



# MARIPOSA COUNTY

Public Works - (209) 966-5356



## **RESOLUTION - ACTION REQUESTED 2016-451**

MEETING: August 16, 2016  
TO: The Board of Supervisors  
FROM: Tony Stobbe, Public Works Director  
RE: Fee Structure for County Service Area 1-M

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### **RECOMMENDATION AND JUSTIFICATION:**

Public Hearing to Adopt the Current Fee Structure for County Service Area 1-M (Lake Don Pedro Fire Protection); and Authorize the Fees to be Placed on the Property Tax Roll for Fiscal Year 2016-17.

Annually a report is generated that lists the fees associated with the County Service Area 1-M and the fee report is then placed on the property tax roll upon Board of Supervisors approval. For Fiscal Year 2016-17 the fees remain unchanged from the previous year. The Public Works Department is asking for Board approval of the fees and authorization to place the fees on the property tax roll for Fiscal Year 2016-17.

### **BACKGROUND AND HISTORY OF BOARD ACTIONS:**

On August 18, 2015 per Resolution 2015-8 the Board approved the FY15-16 fee structure for the Lake Don Pedro Service District.

### **ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:**

Negative action in authorizing the fees would cause the non-collection of fees required to continue providing off-season fire protection in the Lake Don Pedro Service District.

### **ATTACHMENTS:**

**Resolution - CSA 1-M (DOC)**  
**Exhibit A - CSA 1-M (XLS)**  
**CEQA Form - Notice of Exempt CSA 1-M (DOC)**  
**Public Hearing Notice - CSA 1-M (DOC)**

### **CAO RECOMMENDATION**

Requested Action Recommended

  
Mary Hodson, CAO 8/10/2016

**RESULT: ADOPTED [UNANIMOUS]**

**MOVER:** Rosemarie Smallcombe, District I Supervisor

**SECONDER:** Merlin Jones, District II Supervisor

**AYES:** Smallcombe, Jones, Long, Cann, Carrier

**MARIPOSA COUNTY**

**RESOLUTION NO. 16-451**

**RESOLUTION TO ESTABLISH THE CURRENT FEE STRUCTURE FOR MARIPOSA COUNTY SERVICE AREA 1-M.**

**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; and

(b) This Board desires to proceed in accordance with the provisions of Government Code Section 54985 and 54986 and Articles XIIC and XIID 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 in County Service Area 1-M and the amount of the charge for each parcel for the fiscal year 2016-2017, 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 on this date 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 2016-2017.

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 16<sup>th</sup> day of August, 2016, by the following vote:

AYES: SMALLCOMBE, JONES, LONG, CANN, CARRIER

NOES: NONE

ABSENT: NONE

ABSTAINED: NONE



John Carrier, Chair  
Mariposa County Board of Supervisors

ATTEST:



Rene LaRoche, Clerk of the Board

APPROVED AS TO FORM:



Steven W. Dahlem, County Counsel



**NOTICE OF EXEMPTION**

To:  Office of Planning and Research  
1400 Tenth Street, Room 121  
Sacramento, CA 95814

From: Mariposa County Public Works  
4639 Ben Hur Road  
Mariposa, CA 95338

County Clerk  
County of Mariposa County  
P.O. Box 247  
Mariposa, CA 95338

**FILED**  
AUG 18 2016  
*CMORROW*  
MARIPOSA COUNTY CLERK

Project Title: County Service Area 1-M Authorized Fees

Project Location-Specific: Mariposa County and Lake DonPedro

Project Location-City: Mariposa Project Location-County: Mariposa County

Description of Project: Re-authorizing fees

Name of Public Agency Approving Project: COUNTY OF MARIPOSA

Name of Person or Agency Carrying Out Project: Mariposa County – Dept. Of Public Works

**Exempt Status:**

- Ministerial (Sec. 21080-(b) (8); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: Section 15301
- Statutory Exemptions. State code number:

Reasons why project is exempt: Operation of existing facilities

**Lead Agency**

Contact Person: Tony Stobbe Area Code/Telephone: 209-966-5356

**If filed by applicant:**

1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project:  
X Yes  No

Signature: *Tony Stobbe*  
Title: Director Public Works

Date: 8/16/16

Signed by Lead Agency Date received for filing at OPR:

Signed by Applicant