

DEPARTMENT: Public Works

By: Bruce A. Atkinson

Phone: 966-5356

RECOMMENDED ACTION AND JUSTIFICATION:

(Policy Item: Yes ___ No X)

1. Adopt the attached Resolution Conditionally Approving the Saint Andrews Road Maintenance Zone of Benefit;
2. Adopt the attached Resolution Establishing Assessment Fees and Upfront Zone Initiation Fees for the Saint Andrews Road Maintenance Zone of Benefit;
3. Authorize the Chairman of the Board to sign the attached Statement(s) of Zone Creation and Notice of Formation; and
4. Authorize the recordation of the Notice of Formation, as provided in the conditions.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

On October 25, 1994, the Board adopted Resolution No. 94-465, A Resolution of Intention to form the Saint Andrews Road Maintenance Zone of Benefit, Mariposa Enterprises II, as owners/applicants. For additional details, see attached Staff Report.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Do not adopt this resolution; and require the applicant to develop another means to insure the maintenance of Saint Andrews Road. Applicant's have stated that without the zone, funding for their project is in jeopardy.

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: > _____

Balance in Reserve Contingencies, If Approved:
\$ _____

SPECIAL INSTRUCTIONS:

List the attachments and number the pages consecutively:

1. Resolution of Formation (w/3 Exhibits: 7 pages) w/Statement of Zone Formation
2. Fee Resolution (w/2 Exhibits: 4 pages)
3. Notice of Formation (w/2 Exhibits: 3 pages)
4. Staff Report(4 pages)
5. Scope of Work (1 page)
6. Estimate (1 page)
7. Cost Breakdown Spreadsheet (1 page)
8. Vicinity Map

CLERK'S USE ONLY

Res. No.: 94-518 Ord. No.: _____

Vote - Ayes: 4 Noes: _____

Absent: Johan 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: _____

MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: MIKE EDWARDS, Public Works Director
FROM: MARGIE WILLIAMS, Clerk of the Board *mw*
SUBJECT: PUBLIC HEARING Re Formation of the
Saint Andrews Road Maintenance Zone of Benefit;
Mariposa Enterprises II, Owners/Applicants

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,
ADOPTED THIS Order on December 6, 1994

ACTION AND VOTE:

1:10 p.m. Mike Edwards, Public Works Director;

A) PUBLIC HEARING on the Matter of Formation of the
Saint Andrews Road Maintenance Zone of Benefit; Mariposa
Enterprises II, Owners/Applicants

BOARD ACTION: Staff report was presented by Mike
Edwards/Public Works Director, and Bruce Atkinson/Public
Works. Staff responded to questions from County Counsel
relative to conditions for completion of the road and what
authority there is to require a maintenance program if the
resolution is rescinded. Staff responded to questions from
the Board relative to road standards, length of the road and
associated maintenance costs, and relative to annexation
requirements. Public portion of the hearing was opened and
the following provided input. Vince Kehoe/agent for the
applicant, stated the applicant agrees to the conditions.
Bob Spears/representing Saint Andrews Church, asked if Saint
Andrews Road would be paved all the way through. Bruce
Atkinson responded relative to the proposal in the tentative
plan that was submitted. Public portion of the hearing was
closed and Board commenced with deliberations. (M)Parker,
(S)Balmain, Res. 94-516 adopted conditionally approving the
Saint Andrews Road Maintenance Zone of Benefit; Res. 94-517
adopted establishing assessment fees and upfront Zone
initiation fees for the Saint Andrews Road Maintenance Zone
of Benefit; authorizing Chairman to sign the Statement of
Zone Creation and Notice of Formation; and authorizing the
recordation of the Notice of Formation, as provided in the
conditions/Ayes: Baggett, Balmain, Erickson, Parker;
Excused: Taber.

cc: File

**A RESOLUTION ESTABLISHING ASSESSMENT FEES FOR THE
SAINT ANDREWS ROAD MAINTENANCE ZONE OF BENEFIT
(Not to be codified)**

WHEREAS, Zones of Benefit created prior to January 1, 1996 are to be assessed fees during the calendar year of 1996, for the services included in the "zone" being created.

