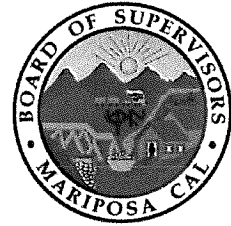




MARIPOSA COUNTY

Board of Supervisors · (209) 966-3222



RESOLUTION - ACTION REQUESTED 2016-549

MEETING: October 18, 2016
TO: The Board of Supervisors
FROM: John Carrier, District V Supervisor
RE: Merry Mountain Christmas Parade

RECOMMENDATION AND JUSTIFICATION:

Authorize the Public Works Director to Sign the Application for a Caltrans Encroachment Permit in Support of Closing Highway 140, Between Jones and Third Street, on December 3, 2016, at 6:00 P.M. for the 19Th Annual Merry Mountain Christmas Parade, and Authorize the Board of Supervisors Chair to Sign the Letter of the Board's Support and Approval.

The Merry Mountain Christmas events have proven to be a boost for local businesses as they attract visitors to downtown Mariposa, not to mention that these events have become a tradition and are greatly enjoyed by the constituents of the County.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board has approved this and similar requests in the past; and has previously approved this as an annual county sponsored event.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

If the requested actions are not approved, then the Merry Mountain Christmas Parade would not be able to occur on Highway 140.

ATTACHMENTS:

Application for Caltrans encroachment permit - Merry Mountain parade (PDF)
CHP letter for Merry Mountain parade (PDF)
2016 Merry Mtn Christmas letter for Caltrans (DOC)

CAO RECOMMENDATION

Requested Action Recommended


Mary Hodson, CAO 10/12/2016

Resolution - Action Requested 2016-549

RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]

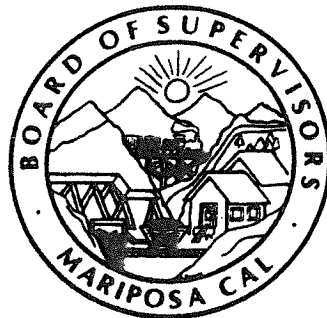
MOVER: Merlin Jones, District II Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Rosemarie Smallcombe, Merlin Jones, Marshall Long, Kevin Cann

EXCUSED: John Carrier

Mariposa County Board of Supervisors



District 1 ... ROSEMARIE SMALLCOMBE
District 2 MERLIN JONES
District 3 MARSHALL LONG
District 4 KEVIN CANN
District 5 JOHN CARRIER

MARY HODSON
County Administrative Officer

RENE 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

October 18, 2016

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

Dear Mr. Gill:

On October 18, 2016, 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 3, 2016, 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,

Marshall Long
Board Vice-Chair

cc: Mariposa County Chamber of Commerce
File

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/CORTE/PM	
SIMPLEX STAMP	
DATE OF SIMPLEX STAMP	

1. COUNTY Mariposa	2. ROUTE 140	3. POSTMILE
4. ADDRESS OR STREET NAME Hwy 140		5. CITY Mariposa
6. CROSS STREET (Distance and direction from site) Hwy 140 & 4th Street		7. PORTION OF RIGHT-OF-WAY
8. WORK TO BE PERFORMED BY <input checked="" type="checkbox"/> OWN FORCES <input type="checkbox"/> CONTRACTOR		9. EST. START DATE 12/3/16
11. EXCAVATION		10. EST. COMPLETION DATE 12/3/16
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 for the event listed below along State Hwy 140 right of way between Jones Street and 3rd Street in Mariposa on the event date starting at 5:00 pm till 8:00 pm
Detour for both eastbound and westbound directions will be off State Hwy 140 and 3rd Street to Bullion Street to Jones Street and back onto Hwy 140. Traffic Control shall be coordinated by California Highway Patrol or local law enforcement agency on Uniform Control Devices (MUTCD). All signs and equipment will be removed immediately after completing the event.

Event Name: Merry Mountain Christmas Parade.
 Event Date: 12/3/16

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 **Mariposa County Chamber of Commerce**
 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.)

ADA NOTICE: For individuals with sensory disabilities, this document is available in alternate formats. For information, call (916) 654-6410, TTY 711, or write to Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

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): n/a

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		
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 cjay@mariposacounty.org	PHONE NUMBER 209-966-2456	FAX NUMBER 209-966-2828
26. NAME OF AUTHORIZED AGENT / ENGINEER (A "Letter of authorization" is required if different from #25) Cheryl Jay		IS A LETTER OF AUTHORIZATION ATTACHED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
ADDRESS OF AUTHORIZED AGENT / ENGINEER (Include City and Zip Code) 4639 Ben Hur Rd. Mariposa, CA 95338		
E-MAIL ADDRESS cjay@mariposacounty.org	PHONE NUMBER 209-966-2456	FAX NUMBER 209-966-2828
27. NAME OF BILLING CONTACT (Same as #25 <input checked="" type="checkbox"/> Same as #26 <input 3"="" checked="" type="checkbox/>)</td> </tr> <tr> <td colspan="/> 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 Cheryl Jay	29. PRINT OR TYPE NAME Cheryl Jay	30. TITLE Engineer Tech
		31. DATE 9/14/16

