

MARIPOSA COUNTY

Technical Services • (209) 966-8029



RESOLUTION - ACTION REQUESTED 2014-351

MEETING: July 15, 2014

TO: The Board of Supervisors

FROM: Rick Peresan, Technical Services Director

RE: 2014 Labor Day Fair Parade

RECOMMENDATION AND JUSTIFICATION:

Declare the August 30, 2014, Labor Day Parade a County Sponsored Event, approve issuance of a County insurance certificate to Caltrans, approve the application for a Cal Trans Encroachment Permit in support of closing Hwy 140 11AM - 12:30PM, between Hwy 49 North and Hwy 49 South, Saturday, August 30, 2014, and authorize the Board of Supervisors Chair to sign the letter and encroachment permit documenting the Board's support and approval.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board has always supported the Parade.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

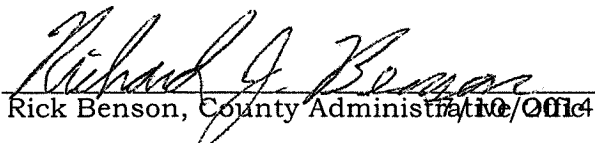
Cal Trans will likely deny the Encroachment Permit Application and endanger the traditional Fair parade.

ATTACHMENTS:

2014 Labor Day Parade Caltrans Letter (PDF)
2014 Cal Trans Parade Encroachment Permit (PDF)
2014 PWD Encroachment Permit (PDF)
CHP Letter (PDF)
Parade Map (PDF)

CAO RECOMMENDATION

Requested Action Recommended


Rick Benson, County Administrator/Chief

RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER: John Carrier, District V Supervisor
SECONDER: Lee Stetson, District I Supervisor
AYES: Stetson, Jones, Bibby, Cann, Carrier

**DESIGNATION OF APPLICANT'S AGENT RESOLUTION
FOR NON-STATE AGENCIES**

BE IT RESOLVED BY THE Board of Supervisors OF THE Mariposa County
(Governing Body) (Name of Applicant)

THAT County Administrator, OR
(Title of Authorized Agent)
County Fire Chief, OR
(Title of Authorized Agent)
County Public Works Director
(Title of Authorized Agent)

is hereby authorized to execute for and on behalf of the Mariposa County, a public entity
(Name of Applicant)

established under the laws of the State of California, this application and to file it with the California Emergency Management Agency for the purpose of obtaining certain federal financial assistance under Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act.

THAT the Mariposa County, a public entity established under the laws of the State of California,
(Name of Applicant)
hereby authorizes its agent(s) to provide to the California Emergency Management Agency for all matters pertaining to such state disaster assistance the assurances and agreements required.

Please check the appropriate box below:

- This is a universal resolution and is effective for all open and futures disasters up to three (3) years following the date of approval below.
 This is a disaster specific resolution and is effective for only disaster number(s) _____

Passed and approved this 15th day of July, 2014

(Name and Title of Governing Body Representative)

(Name and Title of Governing Body Representative)

(Name and Title of Governing Body Representative)

CERTIFICATION

I, Rene LaRoche, duly appointed and Clerk of the Board of
(Name) (Title)

Mariposa County, do hereby certify that the above is a true and correct copy of a
(Name of Applicant)

Resolution passed and approved by the County Board of Supervisors of the Mariposa County
(Governing Body) (Name of Applicant)

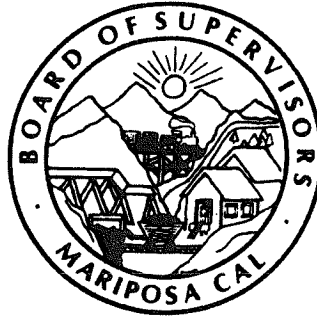
on the 15th day of July, 2014.

