Authorize Public Works to Waive the Encroachment Permit Fee of $140 for the Paseo De Mariposa 5K Run

RECOMMENDATION AND JUSTIFICATION:
Authorize Public Works to Waive the Encroachment Permit Fee of $140.00 for the Paseo De Mariposa - as an annual County Sponsored Event, in Conjunction with the Butterfly Festival Event to be held on April 30, 2016.

The purpose of the Paseo de Mariposa event is to increase awareness of free, outdoor physical activities available in Mariposa County for community residents, especially women and children.

This event will be held in the Mariposa town site with the start/stop location in front of the historical Courthouse. The trail run course includes the Mariposa Public Utilities District (MPUD) reservoir trail, the Flume Trail, Slaughterhouse Road and private property.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
On January 26, 2016, the Board of Supervisors approved the Paseo de Mariposa 5K Run/Walk as a County Sponsored Event, in conjunction with the Butterfly Festival, with Resolution #2016-47.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
Do not authorize Public Works department to waive the encroachment permit fee. The event organizers will need to pay for the encroachment permit fee, which may cause a hardship since the event is being sponsored by volunteers and it is not intended to be a money making event.

ATTACHMENTS:
Encroachment Permit, Maps and Event Description (PDF)
Release of Liability Agreement (PDF)
Board Resolution 2016-47 (PDF)

CAO RECOMMENDATION
Requested Action Recommended
RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER: Rosemarie Smallcombe, District I Supervisor
SECONDER: Merlin Jones, District II Supervisor
AYES: Smallcombe, Jones, Long, Cann, Carrier
MARIPOSA COUNTY
APPLICATION FOR ENCROACHMENT PERMIT

TO: PUBLIC WORKS DEPARTMENT          DATE: 12/17/15; 2/18/16          BUILDING PERMIT: __________
    4639 BEN HUR ROAD
    MARIPOSA, CA 95338

GENTLEMEN:

THE UNDERSIGNED HEREBY APPLIES FOR PERMISSION TO EXCAVATE, CONSTRUCT, AND/OR
OTHERWISE ENCROACH ON A COUNTY RIGHT-OF-WAY ON . See maps for details ROAD AND
AGREES TO DO THE WORK IN ACCORDANCE WITH COUNTY RULES AND REGULATIONS AND
SUBJECT TO COUNTY INSPECTION AND APPROVAL, BY PERFORMING THE FOLLOWING WORK: (PLEASE FILL IN ALL BLANKS THAT APPLY).

1. ___ DRIVEWAY
   ___ ROAD CROSSING
   ___ WATER PIPE, CULVERT, ETC.
   ___ ADA ROAD

2. ___ NEW BUILDING/HOME
   ___ REMODEL EXISTING
   ___ NEW MAILBOX
   ___ OTHER (EXPLAIN BELOW)

3. DRIVING INSTRUCTION FROM A KNOWN LANDMARK TO LOCATION OF ENCROACHMENT,
   I.E., INTERSECTION OF COUNTY ROADS, STATE HIGHWAYS OR TOWN, ETC.

First annual Paseo de Mariposa community health event - 5K run and 12K Trail run. This activity is a collaboration between the
Mariposa Rotary Club and the Mariposa County Health Department. Event date: April 30, 2016.

4. ATTACH MAP SHOWING LOCATION AND SKETCHES SHOWING WHAT IS TO BE DONE, SHOW
LOCATION OF THE STAKE MARKING PROPOSED ENCROACHMENT OR WORK TO BE DONE.

See attached description of the courses and the maps for 5K course and the 12K trail.
SCOPE and Search and Rescue volunteers will be available to assist at this event.

5. ASSESSOR’S PARCEL NUMBER: ______________________

6. ADDRESS OF PARCEL: ___________________________

APPLICANT IS REQUIRED TO STAKE THE ENCROACHMENT WITH THE PINK CARD PROVIDED
AND/OR NEW MAILBOX LOCATION WITH THE GREEN CARD PROVIDED.

