

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Public Works	(2) MEETING DATE 5/19/2015	(3) CONTACT/PHONE Glen Marshall, Development Services Division Manager (805) 781-1596	
(4) SUBJECT Submittal of a resolution approving the Road Maintenance Agreement for Viborg Sand and Gravel, Inc. Conditional Use Permit DRC2006-00039. District 1.			
(5) RECOMMENDED ACTION It is recommended that the Board: <ol style="list-style-type: none"> 1. Adopt the attached resolution approving the Road Maintenance Agreement for Viborg Sand and Gravel, Inc.; and 2. Authorize and direct the Chairperson of the Board of Supervisors to execute the Road Maintenance Agreement on behalf of the County. 			
(6) FUNDING SOURCE(S) Road Fund Revenue	(7) CURRENT YEAR FINANCIAL IMPACT N/A	(8) ANNUAL FINANCIAL IMPACT \$4,950.00	(9) BUDGETED? N/A
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ___) <input type="checkbox"/> Board Business (Time Est. ___)			
(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input checked="" type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input type="checkbox"/> N/A Date: N/A	
(17) ADMINISTRATIVE OFFICE REVIEW David E. Grim			
(18) SUPERVISOR DISTRICT(S) District 1			

Reference: 19MAY15-C-3

County of San Luis Obispo



TO: Board of Supervisors

FROM: Public Works

Glen Marshall, Development Services Division Manager

VIA: Dave Flynn, Deputy Director of Public Works

DATE: 5/19/2015

SUBJECT: Submittal of a resolution approving the Road Maintenance Agreement for Viborg Sand and Gravel, Inc. Conditional Use Permit DRC2006-00039. District 1.

RECOMMENDATION

It is recommended that the Board:

1. Adopt the attached resolution approving the Road Maintenance Agreement for Viborg Sand and Gravel, Inc.; and
2. Authorize and direct the Chairperson of the Board of Supervisors to execute the Road Maintenance Agreement on behalf of the County.

DISCUSSION

On December 16, 2008, the Board adopted Resolution No. 2008-454 approving Conditional Use Permit and Reclamation Plan DRC2006-00039, allowing Viborg Sand and Gravel, Inc., to conduct sand and gravel mining operations and haul quarried material from the Estrella River. The Viborg Sand and Gravel Company's Estrella River pit is located on the Estrella River near the intersection of Estrella River Road and Airport Road, approximately five miles northeasterly from the City of Paso Robles. The mine is permitted to extract up to 45,000 cubic yards of material per year.

For projects proposing resource extraction operations (including extraction wells, surface and subsurface mining) that will use County roads for the conveyance of extraction equipment or extracted products, and when in the opinion of the Director of the Public Works Department the resource extraction operation would impact County roads to a degree that would likely cause the expenditure of additional maintenance funds, the applicant shall enter into an agreement with the County, as provided by Title 22.36.110, prior to the commencement of any resource extraction operations.

In accordance with Viborg Sand and Gravel, Inc. condition of approval No. 39 (DRC2006-00039), the company was conditioned to enter into a road maintenance agreement with the County. The agreement stipulates a payment of \$2.15 for each and every truckload (\$0.11 per cubic yard) of quarried material hauled over Airport Road. All other stipulations are defined in the attached Agreement.

Airport Road is currently in need of extensive rehabilitation. Funds derived from this source will pay for on-going maintenance and contribute to pavement overlay work.

OTHER AGENCY INVOLVEMENT/IMPACT

County Counsel has reviewed the attached resolution and agreement as to legal form and effect. The Department of Planning and Building processed the conditional use permit.

FINANCIAL CONSIDERATIONS

Approval of this resolution and corresponding agreement will provide the fair share reimbursement mechanism necessary to mitigate for the increased deterioration of public roadway infrastructure associated with mineral extraction operations. Collections will be deposited directly into the County's Road Fund based upon the volume of resource being hauled over County roads as compensation for the increase in road use and road maintenance requirements generated by the project. This collection is expected to directly offset added maintenance costs that would otherwise need to be expended from the Road Fund. The fee would be indexed based on Caltrans Transportation Price Index for potential annual increases.

If the Board supports the recommended action, the annual contribution into the County's Road Fund is estimated to be \$4,950.

RESULTS

The results of the recommended action before the Board today will be a determination that the implementation of mitigation measures on new development is consistent with applicable legal requirements and Board Policy, thus promoting a well-governed community.

File: CF 700.140.01 (Viborg Sand & Gravel)

Reference: 19MAY15-C-3

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ATTACHMENTS

1. Vicinity Map
2. Road Maintenance Agreement
3. Resolution Approving Road Maintenance Agreement for Viborg Sand and Gravel, Inc.