(Signature)

(Title)

Mariposa County Board of Supervisors

District 1 LEE STETSON
District 2 MERLIN JONES
District 3 JANET BIBBY
District 4 KEVIN CANN
District 5 JOHN CARRIER



RICHARD J. BENSON
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

July 15, 2014

Mr. Bob Gill
Department of Transportation District 10
PO Box 2048
Stockton, California 95201

Dear Mr. Gill,

On July 15, 2014, the Mariposa County Board of Supervisors adopted a Resolution approving the detour of traffic from state routes to Mariposa County roadways on August 30, 2014, for the duration of the "Labor Day Fair Parade" that is sponsored by Mariposa County and the Mariposa Lions Club.

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

Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Cann".

Kevin Cann
Chair, Mariposa County Board of Supervisors

cc: Board of Supervisors

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION
STANDARD ENCROACHMENT PERMIT APPLICATION
 TR-0100 (REV. 07/2007)

Permission is requested to encroach on the State Highway right-of-way as follows:
(Complete all BOXES [write N/A if not applicable] Please print single sided)
 This application is not complete until all requirements have been approved.

FOR CALTRANS USE	
PERMIT NO.	
DIST/CO/RTE/PM	
SIMPLEX STAMP	
DATE OF SIMPLEX STAMP	

1. COUNTY Mariposa County		2. ROUTE 140	3. POSTMILE	
4. ADDRESS OR STREET NAME 5100 Bullion St			5. CITY Mariposa	
6. CROSS STREET (Distance and direction from site)			7. PORTION OF RIGHT-OF-WAY Hwy 140	
8. WORK TO BE PERFORMED BY <input checked="" type="checkbox"/> OWN FORCES <input type="checkbox"/> CONTRACTOR		9. EST. START DATE August 30, 2014		10. EST. COMPLETION DATE August 30, 2014
11. EXCAVATION	MAX. DEPTH	AVG. DEPTH	AVG. WIDTH	LENGTH
12. EST. COST IN STATE HIGHWAY RIGHT-OF-WAY			FUNDING SOURCE(S) <input type="checkbox"/> FEDERAL <input type="checkbox"/> STATE <input type="checkbox"/> LOCAL <input type="checkbox"/> PRIVATE	
13. PIPES	PRODUCT TYPE	DIAMETER	VOLTAGE / PSIG	14. CALTRANS' PROJECT CODE

15. Double Permit Parent Permit Number _____
 Applicant's Reference Number / Utility Work Order Number _____

16. Have your plans been reviewed by another Caltrans branch? NO 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.
 All dimensions shall be in U.S. Customary (English) Units.

Detour Traffic on Hwy 140 between HWY 49 North and Hwy 49 South in the town of Mariposa on August 30, 2014 10:50 am - 12:30 pm for the annual Labor Day Fair Parade.

18. Is a city, county, or other 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 complete page 4 of this application.)
 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

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

20. Is this project on an existing 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 applicant's property? YES NO (If "YES", attach site and grading plans.)

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION
STANDARD ENCROACHMENT PERMIT APPLICATION
 TR-0100 (REV. 07/2007)

PERMIT NO. _____

22. Will this 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 this 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 this proposed project?
 Storm Drain System Combined Sewer / Storm System Storm Water Retention Basin
 Other (explain): _____

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 Caltrans 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

DISCHARGES OF STORM WATER AND NON-STORM WATER: 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 of Transportation (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 Departments 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 (Print or Type) E-MAIL ADDRESS
 Mariposa County mdvorak@mariposacounty.org

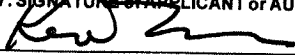
ADDRESS of APPLICANT or ORGANIZATION WHERE PERMIT IS TO BE MAILED (Include City and Zip Code)
 4639 Ben Hur Rd Mariposa CA 95338

PHONE NUMBER FAX NUMBER
 209 966 5356

26. NAME of AUTHORIZED AGENT / ENGINEER (Print or Type) IS LETTER OF AUTHORIZATION ATTACHED? E-MAIL ADDRESS
 Kevin Cann YES NO kcann@mariposacounty.org

