

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA OCTOBER 7, 1997

Time Description
9:02 a.m. Meeting Called to Order
Pledge of Allegiance

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda
- Pelk Richards, Undersheriff, advised of the receipt of Congressional recognition for swiftwater rescues and national recognition for water rescues. He noted that the department has 161 volunteers involved in Search and Rescue, the Posse, SCOPE, and the Reserves, and he commended them for their efforts.

Pelk Richards, Undersheriff, appeared on behalf of Roger Matlock, Sheriff;
Resolution Authorizing Chairman to Execute Grant Award for COPS
(Community Organized Policing) Universal Hiring Program Grant
BOARD ACTION: Discussion was held, and Pelk Richards advised that acceptance of the grant funding is contingent upon the waiver of the County's match and they will request four officers versus eight. He further advised that they will revisit the personal car program in light of these grant changes, along with other expenses, and that they submitted a grant application to OES for vehicle expenses which are high due to the rural area. (M)Balmain, (S)Parker, Res. 97-387 adopted approving the grant contingent upon receiving a waiver of the County's match/Ayes: Unanimous.

Approval of Consent Agenda (See End of Minutes)
BOARD ACTION: Supervisor Balmain pulled items 3 and 5 - action was taken later this date on these items. (M)Balmain, (S)Pickard, balance of items were approved. Board concurred with directing that committee appointments be scheduled on the agendas from Board members versus departments. It was also requested that the Board members be provided a status report relative to membership on committees. Ayes: Unanimous.

Blaine Shultz, Fire Chief;
Resolution Authorizing Appropriation of \$3980 from the General Fund for Contingency to Professional Services for Emergency Creek Clearance and Debris Removal from Burns Creek in Hornitos (4/5th Vote Required)
BOARD ACTION: Discussion was held, and Blaine Shultz advised of the work performed on Burns Creek to mitigate flooding. Board concurred with directing the Fire Chief and County Administrative Officer to review the possibility of using Fish and Game funds and other potential sources of revenue, i.e., sources being created by the Governor as a result of the El Nino planning; and to bring the matter back to the Board for further consideration.

Steve Hayes, Visitors Bureau Director:
Resolution Accepting the Proposal from New Times Publishing, Inc., of Mammoth Lakes for Production of a Vacation Planner with Advertising and Authorizing the Visitors Bureau Director to Negotiate a Contract with Terms Acceptable to Both Parties and Return with the Contract for Board Approval
BOARD ACTION: It was clarified that the proposal is from New Times Publishing versus New York Times Publishing as was shown on the agenda. (M)Parker, (S)Balmain, Res. 97-393 adopted. Further discussion was held. Steve Hayes advised that he will bring back a budget adjustment as New Times Publishing will sell all of the ads

and cover all of the costs for the new brochure. Further discussion was continued for the following hearing to be opened.

10:00 a.m. Public Hearing to consider preliminary drafts of the Source Reduction and Recycling Element, the Household Hazardous Waste Element, the Siting Element and the Summary Plan was opened and continued to after the following matter.

Further discussion was held relative to the production of the new vacation planner. Ayes: Balmain, Stewart, Parker, Pickard; Noes: Reilly.

Consent Agenda item 5 - Discussion was held with Steve Hayes, Visitors Bureau Director. (M)Balmain, (S)Pickard, Res. 97-394 adopted, with the change in terms for members to be recommended by Supervisors to be concurrent with the recommending Supervisor's term/Ayes: Unanimous.

10:18 a.m. Recess

10:28 a.m. Mike Edwards, Public Works Director;

A) PUBLIC HEARING to Consider Preliminary Drafts of the Source Reduction and Recycling Element, the Household Hazardous Waste Element, the Siting Element and the Summary Plan

BOARD ACTION: Mike Edwards commended the Task Force members for their efforts and hard work on these issues. He and Tom Starling, PWD/Solid Waste Coordinator presented staff report and advised that the purpose of the hearing was to receive comments on the drafts.. Public portion of the hearing was opened. There was no public input. Supervisor Balmain advised that he would like to meet with County Administrative Officer, County Counsel, and Public Works Director to review the existing contract and analyze actual costs versus contract costs for services with regards to the operation of the transfer stations. Board concurred with Supervisor Balmain and Supervisor Parker, Board liaison committee, meeting with staff on these issues. Public portion of the hearing was closed. Staff responded to questions from the Board relative to the status of the RFP's for the co-compost project. No action was necessary on this matter. Hearing was closed.

Consent Agenda item 3 - Discussion was held with Mike Edwards, Public Works Director. Supervisor Balmain expressed concern with some of the rates in the contract. Mike Edwards advised that administratively they could try to negotiate the rates; however, they have not been billed for the specific items in question for services provided. (M)Balmain, (S)Pickard, item 3 was approved/Ayes: Unanimous.

B) Discussion and Direction for Selection of Self-Storage Rental Facilities

BOARD ACTION: Discussion was held and Mike Edwards advised that they did not receive a reply from the company contacted by Visitors Bureau and Human Services for storage. (M)Parker, (S)Balmain, Res. 97-396 adopted accepting the lowest responsible bid (Mariposa Mini Storage) and direction was given for Visitors Bureau and Human Services to utilize this facility/Ayes: Reilly, Balmain, Stewart, Parker; Noes: Pickard.

C) Waive First Reading and Introduce and Ordinance Amending Section 10.08.020 Establishing a No Parking Zone on the Northerly Side of Merced Street Between Post Mile 10.024 and Post Mile 10.042

BOARD ACTION: Following discussion, (M)Parker, (S)Balmain, Ordinance was introduced/Ayes: Unanimous.

10:55 a.m. LOCAL TRANSPORTATION COMMISSION

Mike Edward, Public Works Director;

Direct Staff to Include a New Project in the Regional Transportation Improvement Program (RTIP) for Nomination for New Funding Under the State Transportation Improvement Program (STIP). The Project is a Left-Turn Lane at Highway 49 South at the Intersection of Old Highway Including Re-Alignment of a Portion of Old Highway, a New Bridge at Mariposa Creek and Intersection Improvements at Old Highway and Miller Road

COMMISSION ACTION: Discussion was held concerning this project. Commissioner Parker requested that staff keep the businesses in the area informed relative to the status of this project, and that consideration be given to the potential increased use of Miller Road when this project is constructed. (M)Stewart, (S)Parker, direction was given to staff to include said project in the RTIP as requested/Ayes: Unanimous.

11:12 a.m. INFORMATION

A) Treasurer's Monthly Report of Investment Transactions per Government Code 53607 (Treasurer) - No action was necessary

B) Board Hearing Schedule (Clerk of the Board)

BOARD DIRECTION: Ed Johnson, Planning and Building Director, initiated discussion relative to scheduling the CALED workshop and the Public Hearing for the Industrial and Commercial Zoning text amendments. Discussion was held relative to consideration of holding a joint hearing with the Planning Commission. Ed advised that the CALED workshop is scheduled for October 30th -- interviews will be conducted in the morning, with the Board to meet in the afternoon for a workshop. Supervisors Reilly and Stewart will be involved in the morning portion. Supervisor Reilly noted that the School District may also be interested in this workshop. Direction was given for Planning Director to discuss scheduling of the hearing with the Planning Commissioners and see if they would be available for November 5th for a joint hearing, and further consideration will be given to this matter on October 14, 1997.

Resolution Adopting the Fiscal Year 1997-98 Budget Including Authorization of Certain Actions to Implement the Budget (Administration)

BOARD ACTION: Following discussion, (M)Balmain, (S)Parker, Res. 97-397 adopted/Ayes: Unanimous.

Response to 1996-97 Mariposa Grand Jury Final Report (Administration)

BOARD ACTION: (M)Parker, (S)Balmain, Res. 97-398 adopted approving response with the change as discussed relative to consideration of increasing the sales tax/Ayes: Unanimous.

CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to Sheriff's Management Association (MSMA), Deputy Sheriff's Association (DSA), Mariposa County Managerial/Confidential Organization (MCMCO), and General Employees (SEIU) (County Counsel)

BOARD ACTION: Staff advised that a closed session was not necessary this date.

Board Information and Announcements

- Supervisor Reilly reported on the YARTS meeting she attended on Monday, and she advised that action was taken to move ahead with a phased approach. She suggested that Bonnie Nelson, Nygaard/Nelson, be invited to come to the Board and provide a status report on the issues and what they feel we need to do as a County for things to work as an informational item. Board concurred with requesting Planning Director to schedule this matter.

- Supervisor Pickard advised that he attended the dedication ceremony at the Lutheran Church on Sunday for their new Hansen Hall. On October 10th he will meet with Wagerman & Associates and the Legislative Analyst Office relative to proposed

legislation for Mariposa, Trinity and Alpine Counties to enable the receipt of the city half of the Motor Vehicle License Fee and the Motor Vehicle Fuel License Tax; and later in the month, he will meet with Les Cohen/RCRC, and the League of Cities to discuss the proposed legislation. Supervisor Stewart suggested that consideration be given to including statistics for public roads that are privately maintained.

- Supervisor Stewart advised that he visited with Carol Whiteside at the Great Valley Center for Information and Gathering on Monday, and there will be an open house on Wednesday. He also advised of coffee cups he purchased with the Courthouse logo and noted that they would be for sale at the Chamber of Commerce office.

- Chairman Stewart further congratulated Jack Kirk, who was in the audience, on celebrating his 92nd birthday on Sunday.

