

DEPARTMENT: Public Works

By: Bruce A. Atkinson

Phone: 966-5356

RECOMMENDED ACTION AND JUSTIFICATION:

1. Adopt the attached Resolution Approving The Zone Of Benefit for: Sierra Vista Estates;
2. Adopt the attached Ordinance Establishing Assessment Fees For Sierra Vista Estates Zone Of Benefit; and
3. Authorize the Chairman of the Board to sign the attached: Statement(s) of Zone Creation.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

On June 25, 1991, the Board adopted a Resolution of Intention to form a Zone of Benefit for Sierra Vista Estates. An application had been filed as a condition of approval of a twelve (12) lot major subdivision with access off of Indian Peak Road. For additional details, see attached memo to the Board dated July 22, 1991.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

1. Do not adopt these measures and have the applicant develop other means to insure the maintenance of the subdivision roads.

COSTS: (xx) Not Applicable

A. Budgeted current F.Y. \$ _____

B. Total anticipated costs \$ _____ *

C. Required Add'l. Funding \$ _____

D. Source: * Costs will be paid by the property owners within the zone.

SOURCE: () 4/5ths Vote Required

A. Other budgeted funds \$ _____

B. Unanticipated revenues \$ _____

C. Reserve for contingencies \$ _____

D. Description: _____

Balance in Reserve for contingencies, if approved: \$ _____

SPECIAL INSTRUCTIONS:

List the attachments and number the pages consecutively:

1. Resolution approving Zone/ Statement of Zone Creation
2. Ordinance establishing fees
3. Discussion & fee schedules

CLERK'S USE ONLY

Res. No.: 91-369

Ord. No.: _____

Vote - Ayes: 5 Noes: _____

Absent: _____ Abstained: _____

mw Approved _____ () Denied _____

() Minute Order Attached

The foregoing instrument is a correct copy of the original on file in this office.

Date: August 9, 1991

ATTEST: MARGIE WILLIAMS
Clerk of the Board of Supervisors
County of Mariposa, State of CA

By: Anne Blackwell
Deputy

ADMINISTRATIVE OFFICER'S RECOMMENDATION:

This item on agenda as:

Recommended

Not Recommended

For Policy Determination

Submitted with Comment

Returned for Further Action

Comment: _____

A.O. Initials: mw
by mw

MARIPOSA COUNTY RESOLUTION NO. 91-369

A RESOLUTION APPROVING THE ZONE OF BENEFIT
FOR SIERRA VISTA ESTATES

WHEREAS, Section II.I.2 (page 17) of the Mariposa County Road Improvement and Circulation Policy requires the formation of a Zone of Benefit on all subdivision roads that serve more than four parcels; and

WHEREAS, the applicant, Kenneth Troxel, has petitioned Mariposa County for the creation of Sierra Vista Estates Zone of Benefit, in association with his Final Map for Sierra Vista Estates; and

WHEREAS, the Board of Supervisors, through Resolution No. 91-308, 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 August 6, 1991, the Board of Supervisors held a duly noticed public hearing on the question of forming the Sierra Vista Estates 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 Mariposa County Board of Supervisors, a political subdivision of the State of California, that the Board hereby approves the creation of the SIERRA VISTA ESTATES ZONE OF BENEFIT, as described and shown on attached STATEMENT OF ZONE CREATION.

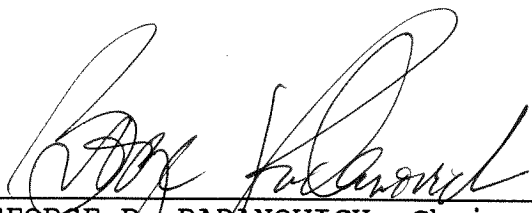
PASSED AND ADOPTED by the Mariposa County Board of Supervisors this 6th day of August, 1991, by the following vote:

AYES: BAGGETT, PUNTE, ERICKSON, RADANOVICH, TABER

NOES: NONE

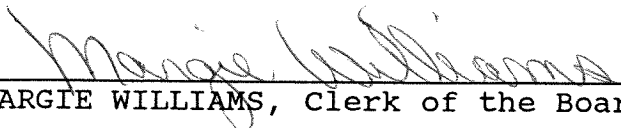
ABSENT: NONE

ABSTAINED: NONE



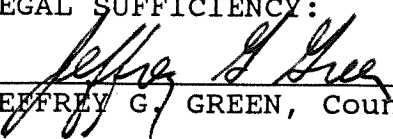
GEORGE P. RADANOVICH, Chairman
Mariposa County Board of Supervisors

