



MARIPOSA COUNTY

Public Works · 209 966 5356



RESOLUTION - ACTION REQUESTED 2019-678

MEETING: November 26, 2019
TO: The Board of Supervisors
FROM: Mike Healy, Public Works Director
RE: Merry Mountain Christmas Parade

RECOMMENDATION AND JUSTIFICATION:

Authorize the Public Works Director to waive the Encroachment Application fee and sign the Application for a Caltrans Encroachment Permit in Support of Closing Highway 140, Between Jones and Third Street, on December 14, 2019, at 5:00 P.M. for the 22nd Annual Merry Mountain Christmas Parade; and Authorize the Board of Supervisors Chair to Sign the Letter of the Board's Support and Approval.

Designate the Merry Mountain Christmas Parade and the Christmas Tree Lighting events as County-sponsored events. The County accepts a degree of responsibility because the event will be covered by the County's liability insurance.

The Mariposa County Chamber of Commerce has annually coordinated the Merry Mountain Christmas Parade which occurs in downtown Mariposa on Highway 140; and the Mariposa Lions Club has annually coordinated the Christmas Tree Lighting which occurs in front of the Courthouse and also includes a bonfire and a visit with Santa Claus.

The Merry Mountain Christmas events have proven to be a boost for local businesses as they attract visitors to downtown Mariposa.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board has approved this event for several years.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Do not approve, the Merry Mountain Christmas Parade will have to be cancelled.

ATTACHMENTS:

CHP letter 2019 (PDF)
Chamber letter (PDF)
Assemblage Permit (PDF)
Flyer (PDF)
PW Encroachment Permit (PDF)
Cal Trans Application for Christmas Parade 2019 (PDF)

Resolution - Action Requested 2019-678

RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]

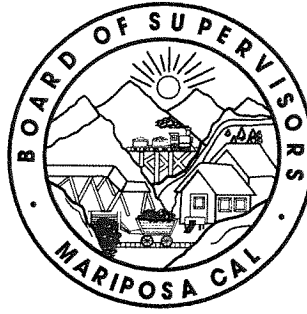
MOVER: Marshall Long, District III Supervisor

SECONDER: Merlin Jones, District II Supervisor

AYES: Smallcombe, Jones, Long, Cann, Menetrey

Mariposa County Board of Supervisors

District 1 ... ROSEMARIE SMALLCOMBE
District 2 MERLIN JONES
District 3 MARSHALL LONG
District 4 KEVIN CANN
District 5 MILES MENETREY



DALLIN KIMBLE
County Administrative Officer

RENÉ LAROCHE
Clerk of the Board

P. O. Box 784
Mariposa, CA 95338
(209) 966-3222
(800) 736-1252
Fax (209) 966-5147
www.mariposacounty.org/board

November 26, 2019

Bob Gill
Department of Transportation District 10
Post Office Box 2048
Stockton, CA 95201

Dear Mr. Gill

On November 26, 2019, the Mariposa County Board of Supervisors adopted a Resolution approving the Encroachment Permit Application for the detour of traffic from state routes to Mariposa County roadways on Saturday December 14, 2019, for the duration of the "Merry Mountain Christmas Parade."

Mariposa County agrees to hold Caltrans and the State of California harmless for any damages to county roadways as a result of this detour.

Thank you for your consideration in this matter.

Sincerely,

Miles Menetrey
Chair, Mariposa Board of Supervisors

STANDARD ENCROACHMENT PERMIT APPLICATION
 TR-0100 (REV. 03/2015)

Please type or print clearly your answers. Complete ALL fields, write "N/A" if not applicable. This application is not complete until all requirements have been approved.

Permission is requested to encroach on the State Highway right-of-way as follows:

1. COUNTY Mariposa						2. ROUTE HWY 140		3. POSTMILE 21.22/22.08		FOR CALTRANS USE PERMIT NO. DIST/CO/RTE/PM SIMPLEX STAMP	
4. ADDRESS OR STREET NAME HWY 140				5. CITY Mariposa				DATE OF SIMPLEX STAMP			
6. CROSS STREET (Distance and direction from project site) 3rd Street & Jones Street						7. PORTION OF RIGHT-OF-WAY					
8. WORK TO BE PERFORMED BY <input checked="" type="checkbox"/> OWN FORCES <input type="checkbox"/> CONTRACTOR				9. ESTIMATED START DATE 12-14-19				10. ESTIMATED COMPLETION DATE 12-14-19			
11. EXCAVATION		MAX. DEPTH N/A	AVG. DEPTH N/A	AVG. WIDTH N/A	LENGTH N/A		SURFACE TYPE N/A				
12. ESTIMATED COST WITHIN STATE HIGHWAY RIGHT-OF-WAY						FUNDING SOURCE(S) <input type="checkbox"/> FEDERAL <input type="checkbox"/> STATE <input type="checkbox"/> LOCAL <input checked="" type="checkbox"/> PRIVATE					
13. PIPES		PRODUCT TYPE N/A		DIAMETER N/A		VOLTAGE / PSIG N/A		14. CALTRANS' PROJECT CODE (ID) N/A			
15. <input type="checkbox"/> Double Permit Parent Permit Number _____ Applicant's Reference Number / Utility Work Order Number _____											
16. Have your plans been reviewed by another Caltrans branch? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (If "YES") Who? _____											
17. Completely describe work to be done within STATE Highway right-of-way:											

Attach 6 complete sets of plans (folded to 8.5" x 11") and any applicable specifications, calculations, maps, etc.