NO PERMIT WILL BE ISSUED UNTIL POSTING HAS BEEN COMPLETED AND APPROPRIATE FEES
HAVE BEEN COLLECTED. WORK WILL NOT BE STARTED UNTIL AN ENCROACHMENT PERMIT
HAS BEEN ISSUED BY THE DEPARTMENT OF PUBLIC WORKS.

ATTN: Margarita King
Mariposa County Health Department

OWNERS NAME (Please print)
________________________

SIGNATURE OF OWNER/APPLICANT
5085 Bullion St (P.O. Box 5)

OWNERS MAILING ADDRESS
Mariposa, CA 95338

CITY STATE ZIP
209-966-3689

PHONE NUMBER
Description of the 5K Run and 12 K Trail Run Courses

12K Trail Run Course: Starts at 08:00am

1. Start of the race is in front of the Courthouse
2. Head South on Bullion Street towards 6th street
3. Head East on 6th St. (turn left on 6th St) towards Mariposa St
4. Head South on Mariposa (turn right on Mariposa St.) towards Trabuco St
5. Head east on Trabuco St (turn left) towards the MPUD trail past the MCHS track and baseball field.
6. Course continues on the lower trail to the reservoir
   The course will not cross the dam. Course will cross over the water to Slaughterhouse road towards the highway to Flume Trailhead
7. Take Flume Trail to the kiosk at Reservoir Rd
8. Take the upper trail to the highest point which is private property (Lawson and Dubberke- who provided permission letter on file)
9. Take the road and private trail to the kiosk.
10. Head towards the trailhead (in the direction of Hwy 140; runners will not be on Hwy 140). The course will be on a parallel trail to Hwy 140 that will lead to Old Highway North.
11. Head South on Old Highway N towards 10th Street
12. Head west on 10th St (turn right on 10th St.) towards Jones St.
13. Head North on Jones street (turn Right on Jones St) towards Bullion Street
14. Head South on Bullion Street (turn left on Bullion St.) towards the front of the courthouse.

The finish line for the 12 K Trail run is in front of the Courthouse (1 lap only)

5K Run Course  Start time: 9:00am

1. Start of the race is in front of the Courthouse.
2. Head South on Bullion Street towards 6th street
3. Head east (turn left on 6th Street).
4. Head North on Jones St – (Turn Left on Jones St) towards 8th Street.
5. Head East (turn left on 8th St.) which will lead onto Old Highway North.
6. Head North on Old Hwy North to 10th Street (where the Sheriff’s Department is located)
7. Head West on 10th street (turn left) towards Jones Street
8. Head North on Jones street (turn Right on Jones St) towards Bullion Street
9. Head South on Bullion Street (turn left on Bullion St.) towards the front of the courthouse.

The 5 K is two laps of the described course above.
RELEASE, HOLD HARMLESS AND AGREEMENT NOT TO SUE

I, ____________________________ fully understand that my participation in the
Last,  First,  Middle
Paseo de Mariposa 5K Run and 12K Trail Run (hereinafter “event/class”) exposes me to the risk of personal injury, death or property damage. I hereby acknowledge that I am voluntarily participating in this event/class and agree to assume any such risks.

I hereby release, discharge and agree not to sue Mariposa County for any injury, death or damage to or loss of personal property arising out of, or in connection with, my participation in the event/class from whatever cause, including the active or passive negligence of Mariposa County or any other participants in the event/class.

In consideration for being permitted to participate in the event/class, I hereby agree, for myself, my heirs, administrators, executors and assigns, that I shall indemnify and hold harmless Mariposa County from any and all claims, demands actions or suits arising out of or in connection with my participation in the event/class.

I HAVE CAREFULLY READ THIS RELEASE, HOLD HARMLESS AND AGREEMENT NOT TO SUE AND FULLY UNDERSTAND ITS CONTENTS. I AM AWARE THAT IT IS A FULL RELEASE OF ALL LIABILITY AND SIGN IT ON MY OWN FREE WILL.

