

DEPARTMENT :Public Works/Engineering

BY: Allen Toschi
PHONE: 966-5356

RECOMMENDED ACTION AND JUSTIFICATION:

Public Hearing concerning the adoption of a resolution to establish the current fee structure for County Service Area No. 1 (Road Maintenance Zones of Benefit), County Service Area No. 1-M (Lake Don Pedro off-season fire protection) and County Service Area No. 3 (structural fire protection) and authorizing those fees to be placed on the property tax roll for fiscal year 2011-12.

Once a year a report is prepared that lists fees for County Service Areas whose fees are placed on the property tax roll. Today's public hearing gives property owners within those County Service Areas notice of what the proposed fees are for fiscal year 2011-12 and allows them to speak in favor of or opposition to the proposed fees if they wish to. No changes to the existing fees are being recommended at this time. We are asking the Board approval of the fees and authorization to place the fees on the property tax roll for fiscal year 2011-12. Coyote Court has no assessment due to minimal maintenance and will become dormant.

The report of fees is included with the Resolution as Exhibit "A".

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board approved a similar report two years ago on August 4, 2009 Res. No. 09-395.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Do not approve the requested action; we would be unable to charge the fees needed to continue providing the above mentioned services.

Financial Impact? <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Current FY Cost: \$ -0-	Annual Recurring Cost: \$ -0-
Budgeted In Current FY? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Partially Funded		
Amount in Budget: \$ _____		List Attachments, number pages consecutively
Additional Funding Needed: \$ _____		1. Resolution
Source: _____ Land Owners		2. Public Hearing Notice
Internal Transfer _____		
Unanticipated Revenue _____ 4/5's vote		
Transfer Between Funds _____ 4/5's vote		
Contingency _____ 4/5's vote		
() General () Other		

CLERK'S USE ONLY:

Res. No.: 11-357 Ord. No. _____
 Vote - Ayes: 3 Noes: _____
 Absent: Wagner, GWA
 Approved
 Minute Order Attached () No Action Necessary

COUNTY ADMINISTRATIVE OFFICER:

Requested Action Recommended
 No Opinion
 Comments:

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

CAO: 



COUNTY OF MARIPOSA

P.O. Box 784, Mariposa, CA 95338 (209) 966-3222

JIM ALLEN, CHAIR
JANET BIBBY, VICE-CHAIR
LEE STETSON
LYLE TURPIN
KEVIN CANN

DISTRICT V
DISTRICT III
DISTRICT I
DISTRICT II
DISTRICT IV



MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: JOHN AINSWORTH, Assistant Public Works Director

FROM: MARGIE WILLIAMS, Clerk of the Board

SUBJECT: PUBLIC HEARING Considering the Adoption of a Resolution to Establish the Current Fee Structure for the County Service Area No. 1 (Road Maintenance Zones of Benefit), County Service Area No. 1-M (Lake Don Pedro Off-Season Fire Protection) and County Service Area No. 3 (Structural Fire Protection) and Authorize Those Fees to be Placed on the Property Tax Roll for Fiscal Year 2011-12

RES. 11-357

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on July 19, 2011

ACTION AND VOTE:

5 **Public Works**
PUBLIC HEARING Considering the Adoption of a Resolution to Establish the Current Fee Structure for the County Service Area No. 1 (Road Maintenance Zones of Benefit), County Service Area No. 1-M (Lake Don Pedro Off-Season Fire Protection) and County Service Area No. 3 (Structural Fire Protection) and Authorize Those Fees to be Placed on the Property Tax Roll for Fiscal Year 2011-12

BOARD ACTION: Allen Toschi and Mark Dvorak/PWD-Engineering Technician, presented the staff report. Staff responded to questions from the Board relative to the zero assessment for Coyote Court versus the previous assessment rate; relative to the property involved and the process for abandoning a zone of benefit. Rick Benson/County Administrative Officer, responded to the questions relative to the pros and cons of abandoning a zone of benefit, including the costs that are involved – a \$1,500 State fee. Staff responded to additional questions as to whether there is anything in writing from the property owners requesting that the zone of benefit for Coyote Court be dormant, and clarifying that there are no other assessment changes. The public portion of the hearing was opened and there was no input. The public portion of the hearing was closed and the Board commenced with deliberations. (M)Stetson, (S)Bibby, Res. 11-357 was adopted approving the recommended actions. Supervisor Bibby noted that the property could be sold in the future, and she asked County Counsel to review the situation with the zone of benefit for Coyote Court to see if there should be an agreement. Ayes: Stetson, Bibby, Allen; Excused: Turpin, Cann. The hearing was closed.