Conduct the annual "Merry Mountain Christmas Parade" in downtown Mariposa, along State Highway 140 right of way between Jones Street and 3rd Street, as shown on the attachments, on Saturday December 14, 2019 between the hours of 5:00 PM and 7:00 PM in Mariposa County. Detour for both EB and WB directions will be off State Highway 140 and 3rd Street to Bullion Street to Jones Street and back onto State Highway 140. Traffic control, detours, place, maintain, and remove temporary special event signs shall be done in accordance to the California Manual on Uniform Traffic Control Devices (MUTCD). Traffic Control shall be coordinated by CHP or local law enforcement agency per Cal-trans standards.

18. Is a City, County or other public agency involved in the approval of this project?

YES (If "YES", check type of project **AND** attach environmental documentation and conditions of approval)

COMMERCIAL DEVELOPMENT BUILDING GRADING OTHER _____

CATEGORICALLY EXEMPT NEGATIVE DECLARATION ENVIRONMENTAL IMPACT REPORT OTHER _____

NO (If "NO", please check the category below which best describes the project **AND** answer questions A - K on page 2)

DRIVEWAY OR ROAD APPROACH, RECONSTRUCTION, MAINTENANCE OR RESURFACING FENCE

PUBLIC UTILITY MODIFICATIONS, EXTENSIONS, HOOKUPS MAILBOX

FLAGS, SIGNS, BANNERS, DECORATIONS, PARADES AND CELEBRATIONS EROSION CONTROL

OTHER _____ LANDSCAPING

PERMIT NO. _____

The following questions must be completed when a City, County or other public agency **IS NOT** involved in the approval of this project.

Your answers to these questions will assist Departmental staff in identifying any physical, biological, social or economic resources that may be affected by your proposed project within State Highway right-of-way and to determine which type of environmental studies may be required to approve your application for an encroachment permit.

It is the applicant's responsibility for the production of all required environmental documentation and supporting studies and in some cases this may be costly and time consuming. If possible, attach photographs of the location of the proposed project. Please answer these questions to the best of your ability. Provide a description of any "YES" answers (type, name, number, etc.)

- A. Will any existing vegetation and/or landscaping within State Highway right-of-way be disturbed?
No
- B. Are there waterways (e.g. river, creek, pond, natural pool or dry streambed) adjacent to or within the limits of the project or State Highway right-of-way?
No
- C. Is the proposed project located within five miles of the coast line?
No
- D. Will the proposed project generate construction noise levels greater than 86 dBA (e.g. jack-hammering, pile driving)?
No
- E. Will the proposed project incorporate land from a public park, recreation area or wildlife refuge open to the public?
No
- F. Are there any recreational trails or paths within the limits of the proposed project or State Highway right-of-way?
No
- G. Will the proposed project impact any structures, buildings, rail lines or bridges within State Highway right-of-way?
No
- H. Will the proposed project impact access to any businesses or residences?
No
- I. Will the proposed project impact any existing public utilities or public services?
No
- J. Will the proposed project impact existing pedestrian facilities, such as sidewalks, crosswalks or overcrossings?
No
- K. Will new lighting be constructed within or adjacent to State Highway right-of-way?
No

19. Will this project cause a substantial change in the significance of a historical resource (45 years or older), or cultural resource? YES NO
(If "YES", provide a description)

20. Is this project on an existing State Highway or street where the activity involves removal of a scenic resource including a significant tree or stand of trees, a rock outcropping or a historic building? YES NO (If "YES", provide a description)

21. Is work being done on the applicant's property? YES NO (If "YES", attach 6 complete sets of site and grading plans.)

22. Will the proposed project require the disturbance of soil? YES NO
If "YES", estimate the area within State Highway right-of-way in square feet AND acres: _____ (ft²) AND _____ (acres)
estimate the area outside of State Highway right-of-way in square feet AND acres: _____ (ft²) AND _____ (acres)

23. Will the proposed project require dewatering? YES NO
If "YES", estimate total gallons AND gallons/month. _____ (gallons) AND _____ (gallons/month)
SOURCE*: STORM WATER NON-STORM WATER
(*See Caltrans SWMP for definitions of non-storm water discharge: <http://www.dot.ca.gov/hq/env/stormwater/index.htm>)

24. How will any storm water or ground water be disposed of from within or near the limits of the proposed project?
 Storm Drain System Combined Sewer / Storm System Storm Water Retention Basin
 Other (explain): NA

STANDARD ENCROACHMENT PERMIT APPLICATION

TR-0100 (REV. 03/2015)

PERMIT NO. _____

PLEASE READ THE FOLLOWING CLAUSES PRIOR TO SIGNING THIS ENCROACHMENT PERMIT APPLICATION.