CONSENT AGENDA

- CA- Resolution Authorizing Public Works Director to Sign CalTrans Revised Master Agreement and Program Supplement No. 001M to Local Agency-State Agreement No. 10-5940 for Funding the Replacement of the Dogtown Road Bridge at Maxwell Creek, Public Works Project No. 95-31 (Public Works); Res. 97-388
- CA-2 Resolution Accepting Grant Offer and Authorizing the Public Works Director to Execute Grant Agreement for \$42,210 of State Matching Funds for Improvements at Mariposa-Yosemite Airport (Public Works); Res. 97-389
- CA-3 Resolution Authorizing Director of Public Works to Execute a Contract with Einarson, Fowler and Watson for Special Geologic and Hydrogeologic Services at the Mariposa County Landfill for Fiscal Year 1997-98 and Authorization to Extend Contract for Two Additional One-Year Periods if there are no Appreciable Changes in Services or Cost (\$15,000) (Public Works); Res. 97-395
- CA-4 Resolution Waiving Formal Bid Process and Authorizing a One-Year Extension of the Contract with Custom Weed Control for Roadside Herbicide Spraying Program; Approve and Authorize Increase in Lane-Mile Rate; and Authorize the Public Works Director to Negotiate a Subsequent Contract Change Order (Not to Exceed \$20,000 Extra) for Yellow Star Thistle Abatement within County Road Rights-of-Way (Public Works); Res. 97-390
- CA-5 Resolution Revising the Membership of the Mariposa County Tourism Advisory Council and Authorize the Necessary Solicitation for Members (Visitors Bureau); Res. 97-394, with changes as discussed
- CA-6 Reappoint George Thomas, Frank M. Yost, Jr., Pat May and Maryjane Ehrman to the Wawona Town Planning Advisory Committee (Planning)
- CA-7 Appoint Robert Taylor to the Fish Camp Community Planning Advisory Committee (Planning)
- CA-8 Resolution Authorizing the Chairman to Sign a Rental Agreement with the 35-A District Agricultural Association for Use of the Fairgrounds for the Annual Firefighter Picnic on October 4, 1997 (Fire); Res. 97-391

- CA-9 Resolution Authorizing Chairman to Sign a Rental Agreement with the 35-A District Agricultural Association for Use of the Fairgrounds for Quarterly Training (Fire); Res. 97-392
- CA-10 Waive Second Reading and Adopt an Amendment to County Ordinance Chapter 10.2, Weight Limits, Repealing Existing 15-Ton Weight Limit on Harris Cutoff Road and Harris Road (Public Works); Ord. 926
- CA-11 Proclaim Month of October, 1997, as Domestic Violence Awareness Month (Chairman Stewart)

11:58 a.m. Adjournment in memory of Dorothy Poor and Roy Wayland Foster.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA OCTOBER 14, 1997

Time _____ Description

10:15 a.m. Meeting at Bassett Memorial Library in Wawona

Meeting Called to Order
Pledge of Allegiance

Board members introduced themselves.

Oly Olson welcomed the Board to Wawona on behalf of Acting Superintendent Stan Albright; and welcomed the Board to the Bassett Memorial Library on behalf of the Bassett family who provided the funding for the facility and furnishings.

Approval of Minutes for the Following Dates: September 15, 16, 17, 18, 19 and 23, 1997
BOARD ACTION: Minutes were continued to October 21, 1997.

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda
- Pierce Loberg advised that a no host luncheon will be provided at the Wawona Hotel; however, they need a count of the number of people who plan to attend.
- Autumn Christianson asked if snow removal on Koon Hollar Road will be addressed; and stated she felt that this service needed to be provided.
- Dave Deto, Yosemite West, advised that when lots are logged in Yosemite West, the debris is being left. Mike Edwards, Public Works Director, noted that they are aware of the problem and working to resolve it.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Supervisor Pickard pulled item 6 to be rescheduled. Supervisor Parker pulled item 5 -- action was taken later this date on this item. (M)Reilly, (S)Pickard, balance of items were approved/Ayes: Unanimous.

Maurie Hoekstra, Librarian;

Resolution Approving the Use of the Bassett Memorial Library in Wawona for Events as "County Sponsored" During Non-Operational Hours

BOARD ACTION: Discussion was held with Maurie Hoekstra and Pat Sischo/Friends of the Bassett Memorial Library at Wawona, relative to the request to use the facility for events. (M)Pickard, (S)Reilly, Res. 97-401 adopted. Further discussion was held relative to the proposed events and whether there should be a policy for county-sponsored events. Supervisor Parker expressed concern with holding dinners in the facility. Motion was amended, agreeable with maker and second, to include direction to staff to implement a policy to safeguard the maintenance of County facilities for activities/Ayes: Reilly, Balmain, Stewart, Pickard; Noes: Parker.

Ed Johnson, Planning Director;

A) Initiate Action in Yosemite West to Address Health and Safety Issues Regarding Water, Sewer, Access and Potential Overdevelopment. Possible Actions to be Initiated Include Procedures, Policies, Resolutions or Ordinances

BOARD ACTION: Supervisor Reilly presented information relative to the background of the Yosemite West subdivision. Ed Johnson presented staff report, and advised of

formal request received from the Yosemite West Sewer and Water Advisory Committee and from Public Works asking that issues be researched as to whether the sewer and water system is reaching capacity. Oly Olson responded to questions from the Board relative to jurisdictional issues and road access. The following persons provided input:

Kay Pitts, property owner and Bed and Breakfast operator in Yosemite West, advised that they had an informal meeting with people who rent their property on Monday evening. She read her letter into the record relative to the issues they discussed and the conclusions they reached -- everyone in attendance agreed to the following: owners should not have to live in their homes to qualify for transient occupancy, there should not be any moratorium on building, the County should accept some of the responsibility for the problems with the sewer system as the County's design was adopted versus the developer's, and they would like to explore the idea of developing a town plan for the area. She further advised that the following conclusions had majority support: a special use tax or assessment on rental properties to support the repair of the infrastructure proportionally based on income or rooms rented; an interest in size limitation; no commercial zoning in the residential area; and that the County should enforce the existing rules. In addition, the following ideas were submitted: the County could rent part of the large area where County equipment is stored to owners who have excess equipment and have no storage area; and the Fire Marshall should inspect on a regular basis to be sure buildings are adhering to the code (3 bedrooms per unit), or issue transient occupancy permits for two years with inspections on renewal or on complaint of violations.

Debra Kroon, President of Yosemite West Property and Homeowners, Inc., property owner of unimproved lots in Yosemite West, Broker for Yosemite Real Estate and Manager of Yosemite West and Bass Lake Vacation Rentals, advised of the results of her conversation with her Board members -- some use their property occasionally and some are retired and use it for a longer period of time and rent it out the rest of the year; all seven do not want a building moratorium as they feel it would penalize everyone and impact property values; they feel all dwellings should be single family residences; four of the members would be in favor of a threshold if necessary and proposed three to four thousand square feet per home site; they are not opposed to the Planning Commission being involved, but zonings that are in place need to be enforced; she commented on their feelings relative to hotel type operations and with regards to transient rentals, they felt that the owner should not reside on the premises -- only for bed and breakfast operations; they oppose any rezoning to Resort Commercial and want to keep the mountain forest character; some agreed that if there is going to be commercial operations, they should be placed on the 90 acre site at the top of the subdivision; and they were split relative to proactive code enforcement, but were concerned with gross violations and blatant abuses. She cited an inquiry made to Planning staff previously relative to a triplex operation and residents getting around the requirements; she commented on the Uniform Building Code definition for a dwelling with more than six bedrooms as a hotel/motel and they would not be allowed in residential areas; and with regards to inspections, she feels that people will find creative ways to get around them.

Mike Edwards, Public Works Director, commented on the Advisory Committee's request and the status of the water and sewer systems, and advised of the status of the roads within the subdivision. He further advised that the ordinance relative to sewer and water to be presented to the Board next month will allow for higher fees for commercial use.

Discussion was held relative to giving direction to Planning to consider changes in the ordinance and the issues that were raised. Ed Johnson advised of his determination relative to congregate residences. (M)Reilly, (S)Pickard, direction was given to Planning staff to look at the existing ordinance for ways to make it more enforceable; such as, adding language that would allow for the issuance of one certificate per property owner, look at the maximum number of bedrooms that would be allowed, and identify single family residences versus hotel operations; in the interim support Planning's determination relative to congregate residences and limit the square footage of building permits to be

issued; review enforcement issues and consequences for failure to abide by the ordinance; further direction was given to the Public Works Director to move ahead with formulating statistics and capacity information for the water and sewer systems and bring the issues back to the Board as soon as possible; and to aggressively enforce the existing ordinances and look at overall code enforcement issues countywide. Supervisor Parker requested that the Advisory Committee be involved in this review process and recommendations to the Board, along with Public Works. Ayes: Reilly, Stewart, Parker, Pickard; Noes: Balmain. Supervisor Reilly noted that any changes that will be considered to the ordinances will go through a complete public process with adequate notice and an opportunity for the public to provide input.

12:22 p.m. Lunch

2:15 p.m. Chairman Stewart introduced Janet Hogan/County Administrative Officer, Margie Williams/Clerk of the Board, and Jeff Green/County Counsel.

B) Discussion Relative to Scheduling the Public Hearing for the Commercial/Industrial Zoning Text Amendments (Continued from 10-7-97)

BOARD ACTION: Discussion was held with Ed Johnson relative to scheduling this matter and code enforcement with the Planning Commission. Board concurred with scheduling the code enforcement policy with the Commission as a separate matter; and with the following schedule for November 5, 1997, with the meeting to be held at the Best Western Conference Room:

10:00 a.m. Joint Meeting with the Planning Commission to hear a presentation from the Sierra Business Council

11:30 a.m. Lunch

1:00 p.m. Joint Meeting with the Planning Commission to hear the Commission's views on the Industrial/Commercial Zoning Text Amendments

2:30 p.m. Commence the Public Hearing on the Industrial/Commercial Zoning Text Amendments

5:00 p.m. Dinner

6:00 p.m. to 9:00 p.m. continue with the Public Hearing, and then determine whether to continue with the Hearing on November 6th or a future date, if necessary.

