RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes _ No X)
Adopt a Resolution extending the conditional approval of the Saint Andrews Road Maintenance Zone of Benefit for a period of one year. This should allow the developers ample time to complete their project and acquire a final approval of the road construction conditions required for the project.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
On December 6, 1994, the Board of Supervisors adopted Resolution No. 94-516, A Resolution Conditionally Approving the Saint Andrews Road Maintenance Zone of Benefit. The above-noted resolution contained a condition that required the roadway construction to be completed and finaled within one year from the date of the Resolution and stipulated that the Resolution could be rescinded if the roadway construction was not completed within the approved time frame. On November 14, 1995, the Public Works Department received a letter from a representative of the owners formally requesting this extension. A copy of the original Resolution, along with the stipulated conditions, have been attached hereto, as Attachment 1.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
Do not adopt this resolution, and rescind the conditional approval granted by Resolution No. 94.516. Applicants have stated that without the zone, funding for their project is in jeopardy.

<table>
<thead>
<tr>
<th>COSTS:</th>
<th>SPECIAL INSTRUCTIONS:</th>
</tr>
</thead>
<tbody>
<tr>
<td>( X ) Not Applicable</td>
<td>List the attachments and number the pages consecutively:</td>
</tr>
<tr>
<td>A. Budgeted current FY&gt; $</td>
<td>1. Mariposa County Resolution No. 94-516</td>
</tr>
<tr>
<td>B. Total anticipated Costs&gt; $</td>
<td>2. Letter requesting Extension</td>
</tr>
<tr>
<td>C. Required additional funding&gt; $</td>
<td></td>
</tr>
<tr>
<td>D. Internal transfers&gt; $</td>
<td></td>
</tr>
</tbody>
</table>

COSTS: ( ) 4/5th Vote Required
A. Unanticipated revenues> $ 
B. Reserve for contingencies> $
C. Source description:>

Balance in Reserve Contingencies, If Approved: $

<table>
<thead>
<tr>
<th>CLERK'S USE ONLY</th>
<th>ADMINISTRATIVE OFFICER'S RECOMMENDATION:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Res. No.: 95-521</td>
<td>This item on agenda as:</td>
</tr>
<tr>
<td>Ord. No.: ________</td>
<td>□ Recommended</td>
</tr>
<tr>
<td>Vote - Ayes: ______ Noes: ________</td>
<td>□ Not Recommended</td>
</tr>
<tr>
<td>Absent: _______ Abstained: ______</td>
<td>For Policy Determination</td>
</tr>
<tr>
<td>□ Approved □ Denied</td>
<td>Submitted for Comment</td>
</tr>
<tr>
<td>Minute Order Attached □ No Action Necessary</td>
<td>Returned for Further Action</td>
</tr>
</tbody>
</table>

The foregoing instrument is a correct copy of the original on file in this office
Date: ________________________
ATTEST: MARGIE WILLIAMS, Clerk of the Board
By: ________________________
Deputy

A.O. Initials: ________________________

Action Form Revised 8/20/94
MARIPosa COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: MIKE EDWARDS, PUBLIC WORKS DIRECTOR
FROM: MARGIE WILLIAMS, Clerk of the Board
SUBJECT: SAINT ANDREWS ROAD MAINTENANCE ZONE OF BENEFIT

THE BOARD OF SUPERVISORS OF MARIPosa COUNTY, CALIFORNIA,
ADOPTED THIS Order on December 5, 1995

ACTION AND VOTE:

Consent Agenda item 1 - Discussion was held with Mike Edwards/Public Works Director, concerning request from the applicant for an extension, and the status of the applicant fulfilling its agreement with the Church to improve the road. (M)Balmain, (S)Stewart, Res. 95-521 adopted agreeing to an extension to January 9, 1996, with direction given to staff to contact the applicant and explain the problem with the status of the road improvements. Further direction was given to staff to come back on December 12, 1995, relative to establishment of the Zone of Benefit and getting the assessments on the tax rolls. Ayes: Unanimous.

CA-1 Request for an Extension of the Conditional Approval of the Saint Andrews Road Maintenance Zone of Benefit (Public Works); Res. 95-521 and direction given to staff

cc: Jeff Green, County Counsel
    Ed Johnson, Planning and Building Director
    File
MARIPosa COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: MIKE EDWARDS, PUBLIC WORKS DIRECTOR

FROM: MARGIE WILLIAMS, Clerk of the Board

SUBJECT: SAINT ANDREWS ROAD MAINTENANCE ZONE OF BENEFIT

THE BOARD OF SUPERVISORS OF MARIPosa COUNTY, CALIFORNIA,

ADOPTED THIS Order on December 12, 1995

ACTION AND VOTE:

Mike Edwards, Public Works Director;
Continued Discussion Relative to Request for Extension of the
Conditional Approval of the Saint Andrews Road Maintenance Zone
of Benefit (Continued from 12/5/95)