ATTEST:



MARGIE WILLIAMS, Clerk of the Board

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



JEFFREY G. GREEN, County Counsel

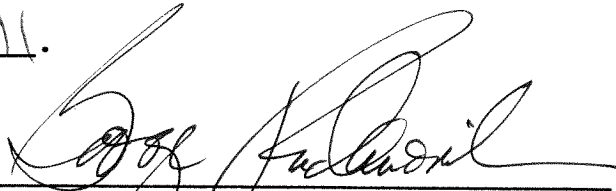
STATEMENT OF ZONE CREATION

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 **SIERRA VISTA ESTATES ZONE OF BENEFIT** is attached hereto and titled "**MARIPOSA COUNTY RESOLUTION NO. 91-369 -- A RESOLUTION APPROVING THE ZONE OF BENEFIT FOR SIERRA VISTA ESTATES**", 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.


DATED:

8-8, 1991.



GEORGE P. RADANOVICH, Chairman
Mariposa County Board of Supervisors

ATTEST:



MARGIE WILLIAMS, Clerk of the Board

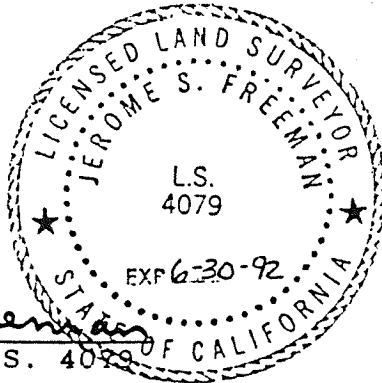
EXHIBIT "A"

PARCEL DESCRIPTION

The West one-half of the West one-half (W1/2 W1/2) of Section 11, Township 6 South, Range 19 East, Mt. Diablo Base and Meridian, more particularly described as follows:

BEGINNING at the Southwest corner of said Section 11; thence N05°02'28"E, along the west line of said Section, for 2523.07 feet to the West one-quarter section corner thereof; thence N05°10'30"E, along the west line of said Section, for 2516.95 feet to the Northwest section corner thereof; thence N89°34'49"E, along the north line of said Section, for 1367.81 feet to the northeast corner of the Northwest one-quarter of the Northwest one-quarter of said Section; thence S05°39'33"W, along the east line of the West one-half of the Northwest one-quarter of said Section, for 2507.58 feet to the Southeast corner thereof; thence S05°38'58"W, along the east line of the West one-half of the Southwest one-quarter of said Section, for 2532.05 feet to the Southeast corner thereof; thence S89°21'11"W, along the south line of said Section, for 1320.10 feet to the POINT OF BEGINNING.