Date: ____________________________

Signature

Print Name

Parent/Guardian if under age 18

Paseo de Mariposa, 5K Run Walk and 12K Trail Run/Mariposa County Sponsored Event, Mariposa County Health Department
RESOLUTION - ACTION REQUESTED 2016-47

MEETING: January 26, 2016

TO: The Board of Supervisors

FROM: Mary Hodson, CAO

RE: Approve Paseo De Mariposa 5K Run/Walk as a County Sponsored Event

RECOMMENDATION AND JUSTIFICATION:
Declare the 5K Run/Walk and 12K Trail Run - Paseo De Mariposa on May 7, 2016 - as an annual County Sponsored Event, in Conjunction with the Butterfly Festival Event.

By designating the 5K Run/Walk and 12K Trail Run - Paseo De Mariposa as a County sponsored event, the County accepts responsibility for activities during the 5K Run/Walk and 12K Trail Run - Paseo De Mariposa, because the event will be covered by the County's liability insurance. Although there is no additional cost, if there is a substantial claim it is possible that the County's insurance premium may be increased. Designating this as an annual County sponsored event, will allow Risk Management staff to include this event on the list of covered activities when renewing the County's insurance programs.

The purpose of the Paseo de Mariposa event is to increase awareness of free, outdoor physical activities available in Mariposa County for community residents, especially women and children. The Health Department plans to partner with the Mariposa Rotary Club for their assistance with handling all of the financial transactions associated with this event -- entry fees, purchasing of awards, etc. Any remaining funding after the close of the event will be given to a local charity.

This event will be held in Mariposa town site with the start/stop location in front of the historical Courthouse. The trail run course includes the MPUD reservoir trail, the Flume Trail, Slaughterhouse Road and private property. The owners of private properties; MPUD, Dave Lawson, and Jason Dubberke, have given verbal permission to use land and trails for the event, with release of liability.

Participants will sign a release of liability agreement prior to participation in the Paseo de Mariposa event. Please see attached release of liability form.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
This is a new event.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

REF ID# 5238
Do not approve Paseo De Mariposa 5K Run/Walk and 12K Trail Run as a County sponsored event. The staff members in the Health Department will need to identify an insurance carrier and possibly pay for this insurance with their own personal funds; staff members could also decide not to hold the Paseo De Mariposa, in which case residents and visitors may remain unfamiliar with the County’s walking trail as a no-cost physical activity.

FINANCIAL IMPACT:
No cost to Mariposa County. The finances will be supported by potential donations from sponsors.

* In preparation for this event, Mariposa Public Works has been contacted for information in regards to permits; we have been instructed to pull permits after approval from the Board of Supervisors. The Mariposa CHP Office has been notified of our tentative plans and is willing to provide services with approval from CalTrans. Contacted CalTrans, awaiting reply.

ATTACHMENTS:
Paseo de Mariposa Trails Map  (PDF)
Release of Liability Agreement (DOCX)
Permit and Maps  (PDF)
Letter of Support  (PDF)
Letter of Support #2  (PDF)

CAO RECOMMENDATION
Requested Action Recommended

Mary Hodson
Mary Hodson, CAO  1/21/2016

RESULT: ADOPTED AS AMENDED BY CONSENT VOTE [UNANIMOUS]
MOVER: Marshall Long, District III Supervisor
SECONDER: Kevin Cann, District IV Supervisor
AYES: Smallcombe, Jones, Long, Cann, Carrier
RESOLUTION - ACTION REQUESTED 2016-47

DECLARE THE 5K RUN/WALK AND 12K TRAIL RUN - PASEO DE MARIPOSA MAY 7, 2016 - AS AN ANNUAL COUNTY SPONSORED EVENT, IN CONJUNCTION WITH THE BUTTERFLY FESTIVAL EVENT
COUNTY of MARIPOSA
P.O. Box 784, Mariposa, CA 95338 (209) 966-3222