BOARD ACTION: Discussion was held and Mike Edwards advised of
the timeframes for setting assessments on the tax roll. Roger
Stephens/Engineer, and Bill Carter/new foreman for the project,
provided input and stated they hope to have everything completed
by January 16, 1996, depending on the weather. (M)Taber,
(S)Stewart, Board directed that the number of inclement weather
days that the work cannot continue be added to the January 9,
1996, deadline for completion that was previously set by the
Board/Ayes: Unanimous. Supervisor Reilly asked about assurances
that occupancy will not occur until the project is finaled.
Supervisor Taber suggested consideration be given to imposing
fines for projects that are not completed timely.

cc: Jeff Green, County Counsel
    Ed Johnson, Planning and Building Director
    File
A RESOLUTION CONDITIONALLY APPROVING THE
SAINT ANDREWS ROAD MAINTENANCE ZONE OF BENEFIT

WHEREAS, Mariposa County, through Resolution No. 88-379, established Mariposa Countywide County Service Area No. 1, pursuant to the Cortese-Knox Local Government Reorganization Act of 1985, Division 3, commencing with Section 56000 of the California Government Code, for the formation of a Countywide County Service Area; and

WHEREAS, the services to be provided by the County Service Area are all those described by Government Code Section 25210.4 and 25210.4a, including, but not limited to the following: water service, sewer service, fire protection, street and highway lighting, refuse collection, garbage collection, ambulance service, area planning, soil conservation and drainage control, animal control, transportation services, cemeteries, and geologic hazard abatement; and

WHEREAS, Mariposa County, through Resolution No. 90-140 established procedures for the formation of a zone of benefit to extend or provide services within the Countywide County Service Area No. 1; and

WHEREAS, the applicants, EDWARD MACKAY and ROBERTA STANDEN, as applicants and landowners of the property within the boundaries of Zone of Benefit Application No. Z94-04, have petitioned Mariposa County for the creation of the Saint Andrews Road Maintenance Zone of Benefit, to extend or provide services within Countywide County Service Area No. 1, in accordance with the provisions of Mariposa County Resolution No. 90-140; and

WHEREAS, the applicants have proposed inclusion of properties as shown and described on the legal description and map of the boundaries, which are attached hereto and marked Exhibit "A" and Exhibit "B," and by reference are incorporated herein.
A RESOLUTION CONDITIONALLY APPROVING THE
SAINT ANDREWS ROAD MAINTENANCE ZONE OF BENEFIT

WHEREAS, the zone of benefit applied for is in an unincorporated area within the boundaries of the County of Mariposa; and

WHEREAS, the terms, conditions and reasons for this zone of benefit are expressed in an application presented to the Public Works Department;

WHEREAS, the Board of Supervisors, through Resolution No. 94-465, filed a Resolution of Intention to form a Zone of Benefit, as required by Government Code Section 25210.32, and set a date and time for a public hearing; and

WHEREAS, on December 6, 1994, the Board of Supervisors held a duly noticed public hearing on the question of forming the Saint Andrews Road Maintenance Zone of Benefit; and

WHEREAS, the Board of Supervisors, received no dissenting public input at the public hearing;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of Mariposa, a political subdivision of the State of California, that the Board hereby conditionally approves the creation of the SAINT ANDREWS ROAD MAINTENANCE ZONE OF BENEFIT, as described and shown on the attached STATEMENT OF ZONE CREATION.

BE IT FURTHER RESOLVED, the Board of Supervisors finds the creation of the SAINT ANDREWS ROAD MAINTENANCE ZONE OF BENEFIT is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (c) of the CEQA Guidelines based on the following findings:

1) The zone of benefit is being created for the maintenance of existing public facilities involving negligible use beyond that previously existing.
A RESOLUTION CONDITIONALLY APPROVING THE
SAINT ANDREWS ROAD MAINTENANCE ZONE OF BENEFIT

2) It is determined with certainty that there will be no possibility that the creation of the zone of benefit may have a significant adverse effect on the environment.

BE IT FURTHER RESOLVED, the Board of Supervisors adopts the conditions provided in the attached Exhibit "C," and directs that they be implemented by County Staff.

PASSED AND ADOPTED this 6th day of December, 1994 by the Mariposa County Board of Supervisors by the following vote:

AYES: BAGGETT, BALMAIN, ERICKSON, PARKER

NOES: NONE

ABSENT: TABER

ABSTAINED: NONE

ARTHUR G. BAGGETT, JR., CHAIRMAN
Mariposa County Board of Supervisors

ATTEST:

MARGIE WILLIAMS
Clerk of the Board

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

JEFFREY C. GREEN
County Counsel
STATEMENT OF ZONE CREATION

In accordance with Sections 54900-54903 of the California Government Code, this statement is hereby issued by the Chairman of the Board of Supervisors of the County of Mariposa, acting as Chairman of the Board of Directors of the Countywide County Service Area No. 1, County of Mariposa, State of California.

1. A certified copy of the resolution approving the creation of the SAINT ANDREWS ROAD MAINTENANCE ZONE OF BENEFIT is attached hereto and titled "MARIPOSA COUNTY RESOLUTION NO. 94-516 — A RESOLUTION CONDITIONALLY APPROVING THE SAINT ANDREWS ROAD MAINTENANCE ZONE OF BENEFIT, and by reference incorporated herein. A legal description and map of the boundaries are attached hereto and marked Exhibits "A" and Exhibit "B", and by reference incorporated herein.