Supervisor Pickard introduced special guests, Russ and Teresa Bassett, and thanked them for making this facility possible.

2:27 p.m. Mike Edwards, Public Works Director;
Discussion of Solid Waste Removal in Wawona

BOARD ACTION: Supervisor Pickard reviewed the background to the solid waste removal issues in Wawona and the alternatives for the future. Discussion was held. Tom Starling/PWD-Solid Waste Coordinator, provided input. Oly Olson provided input on behalf of the Park Service relative to the services they provide and their willingness to further look at the issues. The following input from the public was provided:

Tony Christianson, Wawona resident, advised that they participate in a neighborhood dumpster for their household trash; however, the chain and lock is cut and the tourists use it and fill it so that they do not have room for their own trash. He stated he felt the dumpsters needed to be identified as to which are for private use and which are for public use. He stated he feels the private provider of the service is part of the problem for not properly maintaining the dumpsters and replacing the chains and locks.

Pat Sisco stated she agreed with Mr. Christianson.

Mary Jane Ehrman stated they used to identify the dumpsters for use, and now they are not maintained.

Joyce Kollar, Redwoods, stated they have been satisfied with their trash removal service; they do not lock their dumpsters and a number of residents use them without paying for the service; and she stated she supports a service district.

Oly Olson stated the Park Service would be interested in seeing a service district with mandatory collection for developed lots; and he noted that they are providing space on government land as a land assignment to Total Waste Systems and the Redwoods for placement of the dumpsters; and their special use permit requires bear resistant dumpsters -- however, the problems with the bears occur when trash is left on top of the dumpsters.

Tony Christianson noted that some people obtain other Park Service benefits such as water and sewer service and he feels that trash service should also be available.

Oly Olson advised that to expand their service for trash removal, they would need to provide another truck and driver.

Discussion was held and Board members concurred that services should be consolidated. Direction was given to staff to begin the process of implementing a solid waste service fee through the existing County Service Area district that covers the private property within Section 35.

3:20 p.m. Recess

3:28 p.m. Consent Agenda item 5 - Following discussion with Mike Edwards, Public Works Director, (M)Parker, (S)Balmain, item 5 was approved/Ayes: Unanimous.

Russ Bassett talked about their background with Wawona and the origin of the library facility which was donated and dedicated in memory of their son. He thanked the Board for coming to Wawona and meeting in the new library.

Report and Discussion Relative to Wawona Issues

BOARD ACTION: Supervisor Pickard thanked Oly Olson for his assistance with issues that were discussed today. Oly Olson reviewed his work on issues and projects relative to the area over the last ten years, and future projects being considered.

Resolution Assessing a Registration Fee Not to Exceed \$25 for Defendants Represented by Court-Appointed Counsel (County Counsel)

BOARD ACTION: Following discussion, (M)Balmain, (S)Reilly, Res. 97-403 adopted/Ayes: Unanimous.

CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to Sheriff's Management Association (MSMA), Deputy Sheriff's Association (DSA), Mariposa County Managerial/Confidential Organization (MCMCO), and General Employees (SEIU) (County Counsel)

BOARD ACTION: Janet Hogan, County Administrative Officer, advised that closed session was not necessary this date.

Janet Hogan, County Administrative Officer, advised of the receipt of an inquiry from an investment firm relative to providing services to the County, and stated she will review this matter with the Treasurer and the firm.

Board Information and Announcements

- Supervisor Pickard thanked everyone for meeting in Wawona, and thanked Pierce Loberg for his assistance in coordinating lunch arrangements and the Library for a meeting location. Pierce Loberg commented that Al Gordon has a lot of information relative to the history of the area and perhaps that could be considered in future scheduling.

CONSENT AGENDA

- CA-1 Appoint Florence Egger and Janelle Shannon to the Coulterville Town Planning Advisory Committee (Supervisor Balmain)
- CA-2 Reappoint Forrest Barriger to the Coulterville Town Planning Advisory Committee (Supervisor Balmain)
- CA-3 Accept Resignation of Lorne West from Midpines Community Planning Advisory Committee (Supervisor Reilly)
- CA-4 Resolution Approving Revised Class Specification for the Position of Animal Control Officer (County Counsel); Res. 97-399
- CA-5 Resolution Authorizing the Public Works Director to Negotiate a Contract Amendment with Sierra Heritage Services for an Additional Field Archeological Investigation for the Bridge Widening Project, Darrah Road at West Fork Chowchilla River (\$20,000) (Public Works); Res. 97-402
- CA-6 Resolution Amending Membership on the Fish Camp Community Planning Advisory Committee from 12 to 9 Members (Supervisor Pickard); Matter was pulled to be rescheduled
- CA-7 Authorize Chairman to Execute Memorandum of Understanding with CSAC Excess Insurance Company for the Worker's Compensation Program (County Counsel); Res. 97-400

4:25 p.m. Adjournment in memory of Alfonso Fuentes and Patricia Cullinan.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA OCTOBER 21, 1997

Time Description
9:00 a.m. Meeting Called to Order with Supervisor Reilly excused due to illness.

Pledge of Allegiance

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda
- Leota Striplin advised that the Women in Military Service for America Memorial in Washington, D.C., is open and a dedication ceremony was held; and on November 6th, the Veterans Hospital in Fresno will hold an event to honor women veterans.

Supervisor Parker advised of a request for a resolution to honor Howard "Butch" Skinner. (M)Pickard, (S)Balmain, rules were waived requiring 72 hours agenda noticing to consider this request, finding the matter was not known about at the time the agenda was prepared and special recognition is scheduled for a luncheon to be held this date/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly. (M)Pickard, (S)Balmain, Res. 97-405 adopted recognizing Butch Skinner for his services to the seniors/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Approval of Minutes of 10-7-97, Regular Meeting
BOARD ACTION: Approved

Approval of Minutes for the Following Dates: September 15, 16, 17, 18, 19 and 23, 1997
(Continued from 10-14-97)
BOARD ACTION: Approved

Approval of Consent Agenda (See End of Minutes)
BOARD ACTION: (M)Parker, (S)Balmain, all items were approved/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Tom Archer, Human Services;
Resolution Proclaiming the Week of October 23 through October 31, 1997 as RED RIBBON WEEK
BOARD ACTION: Following discussion, (M)Balmain, (S)Parker, Res. 97-404 adopted and was presented to Tom Archer, Kathy Delaney, Prevention Specialist, and Inez Terra, Alcohol and Drug Counselor/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Steve Hayes, Visitors Bureau Director;
Resolution Approving and Authorizing Chairman to Sign the Agreement with New Times Publishing for Production of the 1998 Mariposa County Vacation Planner and Make Budget Revisions (4/5ths Vote Required) (\$31,500)
BOARD ACTION: Discussion was held. (M)Parker, (S)Balmain, Res. 97-407 adopted, with changes in the agreement as discussed/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Don Z. Phillips, Mariposa County Clerk;
Direction by the Board Regarding the Purchase of an Elections Systems, and Offer by the State for Funding in the Amount of \$10,000.00
BOARD ACTION: Discussion was held with Don Phillips relative to the request and alternatives and costs, as well as on-going maintenance costs. Mary Wyly, County

Clerk/Election's Office, provided input relative to training requirements. Marjorie Wass, Assistant County Clerk, provided input relative to the request. (M)Parker, (S)Balmain, Res. 97-408 adopted accepting the funding from the State for the elections system, with direction given to the County Administrative Officer to work with the County Clerk relative to the source of funding for the County's match/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

9:33 a.m. Dale Wagerman, Wagerman & Associates;
Presentation on Legislative Matters

BOARD ACTION: Dale Wagerman introduced the following members of his staff who were present for the discussion: Amy Hunter and Mike Kelly. He presented a report on the legislative session and advised that he will meet with department heads later this date to prepare the legislative platform for the upcoming session. He reviewed three major issues adopted during this last session: welfare reform, ERAF, and trial court funding. Discussion was held. Supervisor Balmain requested that he follow SCR 27 (Kopp) as he feels there needs to be a way to allow the elderly to be able to maintain a rural lifestyle in long-term care situations. No action was necessary.

9:55 a.m. Recess

10:08 a.m. Select 1998 CSAC Director and Alternate (Chairman Stewart)

BOARD ACTION: (M)Parker, (S)Pickard, Supervisor Stewart was selected as Director, with the other four Board members to serve as alternates/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

California Water Awareness Campaign (Chairman Stewart)

BOARD ACTION: Discussion was held concerning this matter. Board concurred with referring the matter to the Water Agency Advisory Board for review and recommendation. Supervisor Stewart suggested that if this is recommended for funding, consideration could be given to paying this from the Water Agency budget.

CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to Sheriff's Management Association (MSMA), Deputy Sheriff's Association (DSA), Mariposa County Managerial/Confidential Organization (MCMCO), and General Employees (SEIU) (County Counsel)

BOARD ACTION: Janet Hogan, County Administrative Officer, advised that closed session is not necessary this date.

CLOSED SESSION to Consider Anticipated Litigation with Significant Exposure to Litigation Pursuant to Subdivision (b) of Government Code Section 54956.9 (County Counsel)

BOARD ACTION: Jeff Green, County Counsel, requested that this matter be continued for the full Board to be present.