ADDRESS of AUTHORIZED AGENT / ENGINEER (Include City and Zip Code)
 PO Box 784, 5100 Bullion St. Mariposa, CA 95338

PHONE NUMBER FAX NUMBER
 209 966 3222

27. SIGNATURE of APPLICANT or AUTHORIZED AGENT 	28. PRINT OR TYPE NAME Kevin Cann	29. TITLE Board Chair	30. DATE 7/15/14
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PERMIT NO. _____
WORK ORDER/REFERENCE NUMBER _____

FEE CALCULATION -- FOR CALTRANS USE					
<input type="checkbox"/> CASH <input type="checkbox"/> CREDITCARD NAME ON CARD _____ PHONE NUMBER _____ <input type="checkbox"/> CHECK NUMBER _____ NAME ON CHECK _____ PHONE NUMBER _____ <input type="checkbox"/> EXEMPT <input type="checkbox"/> PROJECT CODE _____ <input type="checkbox"/> DEFERRED BILLING (Utility)					
CALCULATED BY	(1)		(2)		
REVIEW	1. FEE / DEPOSIT	DATE	2. FEE / DEPOSIT	DATE	TOTAL FEE / DEPOSIT
1. _____ HOURS @ \$ _____ *	\$ _____		\$ _____		\$ _____
2. _____ HOURS @ \$ _____ *			\$ _____		\$ _____
INSPECTION	1. FEE / DEPOSIT	DATE	2. FEE / DEPOSIT	DATE	TOTAL FEE / DEPOSIT
1. _____ HOURS @ \$ _____ *	\$ _____		\$ _____		\$ _____
2. _____ HOURS @ \$ _____ *			\$ _____		\$ _____
FIELDWORK					
_____ HOURS @ \$ _____ *	\$ _____		\$ _____		\$ _____
EQUIPMENT & MATERIALS	DEPOSIT	DATE	DEPOSIT	DATE	DEPOSIT
	\$ _____		\$ _____		\$ _____
CASH DEPOSIT IN LIEU OF BOND	\$ _____		\$ _____		\$ _____
TOTAL COLLECTED	\$ _____		\$ _____		
CASHIER'S INITIALS	_____		_____		\$ _____
* The Standard Hourly Rate is set annually by HQ Encroachment Permits. District Office staff do not have authority to modify this rate.					
PERFORMANCE BOND	<input type="checkbox"/>	DATE			AMOUNT \$
PAYMENT BOND	<input type="checkbox"/>	DATE			AMOUNT \$
LIABILITY INSURANCE REQUIRED?	<input type="checkbox"/> YES <input type="checkbox"/> NO				AMOUNT \$

INSTRUCTIONS
for completing page 4

This page needs to be completed when the proposed project **DOES NOT** involve a City, County or other public agency.

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 the 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.)

1. Will any existing vegetation and/or landscaping within the highway right-of-way be disturbed?

No

2. Are there waterways (e.g. river, creek, pond, natural pool or dry streambed) adjacent to or within the limits of the project or highway right-of-way?

No

3. Is the proposed project located within five miles of the coast line?

No

4. Will the proposed project generate construction noise levels greater than 86 dBA (e.g. jack-hammering, pile driving)?

No

5. Will the proposed project incorporate land from a public park, recreation area or wildlife refuge open to the public?

No

6. Are there any recreational trails or paths within the limits of the proposed project or highway right-of-way?

No

7. Will the proposed project impact any structures, buildings, rail lines, or bridges within highway right-of-way?

No

8. Will the proposed project impact access to any businesses or residences?

No

9. Will the proposed project impact any existing public utilities or public services?

No

10. Will the proposed project impact existing pedestrian facilities, such as sidewalks, crosswalks, or overcrossings?

No

11. Will new lighting be constructed within or adjacent to highway right-of-way?

No