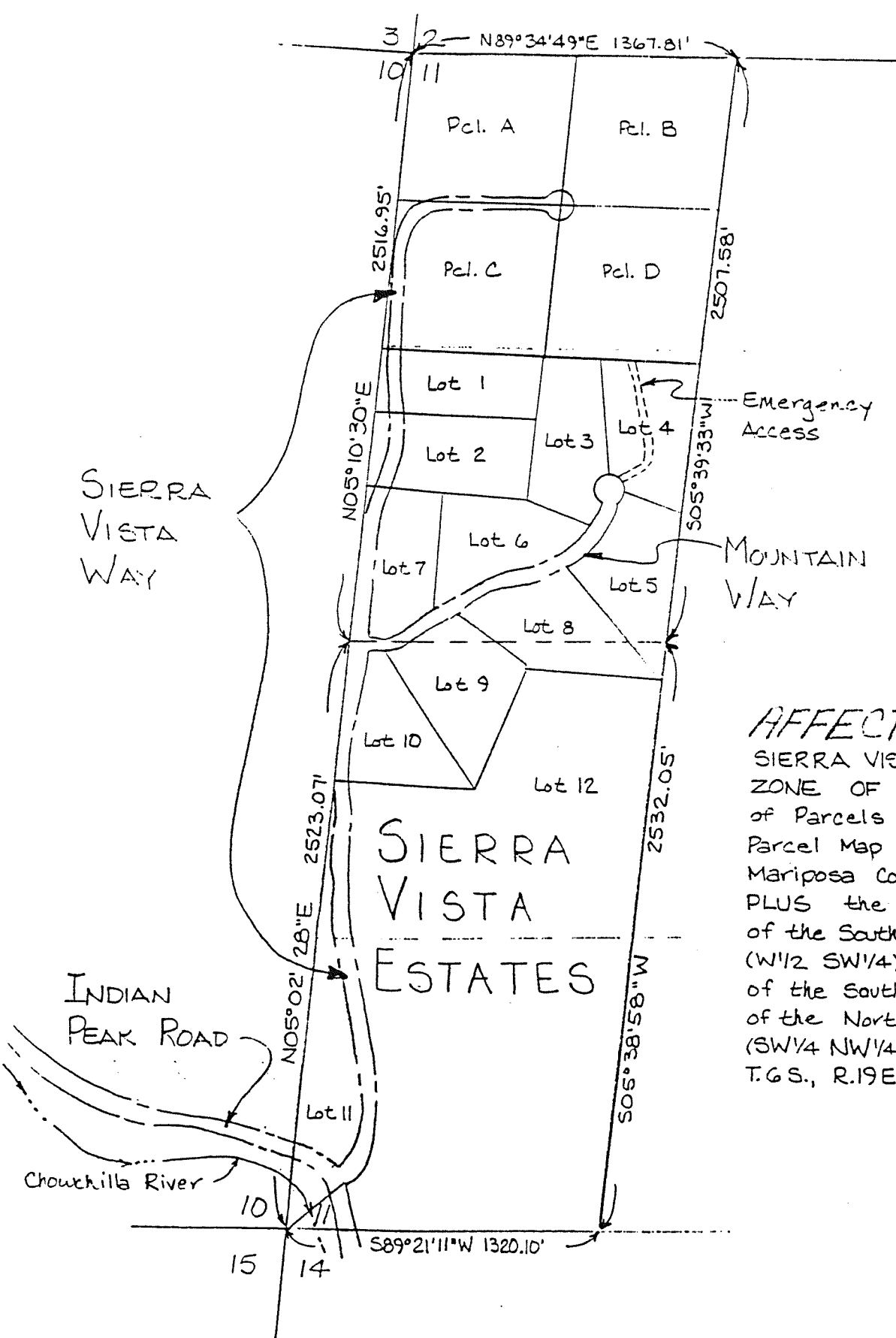
Prepared by:



Date: May 14, 1991
W.O.#: 880611

Jerome S. Freeman
Jerome S. Freeman, L.S. 4079

EXHIBIT "B"



AFFECTED TERRITORY OF SIERRA VISTA ESTATES ZONE OF BENEFIT consisting of Parcels A, B, C & D of Parcel Map Book 24, Page 2, Mariposa County Records PLUS the West one-half of the Southwest one-quarter (W¹/₂ SW¹/₄) AND a portion of the Southwest one-quarter of the Northwest one-quarter (SW¹/₄ NW¹/₄) of SECTION 11, T.G.S., R.19E., M.D.B.&M.



COUNTY of MARIPOSA

4639 Ben Hur Road
Mariposa, CA 95338
(209) 966-5356

DEPARTMENT OF PUBLIC WORKS

Divisions of:
Design & Construction
Administration
Operations

July 23, 1991

Laurence Pollard
Director

MEMORANDUM

TO: Board of Supervisors

FROM: *BA* Bruce A. Atkinson, Special Projects Coordinator

RE: Schedule of Fees for Sierra Vista Estates
Zone of Benefit

The Public Works Department has prepared the following discussion and schedules associated with the formation of the Sierra Vista Estates Zone of Benefit. The zone being considered under this application is the result of a petition filed as a condition of approval of the Final Map for Sierra Vista Estates (submitted under major subdivision application No. 8-25-89). The Public Works Department is recommending the approval of this zone of benefit.

The major subdivision associated with this application has proposed a twelve (12) lot division of the applicant's one hundred fifteen (114.82) acre parcel. The applicant has also included in this proposed zone, four parcels that were created by a previous land division (LDA 1250: Parcel Map for Kenneth & Carol Troxel, recorded November 11, 1988, in Book 24 of Parcel Maps, at Page 2). The applicant has petitioned the County to form a zone of benefit for road maintenance on Mountain Way and Sierra Vista Way, built as conditions of the Major Subdivision. Additionally, that portion of Mountain Way built as a condition of the previous land division, will also be maintained. The petition represents the signatures of the owners of four of the existing six parcels; and also represents the owners of sixty three percent (63%) of the assessed valuation of land and improvements included in the proposed zone.

