



**COUNTY OF MARIPOSA**  
**P.O. Box 784, Mariposa, CA 95338 (209) 966-3222**  
**5100 Bullion Street**  
**www.mariposacounty.org/board**



**KEVIN CANN, CHAIR**  
**JIM ALLEN, VICE CHAIR**  
**BRAD ABORN**  
**LYLE TURPIN**  
**JANET BIBBY**

**DISTRICT IV**  
**DISTRICT V**  
**DISTRICT I**  
**DISTRICT II**  
**DISTRICT III**

## **AGENDA of the BOARD OF SUPERVISORS**

**Meetings** convene at 9:00 a.m., the first four Tuesdays of each month, at the Mariposa County Government Center, Board Chambers at 5100 Bullion Street.

**Board** may take action sitting as the Board of Supervisors, and as the governing body of: County Service Area 1M (Don Pedro); Mariposa Pines Sewer Zone; Sewer Zone (Don Pedro); Coulterville Sewer and Water Zone; Mariposa Parking District; Wawona County Services Area 2-W; Hornitos Lighting District; Mariposa Lighting District; Coulterville Lighting District; Mariposa Air Pollution Control District; Yosemite West Maintenance District; Mariposa County Water Agency; Local Transportation Commission; Housing Authority of the County of Mariposa; Countywide Service Area; Mariposa County In-Home Supportive Services Public Authority, and the Mariposa County Public Finance Corporation.

**Citizens wishing to schedule matters** for Board consideration or to appear before the Board must contact the Clerk of the Board in writing stating the action requested. Appropriate requests will be scheduled before the Board as time allows. The deadline for submission of written materials is on Friday prior to noon (11 days in advance of meeting), so the Agenda can be processed and packages available on Thursday for the following week's meeting. An original and 13 copies of all supporting materials must be submitted.

**Public Presentations:** The law provides the opportunity for the public to be heard on any item within the subject matter jurisdiction of the Board, before or during the consideration of that item by the Board. For items on the agenda, this will be at the time the item is called by the Chairman. For all other items the public presentation time at the start of each meeting is appropriate. Speakers limited to five minutes. State law does not allow action to be taken on any item not appearing on the Agenda unless the action is otherwise authorized by Government Code Section 54954.2(b) which permits items not on the Agenda to be acted upon as delineated in Section 54954.2(b).

**Agendas** and supporting documentation generally are available for review on the Thursday prior to the Board meeting, as soon as it is completed, at the Board office. Mailed requests for Minutes and Agendas must be accompanied by self-addressed, stamped envelopes. They are also available at [www.mariposacounty.org/board](http://www.mariposacounty.org/board).

### **February 9, 2010**

<u>Folder</u>	<u>Time</u>	<u>Description</u>
---------------	-------------	--------------------

	<b>9:00 a.m.</b>	Meeting Called to Order at the Mariposa County Government Center
--	------------------	--

		Pledge of Allegiance
--	--	----------------------

		Introductions
--	--	---------------

<b>1</b>		Approval of Consent Agenda (Items designated by "CA")
----------	--	---

**NOTE:** The Consent Agenda consists of items that are generally viewed as non-controversial and routine by the department. If the Board wishes to discuss an item, it will be removed from the Consent Agenda and moved to the end of the timed agenda; or at the Chair's discretion, may be taken in conjunction with another item scheduled by the respective department. Otherwise, the Consent Agenda items are generally approved in one single motion. This is the appropriate time for the public to advise the Chair of any comments to the Consent Agenda or request to have an item removed from the Consent Agenda.

In compliance with the American Disabilities Act, if you need special assistance to participate in this meeting, please contact the Clerk of the Board's Office.

Folder	Time	Description
2		<b>Chair Cann</b> Proclaim February 2010 as “National Parent Leadership Month” (Mariposa Safe Families); and Presentation and Announcement by Cheryl Bhalla, Executive Director of Mariposa Safe Families, of Outstanding Parent Leader of the Year and Outstanding Professional Leader of the Year as Selected by the Mariposa Safe Families
3		<b>Chair Cann</b> Proclaim February 14-20, 2010 for “Children of Alcoholics Week” (Human Services)
4		Public Presentation: For Items within the Jurisdiction of the Board and not on Today’s Agenda (Speakers Limited to Five Minutes).
5		Board Information
6		<b>Planning</b> Waive the Second Reading and Adopt an Ordinance Amending the Zoning Ordinance Text for Specific Plan/Zoning Amendment 2009-101. The Project Proposes to Amend the Mariposa Town Planning Area Specific Plan and Mariposa Zoning Ordinance to Implement the Mariposa County General Plan’s Definition for Bed and Breakfast Inns within the Mariposa Town Planning Area. The Proposed Zoning Ordinance Amendment would Change the Definition of Bed and Breakfast Establishment to Allow Up to Five (5) Bedrooms to be Occupied by Transients. The Current Limit is Three (3) Bedrooms in a Bed and Breakfast. The Amendment would also Add that Breakfast is Prepared each day in a Bed and Breakfast Inn in a Kitchen Appropriately Permitted by the Health Department. The Proposed Amendment is to Section 3.15.B of the Mariposa Town Planning Area Specific Plan and Section 17.334.020 of the Zoning Ordinance. Mariposa County, Project Proponent
7		<b>Public Works</b> Approve the Use of \$12,000 of Proposition 40 Funds to Purchase an Outdoor Movie Screen and All Necessary Related Equipment  Board to Convene as <b>LOCAL TRANSPORTATION COMMISSION</b> (Chair – Commissioner Turpin; Vice-Chair – Commissioner Aborn)
8		Public Presentation: For Items within the Jurisdiction of the Local Transportation Commission and not on Today’s Agenda (Speakers Limited to Five Minutes)
9		<b>Public Works</b> Adoption of the 2010 Regional Transportation Improvement Program (RTIP) and Direct Staff to Submit the RTIP to the California Transportation Commission (CTC) and CalTrans
10		<b>Public Works</b> Approve the Appointment of the Following Members to the Local Transportation Commission (LTC) – Technical Advisory Committee (TAC) with Continuous Terms: Lyle Turpin/Chair of the LTC; Brad Aborn/Alternate as Vice-Chair of the LTC; Kris Schenk/Planning Director; Barbara Carrier/Transportation Planner; Dana Hertfelder/Executive Director of the LTC; and Mary Ann Avalos/CalTrans Representative
11		<b>Public Works</b> Approve Agreement with TPG Consulting, Inc., to Prepare an Updated Transit Marketing Plan; and Authorize the Executive Director of the Local Transportation Commission to Sign the Agreement

