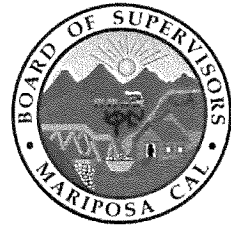


MARIPOSA COUNTY

Public Works · 209 966 5356



RESOLUTION - ACTION REQUESTED 2018-577

MEETING: December 4, 2018
TO: The Board of Supervisors
FROM: Mike Healy, Public Works Director
RE: Rescind Resolution 2017-637 Mariposa Oak Woods ZOB

RECOMMENDATION AND JUSTIFICATION:

Rescind Board Resolution 2017 - 637 a Resolution to Form a Zone of Benefit for Mariposa Oak Woods Subdivision.

Staff will bring forward a number of Resolutions which will set forth the establishment of the Mariposa Oak Woods Zone of Benefit (ZOB) in accordance with the detail recommended by outside Counsel.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board passed Resolution 2017-637 at their September 19, 2017 meeting, staff asks that this item be rescinded in order that a more legally comprehensive action be undertaken in the formation of this Zone of Benefit in accordance with the instructions of outside Counsel.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Should this action not be taken the record establishing this Zone of Benefit will be unclear and potentially confusing at best.

ATTACHMENTS:

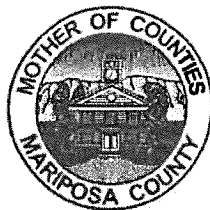
Resolution 2017 637 (PDF)

RESULT: ADOPTED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

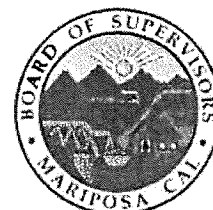
SECONDER: Marshall Long, District III Supervisor

AYES: Smallcombe, Jones, Long, Cann, Menetrey



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RESOLUTION - ACTION REQUESTED 2017-637

MEETING: September 19, 2017

TO: The Board of Supervisors

FROM: Mike Healy, Public Works Director

RE: Adopt a Resolution of Intention to Form a Zone of Benefit for the Mariposa Oak Woods Subdivision

RECOMMENDATION AND JUSTIFICATION:

Adopt a Resolution of Intention to Form a Zone of Benefit for the Mariposa Oak Woods Subdivision; Accept the Waiver and Consent Executed by RT Properties c/o Randy Brower on September 6, 2017 and by Timothy M. Wieg and Karen Watanakeeree on September 7, 2017; in Lieu of Fixing a Date for a Public Hearing and Conducting a Vote of Property Owners on the Zone Formation and Fee Allocation.

All owners of property within the subdivision, including RT Properties, Wieg, and Watanakeeree have provided a waiver and consent of the Public Hearing and vote for Zone Formation and Allocation Fees. Therefore, all property owners of the Mariposa Oak Woods Subdivision desire to create a Zone of Benefit, for the property, and the Imposition of Assessments and/or fees as may be required which will provide funding to finance the services described, and all Owners Desire to Waive the Specific Requirements Under Proposition 218 for Notice of the Protest Hearing, to Facilitate Recording of the "Project" Final Map.

Public Works Staff has Reviewed the Submitted Engineer's Report for the Subdivision and Take No Exception to it. On the Basis of Documents Submitted, It is Recommended That the Board Adopt a Resolution to Form a Zone of Benefit for the Mariposa Oak Woods Subdivision.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Application of Major Subdivision No. 2005-109 was Approved by the Mariposa County Planning Commission on November 4, 2005. On July 23, 2015 the Mariposa County Board of Supervisors Approved the Final Subdivision Map for Mariposa Oak Woods Subdivision, Which was Recorded on July 31, 2015, Resolution No.:2015-305.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Do Not Adopt This Resolution; and Have the Applicant Develop Another Means to Insure the

Maintenance of the Subdivision Road.

ATTACHMENTS:

Mariposa Oak Woods Engineer Rpt_Final September 23, 2015 (PDF)

Waiver and Consent - Zone of Benefit, dated September 6,7, 2017 (PDF)

ZOB Res. Mariposa Oak Woods (DOC)

CAO RECOMMENDATION

Requested Action Recommended


Dallin Kimble, County Administrative Officer 9/14/2017

RESULT: ADOPTED [UNANIMOUS]

MOVER: Merlin Jones, District II Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Smallcombe, Jones, Long, Cann, Menetrey