JOHN CARRIER, CHAIR
MARSHALL LONG, VICE-CHAIR
ROSEMARIE SMALLCOMBE
MERLIN JONES
KEVIN CANN

DISTRICT V
DISTRICT III
DISTRICT I
DISTRICT II
DISTRICT IV

MARIPOSA COUNTY BOARD OF SUPERVISORS
MINUTE ORDER

TO: File
FROM: RENÉ LaROCHE, Clerk of the Board
SUBJECT: Declare the 5K Run/Walk and 12K Trail Run - Paseo De Mariposa May 7, 2016 - as an Annual County Sponsored Event, in Conjunction with the Butterfly Festival Event

Resolution: 16-047

The following direction was given by the Mariposa County Board of Supervisors on January 26, 2016:

CA11. Health RES-2016-47
Declare the 5K Run/Walk and 12K Trail Run - Paseo De Mariposa May 7, 2016 - as an Annual County Sponsored Event, in Conjunction with the Butterfly Festival Event

CORRECTION: CA11 - change the date for the event from May 7, 2016 to April 20, 2016.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Marshall Long, District III Supervisor
SECONDER: Kevin Cann, District IV Supervisor
AYES: Smallcombe, Jones, Long, Cann, Carrier
RELEASE, HOLD HARMLESS AND AGREEMENT NOT TO SUE

I, ____________________________, fully understand that my participation in the Paseo de Mariposa 5K Run and 12K Trail Run (hereinafter “event/class”) exposes me to the risk of personal injury, death or property damage. I hereby acknowledge that I am voluntarily participating in this event/class and agree to assume any such risks.

I hereby release, discharge and agree not to sue Mariposa County for any injury, death or damage to or loss of personal property arising out of, or in connection with, my participation in the event/class from whatever cause, including the active or passive negligence of Mariposa County or any other participants in the event/class.

In consideration for being permitted to participate in the event/class, I hereby agree, for myself, my heirs, administrators, executors and assigns, that I shall indemnify and hold harmless Mariposa County from any and all claims, demands actions or suits arising out of or in connection with my participation in the event/class.

I HAVE CAREFULLY READ THIS RELEASE, HOLD HARMLESS AND AGREEMENT NOT TO SUE AND FULLY UNDERSTAND ITS CONTENTS. I AM AWARE THAT IT IS A FULL RELEASE OF ALL LIABILITY AND SING IT ON MY OWN FREE WILL.

Date: ____________________________

________________________________
Signature

________________________________
Print Name

________________________________
Parent/Guardian if under age 18

Paseo de Mariposa, 5K Run Walk and 12K Trail Run/Mariposa County Sponsored Event, Mariposa County Health Department
MARIPOSA COUNTY
APPLICATION FOR ENCROACHMENT PERMIT

TO: PUBLIC WORKS DEPARTMENT
4639 BEN HUR ROAD
MARIPOSA, CA 95338

DATE: 12/7/15  BUILDING PERMIT:_____

GENTLEMEN:

THE UNDERSIGNED HEREBY APPLIES FOR PERMISSION TO EXCAVATE, CONSTRUCT, AND/OR OTHERWISE ENCROACH ON A COUNTY RIGHT-OF-WAY ON ___________ ROAD AND AGREES TO DO THE WORK IN ACCORDANCE WITH COUNTY RULES AND REGULATIONS AND SUBJECT TO COUNTY INSPECTION AND APPROVAL, BY PERFORMING THE FOLLOWING WORK: (PLEASE FILL IN ALL BLANKS THAT APPLY).

1. ___ DRIVEWAY
   ___ ROAD CROSSING
   ___ WATER PIPE, CULVERT, ETC.
   ___ LID/A ROAD

2. ___ NEW BUILDING/HOME
   ___ REMODEL EXISTING
   ___ NEW MAILBOX
   ✓ OTHER (EXPLAIN BELOW)

3. DRIVING INSTRUCTION FROM A KNOWN LANDMARK TO LOCATION OF ENCROACHMENT, I.E., INTERSECTION OF COUNTY ROADS, STATE HIGHWAYS OR TOWN, ETC.