Board Information and Announcements

- Supervisor Balmain advised of an incentive program at the Greeley Hill Elementary School for the students which is privately sponsored -- if they maintain their grades and attendance, they are given an opportunity to fly in an airplane with the principal.

- Supervisor Pickard reported on the Rural Education Summit held at Tenaya Lodge last Tuesday and Wednesday that he attended -- the purpose was to establish an awareness and discuss the inequities that exists between urban and rural schools, and a demonstration project was presented on the distance learning program. It was also announced that the School District will receive 400 computers which will allow for two to be placed in each classroom.

- Further information and announcements were continued to later this date.

10:30 a.m. Ed Johnson, Planning Director;

PUBLIC HEARING to Consider Conditional Use Permit No. 255, Commercial-Industrial-Manufacturing Plan No. 97-1; Yosemite Motels, Applicant

BOARD ACTION: Ed Johnson advised that this application was fast-tracked and the applicant paid overtime costs for staff for this service. Staff responded to questions from the Board relative to the appeal process for the Planning Commission's decision. Jay Pawlek, Associate Planner, presented staff report and reviewed the details of the application. Staff responded to additional questions from the Board relative to the location of the previous sand and gravel operation in relation to the project site; issue raised in Jeanne Adams' letter relative to guaranteeing accommodation of Health Department approved waste water disposal for all of the remaining lots not owned by the applicant; issues raised by Barry Brouillette in his letter relative to conditions recommended by Planning; property ownership for parcels in the area; and relative to noticing for this and the Commission's hearing.

Public portion of the hearing was opened.

Applicant's presentation: Art Baggett, representing Yosemite Motels, advised that their landscape architect and structural engineer were present to answer any specific questions. He advised that the proposed project will be a one million dollar construction project during the winter months and they estimate the project will generate \$280,000 in transient occupancy revenue for the County over the next tourist season. He further reviewed specifics of the project, and he requested clarification and reconsideration of the following requests: 1) condition No. 33 - that they be allowed to get a grading permit prior to the issuance of a building permit; and 2) condition No. 28 - they would like to be able to obtain a building permit for building No. 7 prior to having the lot line adjustment and parcel merger finalized. He stated they do not feel they have any authority to guarantee sewer hook-ups as requested by Jeanne Adams, and they are working with Caltrans on the encroachment improvements. He responded to question from the Board relative to application for set-back.

There was no further public input. Staff responded to questions from the Board relative to clarification of the conditions and replacement housing for the mobile homes that are being removed with the construction of this project. Public portion of the hearing was closed and Board commenced with deliberations. Staff responded to additional questions from the Board relative to the purpose of developing a transit plan for use of the Park, and whether this would be required for future projects. (M)Balmain, (S)Parker, Res. 97-409 adopted approving a Negative Declaration with mitigation measures on the project; and approving Conditional Use Permit No. 255 and Commercial, Industrial, Manufacturing Plan No. 97-1 with the recommended finding and conditions and including the changes in Condition Nos. 28 and 33 as requested/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly. Hearing was closed.

11:16 a.m. Recess

11:30 a.m. Board reconvened with Supervisor Parker excused for the rest of the morning portion of the meeting.

Victor Pottorff, Deputy Executive Director, CSAC (California State Association of Counties);

CSAC Reports

BOARD ACTION: Victor Pottorff reviewed issues that CSAC worked on this past legislative year, along with the status of pending legislation that could affect County operations. No action was necessary.

11:56 a.m. Lunch

2:04 p.m. Mike Edwards, Public Works Director;

A) Resolution Authorizing the Public Works Director to Execute an Agreement with California Waste Associates to Prepare an Amended Report of Disposal Site Information for the Mariposa County Landfill (\$5,979)

BOARD ACTION: Discussion was held with Mike Edwards and Tom Starling/PWD-Solid Waste Coordinator. (M)Parker, (S)Balmain, Res. 97-410 adopted/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Mike Edwards advised that a large delinquent account was paid for the Don Pedro Sewer Zone through the escrow process when the subject property was recently refinanced.

B) Resolution Recommending to the Local Agency Formation Commission (LAFCO) Approval of a Potential Annexation Application to the Don Pedro Sewer Zone

BOARD ACTION: Discussion was held relative to the request. (M)Balmain, (S)Parker, Res. 97-411 adopted/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Continued Board Information and Announcements

- Janet Hogan, County Administrative Officer, commended Supervisor Pickard for a great lunch served at High Country Cafe for a meeting with Dale Wagerman and staff.
- Janet Hogan further advised that following direction by the Board, agreements have been signed with SEIU and MCMCO relative to extended the existing MOU's. No response has been received from DSA and Sheriff Management Association.
- Supervisor Stewart reminded everyone of the San Joaquin Valley Supervisors Association conference scheduled at Tenaya Lodge this week -- Mariposa County is the official host for this Fall conference.
- Supervisor Pickard commented on the status of the 209 area code matter.

CONSENT AGENDA

CA-1 Resolution Extending the Small Claims Legal Advisors' Agreement Through the 1997/1998 Fiscal Year (County Counsel); Res. 406

CA-2 Waive Second Reading and Adopt Ordinance Amending Section 10.08.020 Establishing a No Parking Zone on the Northerly Side of Merced Street Between Post Mile 10.024 and Post Mile 10.042 (Public Works); Ord. 927

2:42 p.m. Adjournment in memory of Frankie Vezirian, Katherine Long, Gloria Mills, and Glenn Henderson.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA
OCTOBER 28, 1997

Time Description
9:08 a.m. Meeting Called to Order
Pledge of Allegiance

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda
- Chairman Stewart thanked Leota Striplin for providing pictures of the Women in Military Service Memorial at Arlington National Cemetery.
- Jeff Green, County Counsel, advised that agreement has been reached with the Ericksons relative to the proposed purchase of their property for expansion of the Lake Don Pedro sewer system and that the public hearing to consummate the purchase will be scheduled before the Board. However, in order to do the testing on the subject property to make sure that it will support the sewer system, escrow needs to be opened.
(M)Balmain, (S)Pickard, Board waived rules requiring 72 hours agenda noticing to consider this matter, finding it was not known about at the time the agenda was prepared and this is a matter of timeliness/Ayes: Unanimous. (M)Balmain, (S)Pickard, Res. 97-412 adopted requesting that the Auditor draw a warrant in the amount of \$8,000 as a deposit to open escrow with Mariposa County Title Company for the purchase of the Erickson parcel for the Lake Don Pedro sewer expansion project (Acct. No. 540-1340-800.06-01)/Ayes: Unanimous.

Approval of Minutes of 10-14-97, Regular Meeting
BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)
BOARD ACTION: (M)Parker, (S)Balmain, all items were approved/Ayes: Unanimous.

Don Z. Phillips, Treasurer;
Presentation of Six-Month Review of Investments by Seidner & Company Investment Consultants for County Treasurer
BOARD ACTION: Joan West, Executive Managing Director for Seidner & Company, gave a presentation on the status of the County's portfolio and responded to questions from the Board.

Ken Hawkins, Auditor;
Resolution Designating the Option Under Which Appropriation Limits Shall be Computed for Fiscal Year 1996-97
BOARD ACTION: Following discussion, (M)Parker, (S)Balmain, Res. 97-415 adopted/Ayes: Unanimous.

Maurie Hoekstra, Librarian;
Resolution Designating a Site for a New Library and Authorizing Chairman to Execute the Agreement for DuPertuis Scott Architects to Prepare Schematic Drawings for Construction of the New Library; Approve Expenditures of \$9,200 for the Schematic Design and \$3,200 for a Graphic Presentation Package from the Library Building Fund in the Capital Improvement Budget; and Directing the County Librarian to Prepare an Amended Library Services and Construction Act (LSCA) Grant Application for

Presentation to the Board of November 18, 1997 for Submittal to the State Library by November 26, 1997

BOARD ACTION: Members of the Friends of the Library and the Library Building Committee were present for discussion. Craig Scott, DuPertuis Scott Architects, presented the results of the site evaluation study. Input from the public was provided by the following:

Janette Uebner stated she supports the library and a good facility is needed in a good location.

Mary Good stated she supports the Granite Springs site as it is unknown when the preferred site may become available due to the life estate arrangements.

Florence Seely stated she agrees with the recommended site and it will be nice to have government services close and not so spread out.

Don Sawtelle, member of the Board of the Friends of the Library and businessman, advised that he has spent 500 hours working on the internet connection for the Library and encouraged the Board to commit to library facilities that will serve for several years; stated he would like to see the Friends focus on support with book purchases, etc., versus expansion of the facilities.

Discussion was held and Maurie Hoekstra advised of the November deadline for the amended application. (M)Parker, (S)Reilly, Res. 97-416 adopted approving the recommendations (recommended site is known as the Bondshu/Gimblin property at the corner of Jones and 10th Street); and directing Supervisor Parker, County Counsel, and Librarian to meet with the State Library staff as soon as feasible to see if additional funding can be obtained and if the timelines can be extended/Ayes: Unanimous. Schematic drawings are to be brought back to the Board for approval.

Janet Hogan, County Administrative Officer, advised of an off-agenda request to consider appointment of a representative to the CSAC Advisory Committee on Court Facilities. (M)Reilly, (S)Pickard, Board waived rules requiring 72 hours agenda noticing to consider this request finding it was not known at the time the agenda was prepared and action is required before the next meeting to meet CSAC's timeframes/Ayes: Unanimous. (M)Parker, (S)Pickard, Supervisor Stewart was nominated, with direction that the County Administrative Officer and Public Works Director work with Supervisor Stewart on this effort/Ayes: Unanimous.