Cc: Steven W. Dahlem, County Counsel
Bill Davis, Auditor
Keith Williams, Tax Collector
Becky Crafts, Assessor
File

MARIPOSA COUNTY

RESOLUTION NO. 11-357

**RESOLUTION TO ESTABLISH THE CURRENT FEE STRUCTURE FOR MARIPOSA
COUNTY SERVICE AREA NO. 1, COUNTY SERVICE AREA NO. 1-M AND
COUNTY SERVICE AREA NO. 3**

SECTION 1. WHEREAS,

(a) This Board has enacted ordinances relative to certain County Service Areas declaring that service charges shall be collected on the tax roll in the same manner and at the same time as the County's general ad valorem property taxes are collected as provided by Government Code Section 25210.77a; and

(b) This Board desires to proceed in accordance with the provisions of Government Code Section 54985 and 54986 and Articles XIII C and XIII D of the California Constitution in order to carry said ordinances into effect; and

(c) This Board ordered the preparation of a written report containing a description of each parcel of real property receiving services and the amount of the charge for each parcel for the fiscal year 2011-2012, and further requiring the Clerk of the Board to select a date and time for a hearing on said report, and to cause a notice of hearing thereon to be published in a newspaper of general circulation in the County pursuant to the provisions of Section 6061 of the Government Code; and

(d) The Public Works Department has investigated possible environmental impacts of the proposed assessments and found this action to be categorically exempt from the requirements for preparation of environmental documents pursuant to Public Resources Code Section 21080(b)(8) and Section 15273 of the State CEQA Guidelines; and

(e) The Director of Public Works having duly prepared said written report and filed the same with the Clerk of the Board, whereupon said Clerk duly selected the date and time for hearing on said report, caused a notice of the filing of said report and the time and place of hearing thereon to be published pursuant to the provisions of Section 6061 of the Government Code, and caused said report to be available for public inspection for a period of not less than ten (10) days prior to the date of said hearing; and

(f) In accordance therewith, a public hearing has been held before this Board today at which time the Board considered said report and heard and considered all objections and protests to said report; and

SECTION 2. NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Mariposa County, State of California, as follows:

1. This Board finds and determines that each of the facts recited hereinabove is true, and that this Board has jurisdiction to proceed and make the determination set forth below.

2. This Board further finds that because the proposed action is for the reaffirming of rates and charges necessary to meet operating expenses, for the purchase or lease of supplies, equipment and materials, to meet financial reserve needs and requirements and to obtain funds for capital projects necessary to maintain service within existing County Service Areas it is, therefore, categorically exempt from the provisions of the California Environmental Quality Act (CEQA) of 1970 pursuant to Public Resources Code Section 21080(b)(8) and Section 15273 of the State CEQA Guidelines.

3. The Clerk of the Board will file with the County Clerk a Notice of Exemption, pursuant to CEQA and said Guidelines, if requested.

4. The public hearing upon the levying of assessments and fees within each County Service Area is hereby concluded and closed.

5. This Board does hereby confirm that these assessments and fees comply with the applicable provisions of Article XIID of the California Constitution and that no balloting will be required except to increase the assessments or fees beyond the approved level.

6. This Board hereby approves all assessments and fees described in Exhibit "A" which have remained unchanged since the last fiscal year and adopts this resolution recommended by the Public Works Department prepared for consideration of this Board setting County Service Area fees that are to be placed on the tax roll for fiscal year 2011-2012.

7. The Clerk of the Board shall send a certified copy of this resolution to each of the following:

Public Works Department
County Counsel
County Auditor
County Administrative Officer

PASSED AND ADOPTED by the Mariposa County Board of Supervisors this 19th day of July, 2011, by the following vote:

AYES: STETSON, BIBBY, ALLEN

NOES: NONE

ABSENT: TURPIN, CANN

ABSTAINED: NONE



Jim Allen, Chair
Mariposa County Board of Supervisors

ATTEST:


MARGIE WILLIAMS, Clerk of the Board

APPROVED AS TO FORM:

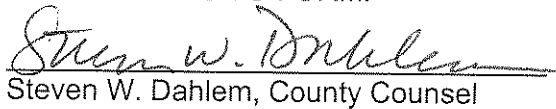

Steven W. Dahlem, County Counsel

EXHIBIT "A"