Folder	Time	Description
--------	------	-------------

Board to Convene as

**MARIPOSA COUNTY WATER AGENCY**

(Chair – Director Cann; Vice-Chair – Director Turpin)

- |       |  |  |
|-------|--|--|
| 12    |  | Public Presentation: For Items within the Jurisdiction of the Water Agency and not on Today's Agenda (Speakers Limited to Five Minutes)  |
| 13    |  | <p><b>County Counsel</b><br/>           Approve First Amendment to the Professional Service Agreement with the Firm of Kronick, Moskovitz, Tiedemann &amp; Girard to Monitor the Federal Energy Regulatory Commission (FERC) Relicensing Process for the Merced River Hydroelectric Project being Undertaken by the Merced Irrigation District (MID) and to Advise the County Water Agency with Regard to its Rights Under the Contracts and Agreements Potentially Affected by this Process</p> |
|       |  | <p>Reconvene as<br/> <b><u>BOARD OF SUPERVISORS</u></b></p>  |
| CA-14 |  | <p><b>Treasurer/Tax Collector</b><br/>           Approve Agreement with Official Payments to Accept E-Checks for Secured and Unsecured Tax Payments and Authorize the Treasurer/Tax Collector to Sign the Agreement</p>  |
| CA-15 |  | <p><b>County Counsel</b><br/>           Resolution Authorizing County Counsel to Retain Abbott and Kindermann, LLP to Represent the County of Mariposa in the Suit Filed by Theresa Castaldi; and Authorize the Chair of the Board of Supervisors to Sign a Professional Service Agreement</p>   |
| CA-16 |  | <p><b>County Counsel</b><br/>           Resolution Authorizing County Counsel to Retain Allen, Fagalde, Albertoni &amp; Flores, LLP to Represent the County Public Administrator in the Probate of Ronald Burns; and Authorize the Chair of the Board of Supervisors to Sign a Professional Service Agreement</p>  |
| CA-17 |  | <p><b>Human Services</b><br/>           Appoint Anita Hopman to the Alcohol and Drug Advisory Board with a Term Expiring February 9, 2013</p>  |
| CA-18 |  | <p><b>Fire</b><br/>           Accept and Authorize the Fire Chief to Sign the 2009 FEMA Assistance to Firefighters Grant (AFG) Award for Operations and Safety in the Amount of \$113,408 for the Purchase of Equipment</p>  |
| CA-19 |  | <p><b>Public Works</b><br/>           Authorize the Rural Counties' Environmental Services Joint Powers Authority (ESJPA) to Submit a Grant for Tire Amnesty Events from the Department of Resources Recycling and Recovery (CalRecycle) on behalf of Mariposa County; and Authorize the Executive Director of the ESJPA to Execute All Necessary Documents for Said Grant</p>   |
| CA-20 |  | <p><b>Administration</b><br/>           Resolution Continuing the Local Emergency Due to Landslides on Highway 140 Enroute to Yosemite National Park</p>   |

Folder	Time	Description
CA-21		<b>Administration</b> Resolution Continuing the Local Emergency Due to the Big Meadow Fire
CA-22		<b>Chair Cann</b> Authorize the Chairman of the Board of Supervisors to Sign a Letter Supporting the Rural Media Arts and Education Project's Efforts in Securing a Grant for the Continued Renovation of the Old Masonic Hall
CA-23		<b>Clerk of the Board</b> Approval of Summary of Proceedings of February 2, 2010, Regular Meeting
24		Consider Items Removed from the Consent Agenda
25		<b>Administration</b> CLOSED SESSION: Liability Claim No. C10-1; Claimant: Vaden and Beth Savage
26		<b>Administration</b> CLOSED SESSION: Public Employee Appointment; Building Department Director
27		<b>Administration</b> CLOSED SESSION: Conference with Real Property Negotiator; Description of Real Property: APN 017-390-015; Agency Negotiator: Richard J. Benson; Name of Party who will Negotiate with County (Not Party's Agent): Paul M. McLaughlin; Closed Session will Concern Price and Terms of Purchase (County Administrative Officer/Personnel/Risk Manager)
28		<b>County Counsel</b> CLOSED SESSION: Conference with Legal Counsel: Anticipated Litigation with Significant Exposure to Litigation Pursuant to Subdivision (b) of Government Code Section 54956.9; Number of Cases to be Discussed: 1
29		<b>County Counsel</b> CLOSED SESSION: Conference with Legal Counsel: Existing Litigation: <i>Theresa Castaldi v. County of Mariposa</i> ; Mariposa Superior Court Case No. 9688
30		<b>Adjourn</b>
		<b><u>12:00 noon Lunch</u></b>
31		<b><u>2:00 p.m. LOCAL AGENCY FORMATION (LAFCo) TO CONVENE</u></b> (See Separate Agenda)