10:20 a.m. Recess

10:38 a.m. Resolution Authorizing the County Administrative Officer to Assign a 9/80 Flex Schedule and/or a Modified 40-Hour Work Week to Support Staff in the Offices of Administration, Board of Supervisors and Personnel (Administration)

BOARD ACTION: (M)Parker, (S)Reilly, Res. 97-417 adopted/Ayes: Unanimous.

Review First Quarter Budget Report and Consider Budget Adjustments in the Clerk of the Board and Jail Budgets (4/5ths Vote Required) (Administration)

BOARD ACTION: Report was given and discussion was held. (M)Parker, (S)Reilly, Res. 97-418 adopted approving budget adjustment in the Clerk of the Board budget by transferring \$500 from General Fund Contingency for legal publications/Ayes: Unanimous. Discussion was held concerning request for budget adjustment in the Jail budget for medical costs. Supervisor Stewart suggested that the County work with CSAC and our legislators relative to relieving counties of this liability. Motion by Pickard to appropriate unanticipated PILT revenue to cover the projected shortfall in the Jail budget for medical costs, with the remainder of funds to go to General Fund Contingency, died for lack of a second. Discussion was held relative to holding this request for further consideration during the mid-year budget review. Board concurred with requesting the County Administrative Officer to ask the Sheriff attempt to find funding within their own budgets to cover these costs, and if necessary, to bring the matter back at a later date.

11:01 a.m. Ed Johnson, Planning Director;
PUBLIC HEARING to Consider Appeal No. 97-6, Ruth Sellers, Appellant (Lot Line Adjustment No. 533, Planning Commission Appeal No. 97-5, Miller/Archibald, Applicants)

BOARD ACTION: Ed Johnson reviewed the process for this type of application. Jay Pawlek, Associate Planner, presented the staff report and reviewed the history of the existing project. Staff responded to questions from the Board relative to the location of the existing business, whether there is anything in County procedures to prohibit expansion of the existing business; purpose of the lot line adjustment; what constitutes a “minor” lot line adjustment; and whether this adjustment will still result in non-compliance for the parcel.

Appellant’s presentation: Ruth Sellers, appellant, asked why the request for a lot line adjustment unless the applicant intends to expand the existing business; questioned whether the person living in the trailer on the project is an employee of the business; and she reviewed the appeal she filed. She responded to questions from the Board relative to location and size of her property in relation to the project, and relative to access.

Speakers in support of the appellant: Bart Brown asked if a mini-storage could be built on parcel “A” and cited CEQA and stated he does not feel that this qualifies as a “minor” lot line adjustment; stated he does not agree with the findings and he feels that this is poor planning to allow commercial development between two town planning areas. He urged the Board to approve the appeal.

Marylou Tiner questioned whether the Board could make a finding that both properties would be improved by approval of the lot line adjustment.

Opponents presentation: Tom Archibald, applicant, responded to the appeal and advised that he and the neighboring property owner agree to this lot line adjustment.

Larry Miller, applicant, stated he supports this lot line adjustment.

Rebuttal by the appellant: Ruth Sellers stated she disagrees with the emphasis on the five acre minimum and she stated she feels there is commercial property available for these projects -- however, the commercial property is not used because it is less expensive for businesses to develop on residential property.

Ed Johnson provided staff wind-up and provided clarification to questions from the Board relative to their recommendation. (M)Balmain, (S)Parker, Res. 97-419 adopted denying the appeal. Staff responded to additional questions from the Board as to whether this parcel was considered in the open window period applications for industrial and commercial use. Staff also clarified the findings for recommending this lot line adjustment and stated the findings do not require that both parcels must benefit, but that there must be an improvement of the circumstances and/or design of both parcels. The improvement in circumstances was that it is better to have two non-conforming parcels of similar size, consistent with the size of other neighboring parcels, versus one large and one small parcel. Ayes: Balmain, Stewart, Parker, Pickard; Noes: Reilly. Hearing was closed.

11:54 a.m. Recess

12:09 p.m. Resolution Scheduling the Board’s Regular Meeting for November 4, 1997, to be Held at the Coulterville Community Club Commencing at 5:30 p.m. (Supervisor Balmain)

BOARD ACTION: (M)Parker, (S)Balmain, Res. 97-420 adopted/Ayes: Unanimous.

Board Information and Announcements

- Supervisor Stewart advised that the San Joaquin Valley Supervisors Association Conference held at the Tenaya Lodge was very successful and was well attended, and he passed the gavel to Tulare County, and he thanked staff for their assistance.

12:14 p.m. CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to Sheriff's Management Association (MSMA), Deputy Sheriff's Association (DSA), Mariposa County Managerial/Confidential Organization (MCMCO), and General Employees (SEIU) (County Counsel); and

CLOSED SESSION to Consider Anticipated Litigation with Significant Exposure to Litigation Pursuant to Subdivision (b) of Government Code Section 54956.9 (County Counsel) (Continued from 10-21-97)

BOARD ACTION: (M)Parker, (S)Pickard, closed session was held/Ayes: Unanimous. Jeff Green, County Counsel, advised that Ed Johnson, Planning Director, and Sarah Williams, Planning Manager, would be present for the anticipated litigation matter.

1:10 p.m. Board reconvened in open session with direction given to staff relative to anticipated litigation matter as a result of closed session.

FORTHCOMING POLICY

Public Hearing to be Held November 5, 1997, at the Best Western Conference Room to Consider Industrial/Commercial Zone Code Revisions (General Plan/Zoning Amendment No. 97-1)

CONSENT AGENDA

CA-1 Resolution Authorizing the Human Services Director to Sign Agreement Between the Mariposa Unified School District and the Mariposa County Human Services Department (Human Services); Res. 97-413

CA-2 Resolution to Change the Hours at El Portal Branch Library to the Following:
Tuesday 12:30 - 3:30
Wednesday 3:00 - 6:00
Thursday 9:30 - 2:00 (Library); Res. 97-414

CA-3 Tile Plaque Commending Fran Schlotthauer upon her Retirement and for her Service to the Community (Supervisor Parker)

1:11 p.m. Meeting was recessed in memory of Howard Ward and John Q. Adams, and was continued to October 30, 1997, at 2:00 p.m. at the Mariposa Senior Center for CALED Economic Development Workshop.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA

October 30, 1997 (Continued Meeting from October 28, 1997)

2:11 p.m. Board met in continued session from October 28, 1997, at the Mariposa Senior Activity Center for a workshop with the CALED team (California Association for Local Economic Development).

Ed Johnson, Planning and Building Director, advised that the costs for bringing the CALED team to Mariposa is being covered by P. G. & E., and he thanked Mark Luz, P. G. & E. for their support.

Input from the CALED team was provided by the following:

Wayne Schell, President and Executive Director for CALED, explained their purpose, advised that they spent the morning familiarizing themselves with the County and meeting with staff and individuals from the community, and then they formulated recommendations to be given to the Board. He discussed the role of economic development and its purpose. He advised that thirty counties in the State have an economic development official/program, and every other county in the State has invested in an organized economic development program. They have provided their advisory service all over the State.

Joe Bertotti, Assistant Director for Community Development for Lassen County, explained their program in Lassen County.

Jim King, President of Applied Development Economics, provided input and explained the services they provide.

Kate Reynolds, Principal for Reynolds, Busby and Associates, advised of her background with economic development and her work with Calaveras County. Discussion was held relative to the need to move forward with an economic development program while the timing is right versus a slower approach to implementation.

Ken Cereghino, Executive Director for Madera County Economic Development Commission, advised that one source of funding for their program is coordinating with the Social Services Department for the return to work program. He stated he feels Mariposa should look at long-term economic growth projects such as the new UC Merced and the Hospital. He cited recruitment, attraction, and retention of businesses as important economic development issues, along with financial resources. He further advised that the Central Sierra Marketing Group is being formed for rural areas.

Wayne Schell introduced Rita Adair, representing the State Trade and Commerce Agency. Rita advised of funding that will be coming to counties as a part of the welfare reform, and noted that efforts need to be coordinated with social services to benefit both economic development and returning clients to work. She stated that she feels it is important for the County to have some commercial and industrial land regulations. She noted that the Airport is a great asset and it should be developed and become more active. She stated that an inventory of existing businesses in the County would be helpful. She feels the Board of Supervisors should take the lead and be organized. She feels there is a good start on strategy, but it is too ambitious. The County needs to expand into other opportunities for visitors and not rely on the Park -- but it would be good to discuss issues with the Park Service and develop a good relationship, and try to get them to buy services from businesses within the County.

Discussion was held with the CALED team. Team members stated they do not feel that volunteers can run an economic development program as it is a business and generally requires staff. The team recommended the following:

1) that the Board of Supervisor pass a resolution adopting economic development as a matter of policy by stating that the County is interested in pursuing economic development, and they offered their assistance with preparing the document; and

2) that the County hire a consultant, someone from the outside, to help define the strategy and work with amending the existing document; and to assist with developing an organization and structure for the County's economic development program. It was suggested that perhaps something like the Plumas Corporation (a combination of Economic Development, Chamber of Commerce and Visitors Bureau) may work for Mariposa.

Further discussion was held, and Supervisor Parker asked the team if they have dealt with people who have taken a "no growth" position.

4:04 p.m. Recess

4:20 p.m. The team responded to Supervisor Parker's question, and advised that they felt it is best to realize that the concerns are genuine. Generally, they find that people are not against growth, but have a personal concern about degradation of the environment.