WHEREAS, the fees were established through public hearing process;

NOW, THEREFORE, BE IT RESOLVED, THE BOARD OF SUPERVISORS, of the County of Mariposa, a political subdivision of the State of California, that the Board hereby establishes as follows:

SECTION I: In regards to the SAINT ANDREWS ROAD MAINTENANCE ZONE OF BENEFIT; during the public hearing on December 6, 1994, the total fees established were: (1) the up-front costs to initiate this zone, an amount of three thousand four hundred ten dollars (\$3,410.00); and (2) for the first year's assessment (1996), an amount of one thousand five hundred ninety dollars (\$1,590.00). Said fees shall be apportioned equally among the parcels that exist within the boundaries of the zone. In 1996, the two (2) parcels that existed at the time of formation, shall be assessed a yearly sum of seven hundred ninety five dollars (\$795.00) each. Said fees shall be reviewed annually, and adjusted by Board of Supervisors. Said zone of benefit was approved and adopted by Board Resolution No. 94-516. A legal description and map of the boundaries are attached hereto and marked Exhibits "A" and Exhibit "B", and by reference incorporated herein.

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

MARIPOSA COUNTY RESOLUTION NO. 94-517

**A RESOLUTION ESTABLISHING ASSESSMENT FEES FOR THE
SAINT ANDREWS ROAD MAINTENANCE ZONE OF BENEFIT
(Not to be codified)**

PASSED AND ADOPTED this 6th day of December, 1994

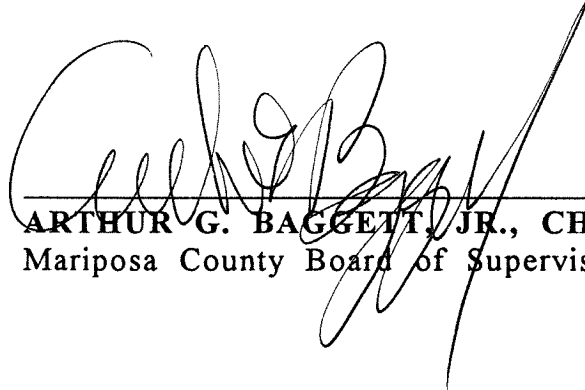
by the Mariposa County Board of Supervisors by the following vote:

AYES: BAGGETT, BALMAIN, ERICKSON, PARKER

NOES: NONE

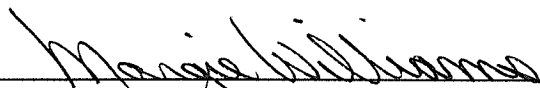
ABSENT: TABER

ABSTAINED: NONE




ARTHUR G. BAGGETT, JR., 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 "A"


LEGAL DESCRIPTION FOR SAINT ANDREWS ROAD MAINTENANCE ZONE OF BENEFIT

All that portion of Projected Section 14, Township 5 South, Range 18 East, Mount Diablo Base and Meridian, Rancho Las Mariposas, County of Mariposa, State of California, known as Parcels B and C, as shown on that certain Parcel Map for Jeannette Stewart and Katharine Hoyle, recorded on June 8, 1982, in Book 20 of Parcel Maps at Page 13, Mariposa County Records, and being more particularly described as follows:

Commencing at the West quarter section corner of Projected Section 14, Township 5 South, Range 18 East, Mount Diablo Base and Meridian, Rancho Las Mariposas, County of Mariposa, State of California, thence N 09° 37' 22" E, 366.80 feet to the most southerly point of said Parcel C, as shown on said map; said point being the **TRUE POINT OF BEGINNING** for this description, thence N 02° 10' 15" W, 225.29 feet; thence N 69° 37' 23" E, 149.94 feet; thence N 69° 41' 50" E, 150.08 feet; thence N 19° 25' 37" W, 328.44 feet; thence N 25° 08' 36" E, 270.50 feet; thence S 36° 54' 34" E, 607.60 feet; thence S 53° 07' 34" W, 496.90 feet; thence S 38° 57' 03" W, 104.71 feet; thence S 84° 06' 04" W, 181.00 feet, more or less, to the **POINT OF BEGINNING**, said point being the terminal point of this description which describes ±5.53 more or less acres of land.

This Description was prepared by me or under my supervision and is based on Record Data.