As required by Public Works' application process, the applicant has provided the County with an estimate (see attached estimate from **Jerry Sparks Grading & Paving**) for the road maintenance on these subdivision roads. The estimate proposes a yearly cost of four thousand two hundred thirty dollars (\$4230.00). Our policy has been to increase the estimate by 10% to allow for inflationary cost increases; and then add 5% for an emergency contingency fund. The schedule on the next page, titled "FEE SCHEDULE TO INITIATE THIS ZONE OF BENEFIT" summarizes the estimate, the County's administrative surcharge, and the State Board of Equalization's filing fee. Additionally, the final figure in the schedule lists the amount to be assessed to **each of the parcels**, on a yearly basis, during the first year assessed (1992).

FEE SCHEDULE TO INITIATE THIS ZONE OF BENEFIT

Administrative Estimate	Maintenance Estimates
Inspections 200.00	Road maintenance 4230.00
Advertising 100.00	15% Inflation/Emergency
Bid Package 15.00	Contingencies + 634.50
Accounting (*16) 80.00	-----
	4864.50
Total Admin. 395.00	Administration + 395.00

State Board of Equalization	5259.50
(one time filing fee)	2-years upfront x 2
Fee based on acreage	-----
(101-660 ac)	Subtotal 10519.00
\$ 480.00	SBE filing fees + 480.00
Total fees required to approve & file zone . . . \$ 10,999.00	

Total yearly assessment per parcel \$ 328.72

Proposal

JERRY SPARKS GRADING & PAVING

4120 USONA ROAD
MARIPOSA, CALIFORNIA 95338
PHONE (209) 966-5761
Contractor State License No. 306468

PROPOSAL SUBMITTED TO <u>Ken Troxel</u>		PHONE	DATE <u>5/23/91</u>
STREET <u>4136 Indian Peak Rd.</u>		JOB NAME <u>Sierra Vista Estates Subdivision</u>	
CITY, STATE AND ZIP CODE <u>Mariposa, Ca. 95338</u>		JOB LOCATION <u>Indian Peak Rd. N.W. of Hirsh Rd.</u>	
ARCHITECT	DATE OF PLANS	<u>Prevailing Wages</u>	JOB PHONE

We hereby submit specifications and estimates for:

KEN TROXEL SUBDIVISION

Sierra Vista Lots 1,2,7,10,11, 12, 3647 Lin. Ft. plus 4 parcels to the North

1299 Lin Ft. Mountain Way Lots 3,4,5,6,8,9. 1244 Lin. Ft. Emergency

Acess 736 Lin. Ft. Semi Annual Road Maintenance 6926 Lin. Ft. Spring

Maintenance, Grade Road and wheel pack road. Add base rock to thin spots.

Check water drainage and culverts. Fuel modifications checked and cleared

if necessary. Water will be used as necessary or required for compaction

and dust suppression. Fall Maintenance, clean culverts and check out roads.

Equipment Move In \$160.00 Loader 4 hrs @80.00 320.00

Rd. Grader 16 hrs @80.00 1280.00 Hand Lbr. 16 hr@35.00 560.00

Water Truck 16 hrs @60.00 960.00 Base Rock 50 Ton@16.00 800.00

Truck Roll 2½ hrs @60.00 150.00

TOTAL \$4230.00

WE PROPOSE hereby to furnish material and labor — complete in accordance with above specifications, for the sum of:

Payment to be made as follows: _____ dollars (\$ _____).

Note: This proposal may be withdrawn by us if not accepted within _____ days. Authorized Signature Jerry Sparks
ACCEPTANCE OF PROPOSAL—The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do work as specified. Payment will be made as outlined above.

Signature _____

Date of Acceptance: _____ Signature _____

Contractors are required by law to be licensed and regulated by the Contractor's State License Board. Any questions concerning a contractor may be referred to the registrar of the board whose address is: Contractor's State License Board - 1020 N Street - Sacramento, California 95814

"Under the Mechanics' Lien Law, any contractor, sub-contractor, laborer, materialman or other person who helps to improve your property and is not paid for his labor, services or material, has a right to enforce his claim against your property.

"Under the law, you may protect yourself against such claims by filing, before commencing such work or improvement, an original contract for the work of Improvement or a modification thereof, in the office of the county recorder of the county where the property is situated and requiring that a contractor's payment bond be recorded in such office. Said bond shall be in an amount not less than fifty per cent (50%) of the contract price and shall, in addition to any conditions for the performance of the contract, be conditioned for the payment in full of the claims of all persons furnishing labor, services, equipment or materials for the work described in said contract."

Starting December 31, 1969, each contractor licensed under this chapter, prior to entering into a contract after December 31, 1969, in excess of six hundred dollars (\$600) with the owner of a single-family dwelling, a duplex, or a triplex for work performed for the improvement of property, shall give a copy of this "Notice to Owner" to the owner.