Input from the public was provided by the following:

Chuck Brazil, Bureau of Land Management (BLM) and Resident Ranger, commented on things BLM is doing to develop opportunities for tourists outside of Yosemite National Park, such as the Merced River Trail project. On a personal side, he noted that he has two children and hopes that something will be developed to keep them here or close-by.

The team members noted that they felt it is important to have one entity monitoring all projects.

Lowell Young commented on the bird watching opportunities in the County.

Dave Lopic commented on his efforts in starting a business, and stated he would like to see the sharing of information continue to happen. He noted that he worked on the committee that landed the School District an Annenberg grant and through that process people started working together -- he suggested that perhaps more information could be shared through the Economic Development and Chamber of Commerce websites.

Steve Hayes, Visitors Bureau Director, commented on the impacts of the new UC campus and asked if growth is not planned, what will happen.

The team members responded that this is an opportunity for everyone to work together.

Bud Hoekstra referred to the Gallop Poll study which showed that forty percent of the population prefers to live in small towns; and if that happened, the towns would not be small; and he cited another study that showed that more jobs exist in rural economies versus urban, but the wages are lower in the rural areas; and he asked how to deal with the handicaps of the rural areas.

Mark Luz, P. G. & E., asked if the team reviewed the recreational facilities, and was advised that they did not.

Margaret Eggar stated she just moved here and started a small business, but it took her a month to get her phone lines installed; and she commented on Maryland's adoption of development rights for private property.

Bud Hoekstra stated that due to time constraints, he will present the rest of his questions in writing and requested that the team respond in writing.

Jan Mennig, Chamber of Commerce President, thanked the Board for inviting the CALED team, and stated the Chamber is willing to assist in any way possible.

Wayne Schell stated he felt it is important to move to the next step and keep the momentum going for this program, and he offered a booklet on economic development.

Supervisor Reilly suggested that she and Supervisor Stewart, Board liaisons for economic development, meet with staff as a follow-up to this workshop and present recommendations to the Board -- Board concurred.

5:15 p.m. ADJOURNMENT

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA NOVEMBER 4, 1997

| <u>Time</u> | <u>Description</u> |
|------------------|---|
| 3:30 p.m. | Tour of Northern Mariposa County History Center |
| 4:00 p.m. | Dinner at Coulter Cafe |

NOTE: During Tour and Dinner, No County Business was Conducted

5:37 p.m. Meeting held at the Coulterville Community Center, with Supervisor Reilly excused.

Meeting Called to Order
Pledge of Allegiance

Chairman Stewart introduced Board members and staff.

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda
- Teri Steagall, Secretary and Office Manager for the Northern Mariposa County History Center, presented the Board and staff with a copy of the Coulterville Chronicle, The Annals of a Mother Lode Mining Town, and thanked the Board for touring the History Center.

- Supervisor Balmain advised of a forthcoming request from the Sheriff for funding to expand the SCOPE activities to the northside communities.

Approval of Minutes of 10/21/97, Regular Meeting
BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)
BOARD ACTION: Supervisor Parker pulled item 1. (M)Parker, (S)Balmain, balance of items were approved/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly. Discussion was held with Steve Hayes, Visitors Bureau Director, relative to item 1. Jan Mennig, Chamber of Commerce President, provided input relative to the duties involved in administrative support for visitor information services. Supervisor Parker requested that information and justification on the breakdown of the budget be provided in the future, along with information on whether there is any duplication of services or consolidations that could be made with regards to the new position created for Visitors Bureau. (M)Pickard, (S)Balmain, item 1 was approved/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Presentation of County Tile Plaque to Joe Brundage for his Service to the Community and to the Youth (Supervisor Balmain)

BOARD ACTION: (M)Balmain, (S)Parker, plaque was approved and presented to Joe Brundage/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly. Supervisor Balmain also presented Joe Brundage with recognition from the Parks and Recreation Commission for his efforts with the youth in the community.

Mike Edwards, Public Works Director;

A) Information Regarding Construction Progress for the County Government Center
BOARD ACTION: Mike Edwards commended Dave Tucker/PWD-Civil Engineer, for his efforts with managing this project; and he presented a status report relative to construction progress.

B) Presentation on the Reform of the State Transportation Improvement Program (STIP) Pursuant to the Passage of SB 45 (Kopp)

BOARD ACTION: Mike Edwards advised of changes to the STIP as a result of passage of SB 45. Supervisor Parker requested that consideration be given to having the Public Works Director represent the Board on implementation of these changes and meet with the legislative lobbyist and the California Transportation Commission (CTC), and perhaps include two Board members. Gwen Foster/PWD-Civil Engineer, commented on the CTC meeting she attended with regards to this matter. Supervisor Parker suggested that consideration be given to reviewing the County's organizational structure with regards to consolidation under one department for handling transportation matters. Matters were continued for further discussion on a future agenda. It was also requested that additional information be provided on the acronyms.

7:00 p.m. Recess

7:17 p.m. Mike Edwards, Public Works Director;

A) Waive First Reading and Introduce an Ordinance Amending Chapter 13.02 of County Code, "Water Regulations"; and

B) Waive First Reading and Introduce an Ordinance Amending Chapter 13.06 of County Code, "Sewer Regulations"

BOARD ACTION: Mike Edwards advised that the cross-connection issue will be brought back to the Board at a later date; the typographical errors will be corrected in the ordinances; the stand-by charges section needs to be added to the Water Regulations; and they still have a final meeting with Yosemite West Advisory Board and will bring back any recommendations they make. (M)Parker, (S)Balmain to waive first reading and introduce both ordinances was amended following further discussion. Jeff Green, County Counsel advised that first reading and introduction would need to be rescheduled if there are any substantive changes. Motion was amended, agreeable with maker and second, to waive first reading and introduce ordinance for the Sewer Regulations. Jeff Green further clarified that the ordinances do not adopt stand-by fees, they only allow for a process to adopt fees. The Water Regulations ordinance will be corrected and scheduled for introduction on November 18, 1997. Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

C) Continued PUBLIC HEARING to Consider Proposed Fee Adjustments for Coulterville County Service Area for Water and Sewer (Continued from 9/18/97)

BOARD ACTION: Mike Edwards presented staff report; and he and Clif Price/PWD-Facilities Maintenance Manager, and Marty Allan/PWD-Fleet/Fiscal Manager, responded to questions from the Board relative to the proposed fees; rate per fixture; and the differences between residential and commercial fees.

8:10 p.m. Recess

8:28 p.m. Mike Edwards presented revised information based on the Citizens Committee's work to obtain actual usage information. It was clarified that the information did not change the formula for determining the fees. Staff responded to additional questions from the Board relative to alternative rate structures and whether any contingency is built into the recommended fee structure.

Public portion of the hearing was opened and input was provided by the following:

James Upperman asked about disposition of the revenue; fixture rates; and what is being done to encourage conservation of water.

Janelle Shannon asked for clarification of the proposed fee per fixture unit over twenty; what substantiates the proposed hook-up rate for a hotel; and stated she feels the proposed hook-up fees would be detrimental to any growth in the area.

Walt McClary asked about percentages of total usage between residential and commercial; and he stated he feels the charges should be the same per equivalent dwelling unit.

Karen Fielding, Hotel Jeffrey, stated she feels the current rate structure needs to be redone because it is detrimental to businesses and they have no control over sewer rates except to move chairs. She further stated she was supportive of the proposed rate structure; however, after seeing additional information this evening, she has big concerns. She feels there is a great inequity for commercial use, and she has lost control of removing chairs to reduce the sewer rate; and this new structure greatly impacts the lodging and RV businesses. She requested more documentation showing actual information for commercial uses.

Karl Harla reiterated his request from a previous Board meeting to receive more detailed cost accounting information, including a breakdown between parts and labor and actual costs. Chairman Stewart advised that he understood that the information had been provided as requested. Karl Harla referred to the definition of an Enterprise Fund in the budget and stated he does not feel that the budget for this district fits that definition; he expressed concern with the budgeting and cost accounting system for the District; he referred to the budgeting of Utility Capital Funds for projects as revenues in the District's budget versus a transfer of funds; stated he feels that the water and sewer projects are shown as an annual on-going expense in the District's budget versus one-time project expense and he feels that gives a false impression; and he expressed concern with rate increases every 12 to 18 months.

Ann Stewart stated she agrees with Karl Harla on the budgeting issues; stated she feels the aeration basin should have been fixed with the sewer pond project which was fixed five years ago at a lower cost and funding should have come from the Water Agency funds versus their District funds. She cited a situation where a customer is having a problem getting enough water pressure and the County has been replacing parts that she feels should be at the customer's expense pursuant to the County Code. With regards to the planned replacement of ten water meters, she stated she felt they should be replaced one at-a-time as they fail and not allow failed meters to place a financial burden on the other users. She feels the installation of a new control panel should have occurred a long time ago to save the equipment, and she noted that the roof is leaking now at the sewer pond building and she does not feel that will be good for the equipment. She feels a new pump should be purchased for station 2 versus rebuilding. She asked for clarification of the proposed purchase of a programmable logic control at the waste water treatment plant. She further stated that she feels the fees should be the same per equivalent dwelling unit. She feels their expenses need to stay within the generated revenues.

Joan Tune stated she feels everyone has worked hard to get to this point; stated she does not understand the difference in costs for equivalent dwelling units between residential and commercial uses; and she noted that Sacramento has guidelines for approval of the sewer rates and they will review what is implemented for compliance. She further requested information on costs versus charges for the District and requested a format similar to that being used by the Lake Don Pedro Community Services District.

Janelle Shannon stated she agrees with the need to address the vacancy rate for commercial use.