2. The affected territory included within this newly created zone of benefit will not be taxed for any existing bonded indebtedness or contractual obligation.

3. This statement, along with the attached map and legal description, shall be filed prior to January 1 of the year in which the jurisdictional change is to be reflected on the tax rolls and shall be filed with each assessor whose roll is used for the levy and with the State Board of Equalization, Sacramento, California.


ARTHUR G. BAGGETT, JR., CHAIRMAN
Mariposa County Board of Supervisor

ATTEST:

MARGIE WILLIAMS, Clerk of the Board
LEGAL DESCRIPTION FOR SAINT ANDREWS ROAD
MAINTENANCE ZONE OF BENEFIT

All that portion of Projected Section 14, Township 5 South, Range 18 East, Mount Diablo Base and Meridian, Rancho Las Mariposas, County of Mariposa, State of California, known as Parcels B and C, as shown on that certain Parcel Map for Jeannette Stewart and Katharine Hoyle, recorded on June 8, 1982, in Book 20 of Parcel Maps at Page 13, Mariposa County Records, and being more particularly described as follows:

Commencing at the West quarter section corner of Projected Section 14, Township 5 South, Range 18 East, Mount Diablo Base and Meridian, Rancho Las Mariposas, County of Mariposa, State of California, thence N 09° 37' 22" E, 366.80 feet to the most southerly point of said Parcel C, as shown on said map; said point being the TRUE POINT OF BEGINNING for this description, thence N 02° 10' 15" W, 225.29 feet; thence N 69° 37' 23" E, 149.94 feet; thence N 69° 41' 50" E, 150.08 feet; thence N 19° 25' 37" W, 328.44 feet; thence N 25° 08' 36" E, 270.50 feet; thence S 36° 54' 34" E, 607.60 feet; thence S 53° 07' 34" W, 496.90 feet; thence S 38° 57' 03" W, 104.71 feet; thence S 84° 06' 04" W, 181.00 feet, more or less, to the POINT OF BEGINNING, said point being the terminal point of this description which describes ±5.53 more or less acres of land.

This Description was prepared by me or under my supervision and is based on Record Data.

[Signature]

Roger L. Stephens, R.C.E. 27317

Date: 11-29-94
St. Andrews Road
Maintenance Zone of Benefit

Situated in Projected Section 14, T.5 S., R.18 E., M.D.B. & M.
Rancho Las Mariposas, County of Mariposa
State of California
EXHIBIT "C"

CONDITIONS OF APPROVAL FOR THE SAINT ANDREWS ROAD MAINTENANCE ZONE OF BENEFIT

The following conditions shall apply to the Resolution Conditionally Approving the Saint Andrews Road Maintenance Zone of Benefit:

1) This Resolution, and the associated Fee Resolution establishing annual assessment rates and upfront costs to initiate the zone (including the required two years upfront maintenance costs) will be adopted at the conclusion of the Public Hearing.

2) Following the Public Hearing, the applicants will be required to deposit with Mariposa County, the amount identified in the Fee Resolution as the upfront costs to initiate this zone.

3) The zone will not be filed (finaled) with the State Board of Equalization (SBE), the County Assessor, or the County Auditor, until the roadway construction is completed. The "Notice of Formation" will not be recorded until said construction is completed.

4) Engineered construction plans must be submitted for review and approval by the Public Works Department, prior to the commencement of any road construction.

5) The roadway construction must be completed and finaled within one year from the date of the Resolution conditionally approving zone formation.

6) The roadway construction will be monitored, inspected, and approved by the Public Works Department.

7) Plan check fees and inspection fees will be required.

8) If the roadway construction is not completed within the stipulated time period, the conditional Resolution Approving the Saint Andrews Road Maintenance Zone of Benefit will be rescinded. All zone initiation funds deposited by the applicants will be returned to said applicants.
CBM CONSTRUCTION SERVICES INC.
1014 RACQUET CLUB DRIVE, SUITE 03
AUBURN, CA 95603

November 14, 1995

To: Mariposa County Public Works
   Michael D. Edwards
   4639 Ben Hur Rd.
   Mariposa, Ca 95338

From: Heath Immer
   Construction Superintendent
   5075 St. Andrews Rd.
   Mariposa, Ca 95338

Re: Request for Extenuation, St. Andrews Road Maintenance Zone of Benefit Resolutions #'S 94-516, 94-517.

Dear Mr. Edwards:

This letter is in response to letter written on November 1, 1995 by Mr. Atkinson regarding an extention request for the construction of St. Andrews Rd. Due to the revisions of the original plans by your office, supplied by Roger Stevens Engineering, we will be unable to have completed this portion of construction by December 7, 1995. Please take this letter as a formal notice asking for an extention of construction to be approved by Mariposa County Board of Supervisors scheduled meeting of December 5, 1995.

Thank you for your attention to this matter.

Sincerely,

Heath Immer
Construction Superintendent

cc; John Propp. CBM Construction Manager

Sent Via Fax: County of Mariposa Department of Public Works
   (209) 9662828