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

Mariposa Area
5264 Highway 49 North
P.O. Box 217
Mariposa, CA 95338
(209) 966-3656
(800) 735-2929 (TT/TDD)
(800) 735-2922 (Voice)



September 15, 2016

File No.: 455.16393.Merry Mountain Christmas 2016

Mariposa County Board of Supervisors
P.O. Box 276
Mariposa, CA 95338

Dear Board Members:

The Mariposa Area office of the California Highway Patrol has received and reviewed the application regarding the assemblage permit for the Merry Mountain Christmas Parade. This event is scheduled for 1700 hours on December 3, 2016. We ask that while the event is being held, the responsible individual(s) requesting approval, ensure adequate parking areas are available to both event personnel and attendees, to prevent event-related vehicles from interfering with traffic. In the event more vehicles arrive than anticipated, or any other traffic safety issues are noted, the responsible individual(s) are asked to immediately notify the CHP at (209) 966-3656.

We appreciate you allowing us the opportunity to respond to the potential concerns we foresee. If there is any additional assistance which can be provided by the California Highway Patrol, please contact myself or Sergeant Sam Arrington at (209) 966-3656.

Sincerely,

A handwritten signature in black ink, appearing to read "R. I. Hagen" with the file number "#16393" written next to it.

R. I. HAGEN, Lieutenant
Commander
Mariposa Area



APPLICATION FOR PUBLIC ASSEMBLAGE PERMIT

Pursuant to Mariposa County
Code Chapter 8.28

TO: Mariposa County Sheriff's Department

APPLICATION DATE: 9/14/16

SCHEDULED DATE OF EVENT: 12/13/16

TIME: 5:00 PM - 9:00 PM

EXACT LOCATION OF EACH ACTIVITY: Parade along Highway 140 between 3rd street and Jones Street, Tree Lighting at Court house.

NUMBER OF PEOPLE ATTENDING: (Reasonable estimate): 500

BRIEF DESCRIPTION OF PLANNED ACTIVITY: (Include number and type of performance, events, names of well-known performers or public figures which would affect crowd size.)

Parade on Hwy 140 followed by Tree lighting at Courthouse, Free Hot Dogs, cider/cocon, and Santa with Mrs Clause will be there as well.

WILL FOOD, BEVERAGES, OR ALCOHOLIC BEVERAGES BE SOLD, PROVIDED, OR CONSUMED? Yes

IF YES, PLEASE GIVE DETAILS. Free Hot Dogs and Cocoa and Cider

PLEASE LIST MODE, EXTENT, AND NATURE OF ADVERTISING: Social Media, newspaper, website, email.

PLEASE LIST NAMES, ADDRESSES, AND PHONE NUMBERS FOR ALL PEOPLE RESPONSIBLE OR IN CHARGE OF THE ACTIVITY, SPECIFYING PERSON TO BE CONTACTED FOR THE PURPOSE OF THE APPLICATION:

1. Dane Carlson, 5158 Hwy 140, 209-966-2456

2. Kyle Stivers, " " " , 209-769-0485 (cell)

3.

4.

5.

6.

If more space is needed, please attach on separate page.

PLEASE LIST ALL ARRANGEMENTS MADE TO PROVIDE THE PUBLIC HEALTH, SAFETY AND WELFARE REQUIREMENTS AS REQUIRED UNDER MARIPOSA COUNTY CODE 8.28.034.

Fire Safety: ~~Mariposa~~ Mariposa County Fire

Sanitation Facilities: N/A

Police Protection: SCOPE, CHP, Mariposa County Sheriff

Zoning & Land Use: MPUD

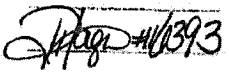
Parking & Traffic Control: SCOPE and CHP

Emergency Medical Services: John C. Fremont Hospital

Insurance/bond: Mariposa County

ABC License number (if applicable): N/A

COPIES TO BE SENT OR TAKEN TO THE FOLLOWING AGENCIES FOR SIGNATURE AND APPROVAL OR DISAPPROVAL: (Must be returned to Sheriff's Office within 10 days.)

Agency	Signature	Approval	Conditions	Disapproval	Date Signed
County Fire					
Health Dept.					
Hospital					
Planning					
CHP		yes	see attached		09/15/10
*Sheriff					
Other:					

ANY AGENCY LISTING DISAPPROVAL, PLEASE CITE REASONS FOR DISAPPROVAL:

ANY AGENCY LISTING CONDITIONS, PLEASE ATTACH CONDITIONS FOR APPROVAL TO THIS APPLICATION.

*Submit to Sheriff's Office for final approval

x 
APPLICANT

5158 Hwy 140 Mariposa, CA 95338
ADDRESS

(209) 966-2456
PHONE NUMBER