Walt McClary stated he feels the Citizens Committee, Public Works Director and State representatives could meet and work out any minor differences for the sewer rates.

James Upperman stated he feels more that one meter should be replaced at a time to save maintenance costs.

Karl Harla asked about the option mentioned in staff report under alternatives to subsidize the District with General Fund or Water Agency Fund dollars; and he asked about creating zones for distribution of Water Agency Funds as allowed for in the

creation of the Agency, with the idea that a portion of the funds would be dedicated to the District.

Staff responded to questions raised relative to maintenance and management and budgeting for the district, and meetings with the Citizens Committee on these issues to reach a fair and equitable rate structure, and further advised that they have been in contact with the State relative to the sewer fees.

Additional input from the public was provided by the following:

Ann Stewart asked about a State chart for equivalent dwelling units; and she responded to question from the Board relative to her earlier input concerning replacement of the meters.

Janelle Shannon further commented on the costs for a hotel.

Joan Tune stated she still does not understand the cost difference in equivalent dwelling units between commercial and residential use and how those rates were determined.

Forrest Barriger stated he feels the equivalent dwelling unit cost should be the same regardless of the type of use, and he noted that the maintenance of the system is a fixed-base cost; and he stated residential units do not have as many fixtures as commercial uses.

Walt McClary further commented on the equivalent dwelling unit cost.

James Upperman asked what would happen to the rate if a residence was converted to commercial use, and asked about the average water usage per household.

Joan Tune noted that this discussion is over a rate difference between commercial and residential of \$2.00, and she stated she is willing to accept the recommendation as the rates could be changed if it is determined that they need to be in the future.

Karen Fielding asked if the formula for determining the rates would be subject to change.

Public portion of the hearing was closed.

10:05 p.m. Recess

10:17 p.m. Supervisor Balmain thanked the community and the Citizens Committee for all of their work on this matter. Staff provided clarification to question from the Board relative to the difference in the rate structure for a lodging business and the impact of the recommended fees, and whether adjustments could be made if a business is closed for a period of time. Board commenced with deliberations. (M)Balmain, (S)Parker, Res. 97-422 adopted approving the recommended fee structure as revised/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly. Hearing was closed.

Appoint a Member to the Foreign Trade Zone Advisory Board (Supervisor Stewart)
BOARD ACTION: (M)Pickard, (S)Parker, Chairman Stewart was appointed/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Resolution Establishing a Hearing Date of December 2, 1997, at 9:15 a.m. for the Purchase of Real Property from Timothy and Bette Erickson, which is Located Adjacent to the Existing Lake Don Pedro Sewer District, and the Property is Needed for Expansion of the Sewer District Facilities (County Counsel)

BOARD ACTION: (M)Parker, (S)Pickard, Res. 97-423 adopted/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Adopt a Resolution Calling for the Establishment of a State Grand Jury (Supervisor Stewart)

BOARD ACTION: Matter was continued to November 5, 1997.

Update Regarding Transfer of Responsibility for Community Development Block Grant Programs to the Planning and Building Department (County Administrative Officer)

BOARD ACTION: Matter was continued to November 5, 1997.

CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to Sheriff's Management Association (MSMA), Deputy Sheriff's Association (DSA), Mariposa County Managerial/Confidential Organization (MCMCO), and General Employees (SEIU) (County Counsel)

BOARD ACTION: Janet Hogan, County Administrative Officer, noted that Closed Session was not necessary this date.

Discussion and Possible Action Relative to the Status of the Valley Implementation Plan (VIP) (Supervisor Reilly)

BOARD ACTION: Janet Hogan, County Administrative Officer, advised that the VIP is being released and a briefing will be held on November 13, 1997, followed by workshops. Janet Hogan noted that Supervisor Reilly would be willing to attend the workshop if others wanted to attend the briefing. Following discussion, Board concurred with Supervisors Parker and Stewart attending the 1:00 p.m. briefing. The 3:00 p.m. workshop is open to the public. Supervisor Pickard advised that he plans to attend the workshop.

Board Information and Announcements

- Matter was continued to November 5, 1997.

INFORMATION: No action was necessary on the following:

A) Status Report on the Activities of the Public Works Department During the Third Quarter of 1997 (Public Works)

B) Board Hearing Schedule (Board Clerk)

CONSENT AGENDA

CA-1 Resolution Approving and Authorizing Chairman to Sign the Agreement with the Mariposa County Chamber of Commerce to Operate the Mariposa County Visitor Information Centers in Mariposa and Coulterville (Visitors Bureau); Res. 97-421, with direction for additional information

CA-2 Appoint the Following Persons to the Wawona Town Planning Advisory Committee: William Krause, Ralph Harder, and Rick Stephens (Supervisor Pickard)

10:30 p.m. Recess and meeting was continued to November 5, 1997, at the Best Western Conference Room for the following matters:

10:00 a.m. Joint Meeting with the Planning Commission to hear a presentation from the Sierra Business Council

11:30 a.m. Lunch

1:00 p.m. Joint Meeting with the Planning Commission to hear the Commission's views on the Industrial/Commercial Zoning Text Amendments

2:30 p.m. Commence the Public Hearing on the Industrial/Commercial Zoning Text Amendments

5:00 p.m. Dinner

6:00 p.m. to 9:00 p.m. Continue with the Public Hearing, and then determine whether to continue with the Hearing on November 6th or a future date, if necessary

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA

November 5, 1997 (Continued Meeting from 11/4/97)

10:16 a.m. Board reconvened in continued meeting from November 4, 1997, at the Best Western Conference Room.

Joint Meeting with the Planning Commission to hear a presentation from the Sierra Business Council

BOARD ACTION: Joint meeting was held with the Planning Commission. Commissioners Gary Colliver, Don Pucilowski, Bob Rudzik, and Leroy Radanovich were present. Commissioner Pierce Loberg arrived at 10:55 a.m. Commission Chairman Rudzik called the Commission's meeting to order. Board members, Commissioners, and staff were introduced. Ed Johnson/ Planning Director, Sarah Williams/Planning Manager, and Jay Pawlek/Associate Planner were present.

Barry Brouillette and Tracy Grubbs, Sierra Business Council, gave a presentation on the purpose of the Council, and reviewed the sixteen principles outlined in their book, entitled "Planning for Prosperity: Building Successful Communities in the Sierra Nevada." They advised that the Council is an association of 475 business owners within the Sierra Nevada counties, was formed in 1994, and their mission statement is to protect the environmental and economic health of the region. They responded to questions from the Board and the Commission and the following members of the public: Don Sawtelle, businessman and member of the Council, and Tracy Guenthart.

11:38 a.m. Lunch

1:11 p.m. Joint Meeting with the Planning Commission to hear the Commission's views on the Industrial/Commercial Zoning Text Amendments

BOARD ACTION: Commission Chairman Rudzik advised that the Commission did not address Rural Home Industry. Commissioner Radanovich noted that zones were created in Title 17 for light and heavy industrial/commercial activity, and he stated the Commission will be working on an enforcement section. It will need to be determined at what point environmental review occurs -- with creation of the zoning or consideration of a project. Chairman Rudzik commented on using California Environmental Quality Act (CEQA) guidelines for project guidelines and stated they are trying to be user friendly. Commissioner Radanovich stated the important part of this amendment is the approval process. Commissioner Loberg stated he feels the Business Park Zone is an interesting change and provides an opportunity for the County to develop with clean industry. Permit streamlining would also make the County more user friendly. Commissioner Radanovich stated he feels the General Plan needs to be reviewed, and he advised that the Commission tried to be consistent throughout the Zoning Text document and simplify it. Commissioner Colliver stated the Commission tried to keep in mind the goals the Board set and changes would be okay as long as those goals are the focus. Commissioners Radanovich and Rudzik stated they hope to phase out Rural Home Industry and have those uses go into appropriate zoning. Commissioners responded to questions from the Board relative to status of work on development standards and code enforcement.

2:01 p.m. Recess

2:16 p.m. Commissioners responded to additional questions from the Board relative to the master development plan, environmental review and decision making authority.

2:30 p.m. Public Hearing on the Industrial/Commercial Zoning Text Amendments was opened and continued to after the discussion with the Planning Commission.

Continued discussion was held with the Planning Commission relative to their views on the industrial/commercial zoning text amendments and the following issues: clarification of the thirty occupants/employees threshold; and relative to the proposed authorization for the Planning Director to make decisions.

Chairman Rudzik requested that consideration be given to scheduling more joint meetings with the Board and the Commission as he felt these discussions are beneficial to both bodies.

2:48 p.m. Commission adjourned.

3:17 p.m. PUBLIC HEARING on the Industrial/Commercial Zoning Text Amendments
BOARD ACTION: Ed Johnson, Planning Director, provided input relative to the hearing process and Board concurred with reviewing a section at a time. Ed presented a brief summary and introduction of the code revisions; and he reviewed authority for review for different types of applications.

Input from the public was provided by the following:

Bart Brown, on behalf of Yosemite Area Audubon, Kitchen Table Brigade, and Mariposans for Environmentally Responsible Growth (MERG), read a statement into the record, advised that they welcome the opportunity to participate in this effort, and he noted that it is the quality of life that attracts people to this area.

Lyn Maccarone, owner of a tourism-dependent, historic hotel property in Mariposa, read her letter into the record, stated she is opposed to the proposed standards as she feels they violate CEQA and there are no standards to protect the County and Yosemite -- this will allow more traffic and that will discourage tourists, and she referred to the Traffic Model Study and the traffic projections that will result in many deficient roadway segments in the County. She also presented a letter to the Board from Marsh Pitman.

