RECOMMENDED ACTION AND JUSTIFICATION:

Pass and Adopt this Resolution:

WHEREAS, it is necessary for the Mariposa Public Utility District (MPUD) to have construction plans reviewed by fire officials prior to authorizing permits, see Mark Rowney’s letter to County Counsel dated October 9, 1990 marked Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, the County has a contract with the State Fire Marshal for this type of service; and

WHEREAS, MPUD contacted the State Fire Marshal on February 6, 1990 regarding these services and a proposal was received in a letter dated February 7, 1990 from the State Fire Marshal, marked Exhibit "B" attached hereto and incorporated herein by this reference; and

WHEREAS, MPUD has requested County’s assistance in processing plans requiring State Fire Marshal review by passing MPUD Resolution No. 90-1072 dated October 2, 1990 marked Exhibit "C" attached hereto and incorporated herein by this reference;

NOW THEREFORE, BE IT HEREBY RESOLVED by the Mariposa County Board of Supervisors as follows:
1. MPUD will process construction plans requiring State Fire Marshal review through the County’s Public Works Building Division.
2. The Applicant will pay for these services at the existing rate contained in the County’s contract with the State.
3. County will collect service fees and process such payments to the State Fire Marshal as required.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
No previous action on this matter has been taken.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
MPUD would not have local access to State Fire Marshal services.
MPUD would continue processing its plans directly with the State Fire Marshal’s office.

COST: (x) Not Applicable
A. Budgeted current FY $__________
B. Total anticipated costs $__________
C. Required add’l funding $__________
D. Source: ____________________________________________

SOURCE: ( ) 4/5ths Vote Required
A. Internal transfers $__________
B. Unanticipated revenues $__________
C. Reserve for contingency $__________
D. Description: _______________________________________
Balance in Reserve for Contingencies, if approved: $ __________

SPECIAL INSTRUCTIONS:
List the attachments and number the pages consecutively:
Letter to Counsel dated 10/9/90
Letter to MPUD dated 2/7/90
Resolution #90-1072
cont.

CLERK'S USE ONLY:
Resolution No. 90-528
Ordinance No. ______
Vote: Ayes: 5 Noes: ___
    Absent: ____ Abstained: ___
    Approved ( ) Denied
    ( ) Minute Order Attached

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

DATE: ____________________________

ATTEST: MARGIE WILLIAMS
Clerk of the Board of Supervisors
County of Mariposa, State of Calif.
By: ____________________________
    Deputy

ADMINISTRATIVE OFFICER'S RECOMMENDATION:

This item on agenda as:
    ___ Recommended
    ___ Not Recommended
    ___ For Policy Determination
    ___ Submitted with Comment
    ___ Returned for Further Action

Answer: ____________________________

Comment: ____________________________

A.O. Initials: ______________________

Action Form Revised 12/89
Mr. Jeff Green  
Mariposa County Counsel  
Box 189  
Mariposa, Ca. 95338  

REF: STATE FIRE MARSHAL SERVICE RESOLUTION  

Dear Jeff:  

Enclosed please find a copy of MPUD Resolution #90-1072 and a  
letter from the State Fire Marshal’s office concerning State Fire  
Marshal (SFM) plans reviews and construction inspection services  
within MPUD. As you are aware the latest contract between the  
SFM and Mariposa County no longer omits State Fire Marshal  
services within the MPUD. It is our intention that SFM services  
within the MPUD would only be requested by the Building Division  
IF the SFM fees were eligible to be billed to the project  
proponent. MPUD will continue to request advisory inspections of  
existing buildings when there is not a building permit pending  
for purposes of public safety.  

If you are satisfied with the resolution and intent of this  
program would you please initiate the necessary action to  
facilitate the plan review and inspection process outlined in the  
MPUD resolution. If this requires Board of Supervisor action I  
would be willing to make the presentation to the Board. Please  
let me know if you need any further information.  

Thank you.  

Sincerely,  
Mark L. Rowney  
General Manager  

MLR:gp  
encl: SFM letter  
cc: John McCamman  
John Davis  
Bill Bondshu
February 7, 1990

Mr. Mark Rowney, Manager
Mariposa Public Utility District
P.O. Box 494
Mariposa, CA 95338

Dear Mr. Rowney:

This letter will confirm our telephone conversation of February 6th, 1990; in which the California State Fire Marshal's Office agrees to accept building construction plans, for review, from the Mariposa Public Utility District (MPUD) via the County of Mariposa.

It is our thought, that you would submit your building construction plans (that originate within the Mariposa Public Utility District) to the Mariposa County Building Department, who in turn, would submit them to the State Fire Marshal for review. We would treat these plans as if they were originating from the County of Mariposa, and would bill them according to our existing contract.

It would be up to the County of Mariposa and MPUD to work out any process for reimbursement between these two entities, and that the CSFM will not bill MPUD directly for any services rendered.

If you have any further questions, please call.

Sincerely,

[Signature]
David D. Walizer
Assistant State Fire Marshal

cc: Jeff Green, Mariposa County
RESOLUTION #90-1072

RESOLUTION AUTHORIZING MARIPOSA COUNTY TO ADDRESS STATE FIRE MARSHAL REQUIREMENTS ON BEHALF OF THE MARIPOSA PUBLIC UTILITY DISTRICT

STATE FIRE MARSHAL SERVICES

WHEREAS, the Attorney General of the State of California has determined that the Mariposa Public Utility District (MPUD) is responsible to see that building standards adopted by the State Fire Marshal are enforced within MPUD boundaries, and

WHEREAS, the Mariposa Public Utility District does not maintain a staff qualified to enforce the building standards adopted by the State Fire Marshal, and

WHEREAS, the County of Mariposa has entered into an agreement with the California State Fire Marshal for fire prevention services, and

WHEREAS, the State Fire Marshal has agreed to review building construction plans for projects within the MPUD through the Mariposa County Department of Public Works, Building Division.

NOW THEREFORE be it resolved that the Mariposa Public Utility District Board of Directors authorize Mariposa County Public Works, Building Division, request the State Fire Marshal to assume jurisdiction and to send construction plans to the State Fire Marshal for review and to request construction inspection services for projects within the MPUD. The MPUD authorizes Mariposa County to charge "applicants" for projects within MPUD the "State Fire Marshal service fees" as provided for in Mariposa County Ordinance #735.

This resolution duly passed and adopted by the Mariposa Public Utility District Board of Directors on the 2nd day of October 1990 by the following vote:

AYES: Directors Radanovich, McGee, Melton, Finney, Michael
NOES: None
ABSENT: None

President, Board of Directors
Mariposa Public Utility District

ATTEST:

Clerk, ex-officio, McCoy

EXHIBIT C