

DEPARTMENT: Public Works

By: Bruce A. Atkinson

Phone: 966-5356

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes No)

1. Conduct Public Fee Hearings on Proposed Revised Assessment Fees, in Mariposa Countywide County Service Area No. 1, Zones of Benefit;
2. Adopt the attached Resolution Revising Assessment Fees in Mariposa Countywide County Service Area No. 1, Zones of Benefit;

BACKGROUND AND HISTORY OF BOARD ACTIONS:

This is only the second time the Board has considered revising fees in Mariposa Countywide County Service Area No. 1 Zones of Benefit (except for a zone reorganizations). For details, see attached Staff Report.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

1. Do not adopt this resolution and maintain current fee authorizations. Could delay necessary work which could result in increased County liability.
2. Continue Public Hearing. Direct staff to prepare modifications to the proposed fee schedules. Minor delay in adoption of revised schedule.

COSTS: (X) Not Applicable

A. Budgeted current FY> \$ _____ *

B. Total anticipated Costs> \$ _____

C. Required additional funding> \$ _____

D. Internal transfers> \$ _____

COSTS: () 4/5th Vote Required

A. Unanticipated revenues> \$ _____

B. Reserve for contingencies> \$ _____

C. Source description: > *Costs paid by ZOB owners.

Balance in Reserve Contingencies, If Approved:
\$ _____

SPECIAL INSTRUCTIONS:

List the attachments and number the pages consecutively:

1. Staff Report with Attachments 1-5
2. Resolution revising Zone of Benefit Fees, with Exhibit "E9"
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____

CLERK'S USE ONLY

Res. No.: 95-351 Ord. No.: _____

Vote - Ayes: 4 Noes: _____

Absent: *John* Abstained: _____

Approved Denied

Minute Order Attached No Action Necessary

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

ADMINISTRATIVE OFFICER'S RECOMMENDATION:

This item on agenda as:

- _____ Recommended
- Not Recommended
- _____ For Policy Determination
- _____ Submitted for Comment
- _____ Returned for Further Action

Comment: _____

A.O. Initials: *WA*

MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: MIKE EDWARDS, PUBLIC WORKS DIRECTOR
FROM: MARGIE WILLIAMS, Clerk of the Board *MW*
SUBJECT: PUBLIC HEARING - REVISED ASSESSMENT FEES FOR ZONES
OF BENEFIT

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,

ADOPTED THIS Order on July 25, 1995

ACTION AND VOTE:

10:03 a.m. Mike Edwards, Public Works Director;
CONTINUED PUBLIC HEARING to Consider Proposed Revised Assessment
Fees in Mariposa Countywide County Service Area No. 1 Zones of
Benefit and Resolution Revising Assessment Fees in Mariposa
Countywide County Service Area No. 1 Zones of Benefit (Continued
from 07/18/95)

BOARD ACTION: Chairman Parker advised that this hearing was
continued to meet noticing requirements for a public hearing and
that additional public input would be accepted. Mike Edwards
advised of updates to the staff report relative to assessments,
and stated the assessment for Little Bear Road zone of benefit is
recommended to remain at the same level as for the previous year.
Chairman called for public input: Norman Ferrari/Jordan View
zone of benefit asked about the process for changing the
assessment fees and whether future adjustments were anticipated.
Alice Casaretto, representing three property owners on Little
Bear Road zone of benefit, stated they oppose any increase in
assessment and request to be withdrawn from the zone; and for her
own information asked about the "genesis" for creation of zones.
Chairman Parker advised that they would need to work with Public
Works on the dissolution process. Mike Edwards advised that he
would send her information on the zone process. Public portion
of the hearing was closed and Board commenced with deliberations.
(M)Reilly, (S)Balmain, Res. 95-351 adopted revising assessment
fees for zones of benefit as recommended/Ayes: Reilly, Balmain,
Stewart, Parker; Excused: Taber. Hearing was closed.

cc: Jeff Green, County Counsel
File

MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: MIKE EDWARDS, PUBLIC WORKS DIRECTOR
FROM: MARGIE WILLIAMS, Clerk of the Board *mw*
SUBJECT: PUBLIC HEARING TO CONSIDER PROPOSED REVISED ASSESSMENT
FEES IN MARIPOSA COUNTYWIDE COUNTY SERVICE AREA NO. 1
ZONES OF BENEFIT

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,

ADOPTED THIS Order on July 18, 1995

ACTION AND VOTE:

11:01 a.m. Mike Edwards, Public Works Director;
PUBLIC HEARING to Consider Proposed Revised Assessment Fees in
Mariposa Countywide County Service Area No. 1 Zones of Benefit
and Resolution Revising Assessment Fees in Mariposa Countywide
County Service Area No. 1 Zones of Benefit
BOARD ACTION: Mike Edwards advised of the public hearing
noticing requirements and stated staff did not get notice to the
newspaper to be published until the July 13th edition. Board
concurred with taking public input today and continuing the
hearing to next week to allow for additional input and to allow a
normal ten day noticing period. Mike Edwards presented staff
report for Little Bear Road Zone of Benefit, advising that costs
for annual maintenance are lower than expected; thus, the budget
is adequate for another year without increasing the assessment to
cover for the parcel that was previously deleted from
assessments. Mike responded to questions from the Board
concerning assessments, and continued with staff report for the
other Zones of Benefit. Dave Tucker/PWD-Senior Civil Engineer,
provided input relative to building up the fund balance for zones
to cover paving costs where necessary. Supervisor Balmain asked
about the emergency fund - staff to review and include this issue
with other zones of benefit policy issues to be brought back to
the Board. Public portion of the hearing was opened and input
provided by the following: Alice Casaretto presented letters
from her brother, Verne Casaretto and from Don Adams and Sharon
Capps concerning Little Bear Road Zone of Benefit; and expressed
concern with the "stranger" traffic on the road and resulting
problems and potential fire hazard; and requested consideration
of changing the zone so that residents only maintain the portion
they use or dissolve the Zone. Les Wenger/resident on Little
Bear Road, stated they would like to take care of road
maintenance themselves on the portion of the Road they use.

Chairman Parker requested that they meet with Public Works to discuss the process for dissolving a Zone of Benefit. There being no further public input, the hearing was continued to July 25, 1995, at 10:00 a.m.

cc: File

MARIPOSA COUNTY RESOLUTION NO. 95-351

**A RESOLUTION REVISING ASSESSMENT FEES IN
MARIPOSA COUNTYWIDE COUNTY SERVICE AREA NO. 1
ZONES OF BENEFIT**

WHEREAS, Zones of Benefit existing prior to January 1, 1996 are to be assessed fees during the fiscal year of 1995-1996, for the services included in said Zones of Benefit; and

WHEREAS, on July 18, 1995, and July 25, 1995, the Board of Supervisors held a duly noticed public hearing on the matter of Revised Assessment Fees for Zones of Benefit; and

WHEREAS, the Board of Supervisors, considered public input at the public hearing; and

WHEREAS, the fees were established through public hearing process;

NOW, THEREFORE, BE IT RESOLVED by the Mariposa County Board of Supervisors, a political subdivision of the State of California, that the Board hereby adopts Zones of Benefit Fees as follows:

SECTION I: Exhibit "E9" of Appendix I of the Mariposa County Code shall be added as shown on Exhibit "E9" attached hereto, and by reference incorporated herein.

SECTION II: Said Fees have been apportioned according to the rates or formulas adopted by the Mariposa County Board of Supervisors, at the times of formation. Said Fees shall be collected through the tax role and billed to each owner within said Zones. Said Fees shall be adjusted, according to said rates or formulas, whenever a change in the number of properties existing within the boundaries of said Zones, necessitates such adjustment. Said Fees shall be reviewed annually, and adjusted by the Board of Supervisors, accordingly.

SECTION III: This Resolution shall become effective thirty days from the date of final passage pursuant to California Government Code Section 25123.

MARIPOSA COUNTY RESOLUTION NO. 95-351

A RESOLUTION REVISING ASSESSMENT FEES IN
MARIPOSA COUNTYWIDE COUNTY SERVICE AREA NO. 1
ZONES OF BENEFIT

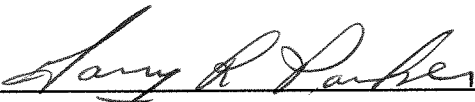
PASSED AND ADOPTED this 25th day of July, 1995
by the Mariposa County Board of Supervisors by the following vote:

AYES: REILLY, BALMAIN, STEWART, PARKER

NOES: NONE


ABSENT: TABER

ABSTAINED: NONE



GARRY R. PARKER, 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

EXHIBIT "E9"

Zones of Benefit Assessment Rates:

The following table indicates the assessment rates being adopted by the Mariposa County Board of Supervisors at the Public Fee Hearing on July 25, 1995, for Zones of Benefit within Countywide County Service Area No. 1. Said assessments are billed through the Tax Role of Mariposa County. The adopted rates are as follows:

SECTION I.:

Name of Zone	Area	No. Parcels	Zone Total	Per Parcel
Millbrow Estates	All	12	\$1,320.00	\$110.00
Greeley Hill Estates:	* See Note 1	37	\$2,064.38	Varies
➤Water Service Only	Water Only	19	\$603.06	\$31.74
➤Quail Mine Road	Quail Mine Rd	11	\$1,009.14	\$91.74
➤Ponderosa Way	Ponderosa Way	5	\$278.70	\$55.74
➤Unnamed Easement	Unnamed Rd	2	\$173.48	\$86.74
El Toro Road	All	12	\$2,042.57	\$170.21
Montana de Paz	All	16	\$4,029.00	\$251.81
Little Bear Road	* See Note 2	9	\$3,118.50	\$346.50
Sierra Vista Estates	All	16	\$4,000.00	\$250.00
Miami Mtn Snow Plowing	All	12	\$720.00	\$60.00
Usona Ridge Road	All	8	\$1,000.00	\$125.00
Black Oak Ridge Road	All	6	\$990.00	\$165.00
Coyote Court	All	3	\$730.20	\$243.40
Apple Seed Lane	All	4	\$2,595.50	\$648.88
Paqala Springs Road	All	4	\$1,421.75	\$355.44
Yosemite View Estates	All	12	\$5,044.00	\$420.33
Leichtlin Lane	All	4	\$1,801.24	\$450.31
Jordan View Lane	All	6	\$60.00	\$10.00
Terrace View Lane	All	24	\$2,628.00	\$109.50
Granite Dome Road	All	4	\$2,799.50	\$699.88
St. Andrews Road	All	2	\$1,590.00	\$795.00
Midpines Fire Equipment	* See Note 3	795	\$20,100.00	Varies
▶This zone is divided according to the level of improvements	Unimproved	234		\$20.00
	Improved	482		\$30.00
	Commercial	16		\$60.00

****NOTES:** The notes referenced in the table above are found at the end of Page 2.

EXHIBIT "E9"

SECTION II.: Said Fees have been apportioned according to the rates or formulas adopted by the Mariposa County Board of Supervisors, at the times of formation. Said Fees shall be collected through the tax role and billed to each owner within said Zones. Said Fees shall be adjusted, according to said rates or formulas, whenever a change in the number of properties existing within the boundaries of said Zones, necessitates such adjustment. Said Fees shall be reviewed annually, and adjusted by the Board of Supervisors

****Notes:** The following notes are the notes referenced in the table above, on Page 1.

1. When created, the Greeley Hill Estates Zone of Benefit was formed with a "parent" area, covering all thirty seven (37) lots in the Greeley Hill Estates Major Subdivision, which provided emergency water service to all lots. Additionally, three (3) "child" road maintenance areas were formed, to provide separate accounting for the three (3) private roads within the subdivision. The assessment rates in the "child" areas are composed of the base rate within the subdivision for water service, plus the additional apportioned cost of road maintenance, within a specific road area. The areas are composed as follows:

Water Service:	Lots 1-37
Quail Mine Road:	Lots 27-37
Ponderosa Way:	Lots 11, 12, 19, 20, and 21
Unnamed Easement Road:	Lots 7 and 8.
2. The number of parcels within Little Bear Road Maintenance Zone of Benefit being assessed the rate shown in the preceding Table, is nine (9), as approved and adopted by the Board of Supervisors, on April 4, 1995, following a duly noticed Public Hearing on said date. A Resolution Approving the Reorganization of Little Bear Road Maintenance Zone of Benefit was adopted by Resolution No. 95-141. Parcel C of that certain Parcel Map for Peter Bradbury, recorded February 11, 1993, in Book 26 of Parcel Maps at Page 4, was affected by the reorganization, and will not be assessed during the fiscal year 1995-1996. The other nine (9) parcels within the boundaries of the zone shall be assessed the rate shown on the preceding page.
3. The rates in this table, for the Midpines Fire Equipment Zone of Benefit, are as approved and adopted by the Mariposa County Board of Supervisors, on December 7, 1993, following a duly noticed Public Hearing on said date. The rates were adopted by Resolution No. 93-606. The approved rate schedule provided a varying rate, depending upon the improvements on the property. The areas and improvement rates (per year) provided for were:
1) Unimproved Property, rate = \$20.00; 2) Improved Property, rate = \$30.00;
3) Commercial Property, rate = \$60.00; and 4) Exempt Government Property, rate = \$0.
Determinations will be made based upon values contained in the Mariposa County Assessment Records for each property. Determinations will be reviewed by the Planning Director and the County Fire Chief. Property owners may appeal the determinations to the Board of Supervisors.