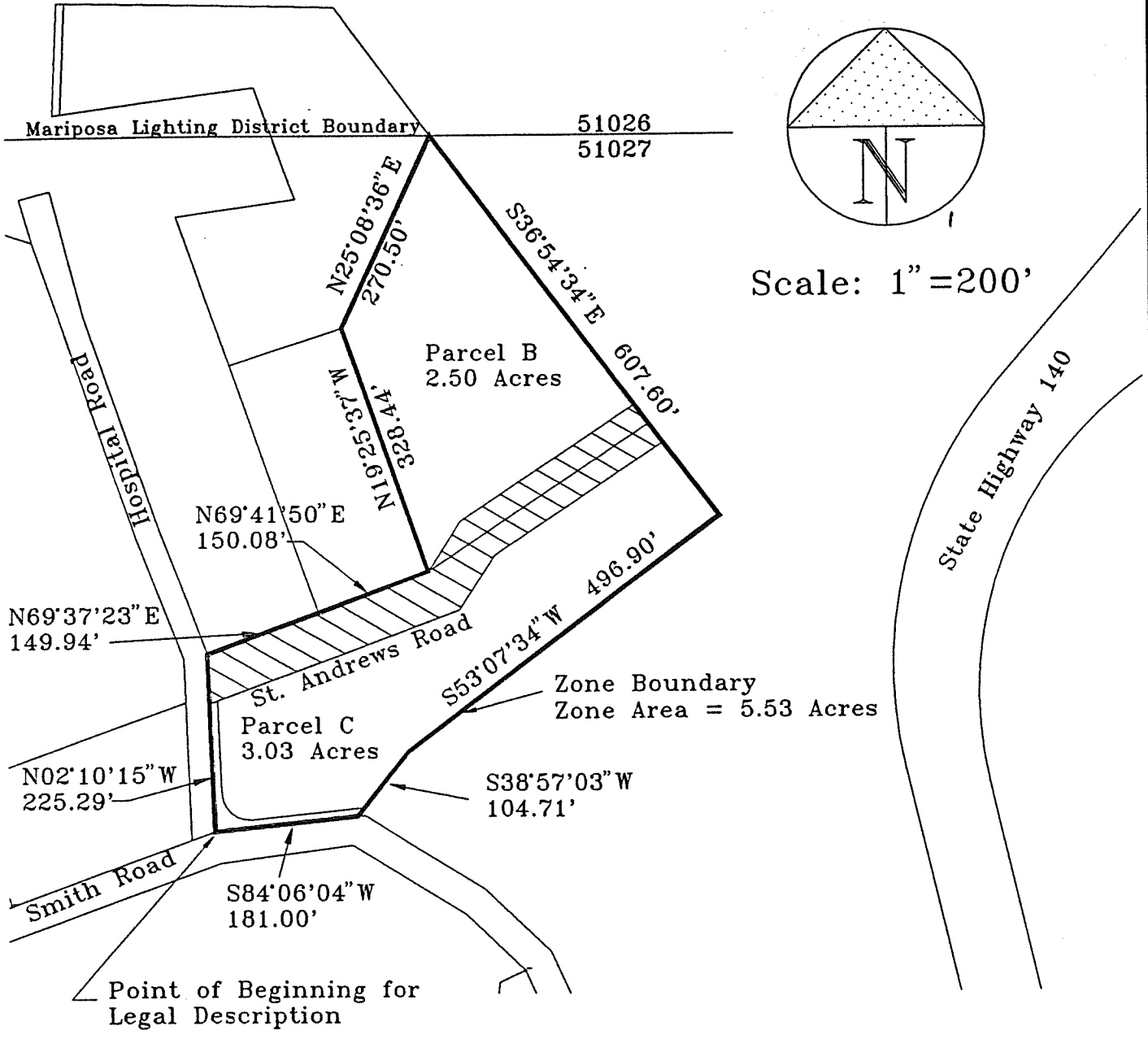


Roger L. Stephens, R.C.E. 27317

11-29-94

Date

EXHIBIT "B"



St. Andrews Road Maintenance Zone of Benefit

Situated in Projected Section 14, T.5 S., R.18 E., M.D.B. & M.
 Rancho Las Mariposas, County of Mariposa
 State of California