**COUNTY SERVICE AREA FEES
TO BE PLACED ON TAX ROLL FISCAL YEAR 2011-12**

CSA NAME	ADDRESS*	SERVICE	11-12 FEE
County Service Area No.1			
Location: Countywide			
Zones of Benefit:			
Black Oak Ridge	All	Road Maintenance	\$100.00
Lakeside Drive	5641		\$100.00
Placer Lane	6331, 6334		\$100.00
Whitlock Road	5830		\$100.00
Broncho Hollow:		Road Maintenance	
Broncho Hollow Lane	4029, 4089		\$61.24
Broncho Hollow Lane	4004		\$122.50
Broncho Hollow Lane	3786 to 3984		\$141.70
Deer Run	All		\$185.48
Hidden Valley	All		\$61.24
Indian Peak	3950		\$61.24
Quail Run	All		\$185.48
Quail Hollow	All		\$185.48
Rocky Hollow	All		\$61.24
Wildcat Springs	All		\$185.48
Windy Hollow	All		\$185.48
Coyote Court	4153, 4195	Road Maintenance	\$0.00
El Toro Road	All	Road Maintenance	\$170.20
Hornitos Road	5425		\$170.20
Greeley Hill Estates:		Road Maint & Water Tank	
Dogtown Road	All except 6363		\$12.00
Dogtown Road	6363		\$36.00
Dogtown Road	6408, 6410		\$67.00
Ponderosa	All		\$36.00
Quail Mine	All		\$72.00
Texas Hill	All		\$12.00
Jordan View	All	Road Maintenance	\$10.00
Leichtlin Lane	All	Road Maintenance	\$100.00
Little Bear Road	All	Road Maintenance	\$346.50
Totokon	4338		\$346.50
Miami Mountain		Snow Removal	
Apple Seed	1841		\$25.00
Highway 49 South	1777		\$25.00
Miami Meadow	2019		\$25.00
Nutter Ranch	All		\$25.00
Stage Coach	1740		\$25.00
Millbrow Estates		Road Maintenance	
Millbrow	All		\$110.00
Holtzel	10224, 10258		\$110.00
Montana de Paz	All	Road Maintenance	\$251.80
Pagala Springs	All	Road Maintenance	\$355.44
Sierra Vista Estates		Road Maintenance	
Indian Peak	4138		\$250.00
Mountain Way	All		\$250.00
Sierra Vista	All		\$250.00
St. Andrews Road	5072, 5075	Road Maintenance	\$795.00

EXHIBIT "A"

**COUNTY SERVICE AREA FEES
TO BE PLACED ON TAX ROLL FISCAL YEAR 2011-12**

CSA NAME	ADDRESS*	SERVICE	11-12 FEE
County Service Area No.1			
Location: Countywide			
Zones of Benefit:			
Terrace View	All	Road Maintenance	\$109.50
Usona Ridge Road	3189 to 3230	Road Maintenance	\$100.00
Black Bear Mtn	1812 to 1818		\$100.00
Yosemite View Estates		Road Maintenance	
Carson Creek View	4214, 4225		\$420.32
Wilbur's Way	All		\$420.32
County Service Area 1-M			
Location: Lake Don Pedro		Off-Season Fire Protection	
Developed Lots			\$80.00
Undeveloped Lots			\$16.00
County Service Area No. 3			
Location: Countywide		Structural Fire Protection	
Excluding parcels in MPUD			
Developed Lots			\$80.00

* Note: For Zones of Benefit "All" means all addresses on that road within the zone.

PUBLIC HEARING NOTICE
COUNTY SERVICE AREA NO. 1
(Road Maintenance Zones of Benefit)
COUNTY SERVICE AREA NO. 1-M
(Lake Don Pedro off-season Fire Protection)
COUNTY SERVICE AREA NO. 3
(Structural Fire Protection)

On Tuesday, July 19, 2011, at the hour of 9:00 a.m. or as soon thereafter the Mariposa County Board of Supervisors will conduct a public hearing in the Chambers of the Board of Supervisors, Mariposa County Government Center, 5100 Bullion Street, Mariposa, California, to establish the current fee structure for County Service Area No. 1 (Road Maintenance Zones of Benefit), County Service Area No. 1-M (Lake Don Pedro off-season fire protection) and County Service Area No. 3 (structural fire protection). These fees are to be placed on the property tax roll for fiscal year 2011-12. No changes to existing fees are being recommended at this time.

Any interested member of the public may appear at the hearing and be heard or provide written input.

Information on the fees is available for review from the Clerk of the Board, 5100 Bullion Street, Mariposa California 95338 or the Public Works Department at 4639 Ben Hur Road, Mariposa, California 95338.

Allen Toschi
Public Works Director

Publication dates: July 7, 2011