____________________________________________________________________________________

4. ATTACH MAP SHOWING LOCATION AND SKETCHES SHOWING WHAT IS TO BE DONE, SHOW LOCATION OF THE STAKE MARKING PROPOSED ENCROACHMENT OR WORK TO BE DONE.

See attached Maps for 5K run/walk and 12K trail run.

5. ASSESSOR'S PARCEL NUMBER:

6. ADDRESS OF PARCEL:

APPLICANT IS REQUIRED TO STAKE THE ENCROACHMENT WITH THE PINK CARD PROVIDED AND/OR NEW MAILBOX LOCATION WITH THE GREEN CARD PROVIDED.

NO PERMIT WILL BE ISSUED UNTIL POSTING HAS BEEN COMPLETED AND APPROPRIATE FEES HAVE BEEN COLLECTED. WORK WILL NOT BE STARTED UNTIL AN ENCROACHMENT PERMIT HAS BEEN ISSUED BY THE DEPARTMENT OF PUBLIC WORKS.

PERMIT NO.___________

DATE ISSUED___________

MARIPOSA HEALTH DEPT.

OWNERS NAME (Please print)

MARG a n ta K in g

SIGNATURE OF OWNER/APPLICANT

PO BOX 5

OWNERS MAILING ADDRESS

MARIPOSA CA 95338

CITY STATE ZIP

PHONE NUMBER

1-66-30 89
5K run Paseo De Mariposa
Stockton Creek Preserve
Trails Map (December 2014)

Stockton Creek Preserve

Mariposa County
Area of Detail

Sierra Nevada Conservancy
www.sierranevadaconservancy.org

Sierra Foothill Conservancy is a local nonprofit and
appreciates your donations and support.

Map Date: December 15, 2014
Coordinate System: NAD 1983 StatePlane California III
Data Source: Mariposa County Planning Department GIS

Trail (distance calculated is one way)

Locked gate

Private property (trail access only)

Restricted area

Trailhead

Information kiosk

Locked gate

Landmark

Mariposa Public Utility District (MPUD)
Owned Property

Dam

High School Field

Pond/Reservoir

Contours (50 Foot)

Road

State Highway

Creek

Seasonal creek

Note: Please no motorized vehicles on Preserve outside of Slaughterhouse Road.

Mariposa County makes no warranty regarding the accuracy of the GIS in the analysis and the conclusions resulting from using our GIS data.
December 11, 2015

Mariposa County Health Department
Post Office Box 5
5085 Bullion Street
Mariposa, CA 95338

To whom it may concern:

In support of the Mariposa County Health Department’s Paseo de Mariposa 12k Trail Run, I give permission for staff, volunteers, and participants to traverse my property including all or part of the following parcels (parcel map attached for your records):

Parcel Numbers:
012-150-087
012-150-079
012-151-004
012-150-068

Event:
Paseo de Mariposa
Sponsored by the Mariposa County Health Department
Saturday, May 7, 2015
7:00 am to 12:00 pm

If you have any questions, please contact me at (209) 742-6100.

Thank you,

Jason Dubberke
5034 Coakley Cir,
Mariposa, CA 95338
December 11, 2015

Mariposa County Health Department
Post Office Box 5
5085 Bullion Street
Mariposa, CA 95338

To whom it may concern:

In support of the Mariposa County Health Department’s Paseo de Mariposa 12k Trail Run, I give permission for staff, volunteers, and participants to traverse my property including all or part of the following parcels (parcel map is attached for your records):

Parcel Numbers:
012-150-087
012-150-079
012-151-004
012-150-068

Event:
Paseo de Mariposa
Sponsored by the Mariposa County Health Department
Saturday, May 7, 2015
7:00 am to 12:00 pm

If you have any questions, please contact me at (209) 966-5421.

Thank you,

Dave Lawson
3836 Highway 49
Mariposa, CA 95338