The applicant, understands and herein agrees that an encroachment permit can be denied, and/or a bond required for non-payment of prior or present encroachment permit fees. Encroachment Permit fees may still be due when an application is withdrawn or denied, and that a denial may be appealed, in accordance with the California Streets and Highways Code, Section 671.5. All work shall be done in accordance with the California Department of Transportation's (Department) rules and regulations subject to inspection and approval.


The applicant, understands and herein agrees to the general provisions, special provisions and conditions of the encroachment permit, and to indemnify and hold harmless the State, its officers, directors, agents, employees and each of them (Indemnitees) from and against any and all claims, demands, causes of action, damages, costs, expenses, actual attorneys' fees, judgments, losses and liabilities of every kind and nature whatsoever (Claims) arising out of or in connection with the issuance and/or use of this encroachment permit and the placement and subsequent operation and maintenance of said encroachment for: 1) bodily injury and/or death to persons including but not limited to the Applicant, the State and its officers, directors, agents and employees, the Indemnitees, and the public; and 2) damage to property of anyone. Except as provided by law, the indemnification provisions stated above shall apply regardless of the existence or degree of fault of Indemnitees. The Applicant, however, shall not be obligated to indemnify Indemnitees for Claims arising from the sole negligence and willful misconduct of State, its officers, directors, agents or employees.

An encroachment permit is not a property right and does not transfer with the property to a new owner.

COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA) OF 1990: All work within State Highway right-of-way shall be conducted in compliance with all applicable Federal, State and Local Access laws, regulations and guidelines including but not limited to the Americans with Disabilities Act Accessibility Guidelines (ADAAG), the Public Rights-of-Way Guidelines (PROWG), the Department's current Design Information Bulletin 82, "Pedestrian Accessibility Guidelines for Highway Projects", the Department's Encroachment Permits Manual and encroachment permit.

DISCHARGES OF STORM WATER AND NON-STORM WATER: All work within State Highway right-of-way shall be conducted in compliance with all applicable requirements of the National Pollutant Discharge Elimination System (NPDES) permit issued to the Department, to govern the discharge of storm water and non-storm water from its properties. Work shall also be in compliance with all other applicable Federal, State and Local laws and regulations, and with the Department's Encroachment Permits Manual and encroachment permit. Compliance with the Department's NPDES permit requires amongst other things, the preparation and submission of a Storm Water Pollution Protection Plan (SWPPP), or a Water Pollution Control Program (WPCP), and the approval of same by the appropriate reviewing authority prior to the start of any work. Information on the requirements may also be reviewed on the Department's Construction Website at:

<http://www.dot.ca.gov/hq/construc/stormwater>

25. NAME OF APPLICANT OR ORGANIZATION			
Mariposa County Public Works Department			
ADDRESS OF APPLICANT OR ORGANIZATION WHERE PERMIT IS TO BE MAILED (Include City and Zip Code)			
4639 Ben Hur Rd. Mariposa, CA 95338			
E-MAIL ADDRESS		PHONE NUMBER	FAX NUMBER
jsteed@mariosacounty.org		(209) 966-5356	(209) 966-2828
26. NAME OF AUTHORIZED AGENT / ENGINEER (A "Letter of authorization" is required if different from #25)			IS A LETTER OF AUTHORIZATION ATTACHED?
Mike Healy			<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
ADDRESS OF AUTHORIZED AGENT / ENGINEER (Include City and Zip Code)			
4639 Ben Hur Rd. Mariposa, CA 95338			
E-MAIL ADDRESS		PHONE NUMBER	FAX NUMBER
jsteed@mariposacounty.org		(209) 966-5356	(209) 966-2828
27. NAME OF BILLING CONTACT (Same as #25 <input checked="" type="checkbox"/> Same as #26 <input type="checkbox"/>)			
BILLING ADDRESS WHERE INVOICE(S) IS/ARE TO BE MAILED (Include City and Zip Code)			
E-MAIL ADDRESS		PHONE NUMBER	FAX NUMBER
28. SIGNATURE OF APPLICANT OR AUTHORIZED AGENT	29. PRINT OR TYPE NAME	30. TITLE	31. DATE
	Mike Healy	Director	11-14-19