Robert Schmelzer read his letter into the record stating he feels the requirements in this document are sometimes too general or vague and the method of staff approval isn't clear, and he requested that a good county plan be created to accommodate the transformation that is inevitable and plan for the infrastructure that is going to be needed for the type of high-tech industry that would be desirable.

Shirley Schmelzer read her letter into the record listing concerns with the following areas: approval authority, development standards, General Plan amendment, negative declaration, summary and filing of appeals.

Steve Fortner, Catheys Valley landowner with interest in the Town Planning Area, commended the Planning Commission for a thorough job with this document; stated he has some disagreements, but feels it is a big improvement. He asked where a business like Tavis Corporation could be located today -- we need zones for these types of industry and people need to be able to make a higher income here. He feels the Highway 140 corridor will be the primary entrance to the Park. He does not want Mariposa to look like Oakhurst, but wants to retain the character and have decent services available. Town planning areas make up a very small portion of the County and they need to be managed.

Richard Doscher, applicant in the open window period process for commercial/industrial zones, stated he has seen a number of changes in the 32 years he has resided in the County; and he would like to have some closure on this process. It will not please everyone, but there needs to be something for people to make decisions by. He cited a recent expansion process that took him seven months to add 14 storage units to his existing facility.

Joe Simon stated he was a member of the Catheys Valley Town Planning Advisory Committee for two years, and he feels it would have been more helpful if Planning would have made the Committee aware of the plans in this document for consideration in

preparing their Specific Plan. He stated he started with a test site of apple trees on his property and realized that they took too much water, and that consideration will need to be given to the water situation when considering development. He feels development should be kept to a slow/medium type of growth.

Ruth Sellers stated she feels everyone is concerned about the environment and there should be an environmental impact report required to mitigate impacts and to abide by CEQA. She expressed concern with the thirty occupancy figure and asked what would happen if the number increased. Relative to appeals, she expressed concern with the timeframes and stated she does not feel the burden should be on the appellant to speed the process.

Richard Doscher stated that with regards to the open window period applications and the review by all of the affected agencies, he does not feel that an environmental impact report should be required if the agencies do not have any concerns.

Tracy Guenthart, Catheys Valley Town Planning Advisory Committee member, asked whether there are any proposed sites for development of the commercial/industrial parks.

Ed Johnson responded that there are seven sites being considered through the open window period process.

Tracy Guenthart asked if the Specific Plan for Town Planning Areas could be more restrictive than this document and asked about the status of the Plan for Catheys Valley.

Ed Johnson responded that the Specific Plan would supersede this document in areas where it is more restrictive, and that the Plan for Catheys Valley is at the Planning Commission level.

Connie Salveson commented on the timeframes for appeals and suggested that guidelines be adopted for specific timeframes unless it is necessary to stipulate to a longer period.

Steve Fortner asked for clarification relative to TPA 1 and 2 and the Specific Plan.

Bart Brown stated he thought the previous citizen committee's report was a good system.

Joe Simon stated he feels Planning has done a good job; but if existing staff leaves, what will happen.

4:16 p.m. Public hearing was continued to 6:00 p.m.

Adopt a Resolution Calling for the Establishment of a State Grand Jury (Supervisor Stewart)
(Continued from 11/4/97)

BOARD ACTION: Discussion was held concerning the request. No action was taken.

Update Regarding Transfer of Responsibility for Community Development Block Grant Programs to the Planning and Building Department (County Administrative Officer) (Continued from 11/4/97)

BOARD ACTION: Discussion was held. Board concurred with recommendation to defer the shift of management responsibility for CDBG programs pending completion of the Board's economic development strategy, and with tentatively scheduling an administrative practices workshop for December 2, 1997. Supervisors Reilly and Stewart are working to bring back a report on economic development issues on the 2nd.

Board Information and Announcements (Continued from 11/4/97)

- Supervisor Stewart asked about scheduling consideration of canceling the Board meeting for December 23, 1997 -- Board concurred with scheduling this matter.

- Janet Hogan, County Administrative Officer, advised that she will be out of the office on November 10, 1997.

4:27 p.m. Dinner

6:15 p.m. Continued Public Hearing on the Industrial/Commercial Zoning Text Amendments. Chairman Stewart called for additional public input:

Richard Doscher noted that just because a parcel is zoned for industrial use, it does not mean that it will be developed. Also, there needs to be an attitude that development will be well received and the developer will want to know what the community can do for them as well as what they can do to contribute to the community.

Steve Fortner stated he feels that land use planning should have a level playing field and clear rules; he does not feel that the General Plan is used as a guidepost and it should be amended before this document is adopted as it does not include the future UC campus and changes with the Park -- but, he does not want this process slowed.

Ed Johnson entered the letter received from Marsh Pitman into the record.

Ed Johnson provided staff report and reviewed the recommended authority for application types, summary of zones and types of categories: permitted, staff discretionary, Planning Commission and Board of Supervisors, and the timeframes for different types of applications.

Larry Mack asked about the CN zone and allowance for an occupancy of thirty.

Staff responded to questions from the Board relative to the Master Development Plan, re-zoning for business park development, definition of open space, tree preservation, and conditions and requirement for annual renewal. Jeff Green, County Counsel, responded to questions from the Board relative to the business park zoning -- an environmental review process will be required for a re-zoning request, and if there is not a project with a development agreement, the environmental review would be on the highest and most dense use for the zone. That is why it has been determined that an EIR is not required on this document. Staff responded to additional questions from the Board relative to addressing cumulative impacts, where in the process an applicant would know what he could and could not do with a parcel, ability to develop without individual review of each project, and ability to expand uses.

Input from the public was provided by the following:

Cathie Pierce-Ragghianti, rancher in Catheys Valley, asked about the costs for EIRs for the open window period application processes versus individual application processes, and stated she objects to the citizens covering the costs for the open window period applications. She further stated she objects to one person having the right to make decisions -- people in the position will change and that could change the decisions being made.

Ed Johnson responded relative to the costs of the EIRs.

Steve Fortner stated he likes the idea of having a Business Park Zone and asked whether uses would be allowed while going through the Specific Plan processes. He stated that on 20 acres or less, he feels the County works better with owner-occupied businesses versus chain businesses. He stated it is difficult to figure out the ramifications of CEQA relative to grading plans, etc., and he will further comment on this issue at the appropriate time.

Bart Brown asked whether research and development facilities such as Livermore Laboratories would be a staff decision or be a conditional use determination, and whether hazardous materials will be allowed in the Business Park Zone uses. He noted that in the Master Development Plan, each of the parcels within a 20 acre parcel can have an occupancy load of 30, and he asked whether there is any calculation of total number of occupancy for a 20 acre parcel. With intensity of development, there will be resulting impacts on air quality, traffic, etc. With regards to compliance with CEQA, he urged the Board to read the document that they provided, as he feels it varies from the opinion given so far. Mr. Brown responded to question from the Board as to where he felt research and development facilities belong, saying he felt they should be conditional uses because of special needs for the chemical use and discharge.

Ed Johnson advised that cumulative impacts would be addressed if an EIR was required, and staff would review impacts with each decision on a project.

Gary Colliver, Planning Commissioner, asked about the review process for expansion or changes in use.

Shirley Schmelzer asked about monitoring for compliance with the occupancy requirements.

Ed Johnson responded that staff will be looking at the square footage of space in a project to determine occupancy, and a change in occupancy or use will require a new permit.

Steve Fortner noted that the open window application process got this process going; stated he owns property in a town planning area and asked about the process for being zoned in the Business Park Zone, and asked if those zones should be in the town planning areas.

Bart Brown stated that the 30 occupancy figure in CEQA only applies to commercial and not industrial uses.

Ed Johnson responded to question from the Board relative to the use of the 30 occupancy figure and advised that it was used as a threshold and other numbers could be adopted.

7:40 p.m. Recess

8:02 p.m. Ed Johnson provided staff report for the special use zone. Staff responded to questions from the Board relative to whether a helipad is a permitted use -- staff will review and correct the document with regards to its reference in the general commercial use; and relative to the reviewing authority for the threshold for mill operation for storage.

Input from the public was provided by the following:

Bart Brown, with regards to similar use determinations in heavy industry, asked who would make the decisions, Planning Commission or staff.

Ed Johnson responded that decision would be made by staff, but the use determination would be made by the Commission.

Steve Fortner commented on the open window period application process to try and get conforming zoning on existing uses, and he noted that non-conforming projects are unable to obtain financing, etc.

Ed Johnson provided staff report relative to development standards, and explained the coding used to delineate portions of text moved from one section of the document to another, and to delete and add portions of text. Staff responded to questions from the Board as to whether the standards were taken from the Mariposa Specific Plan; relative to setback requirements for Business Park Zone development and if it would be different if two zones were next to each other; relative to definition of significant impact of water for neighboring wells; relative to different setback requirements for different zones; landscaping requirements for Special Use zones; whether additional input would be taken relative to development standards at a later time in the hearing process; relative to traffic study circulation plan requirements; definition for public nuisance; relative to findings for similar use determinations; clarification relative to height standards; clarification of phasing of development; and landscaping requirements for Neighborhood Commercial and General Commercial zones.

Input from the public was provided by the following:

Larry Mack asked when the water development standards would be available, and stated he does not feel the County has a groundwater basin.

Ed Johnson responded that procedures will be available in a couple of months and agreed that the document should reflect groundwater yield.

Steve Fortner stated he feels the parking standard is overkill and micro-managing and there should be more leeway; he expressed concern with the water standard requirements and grading in site improvement standards.

9:21 p.m. Hearing was continued to Wednesday, December 3, 1997, at 9:00 a.m. in the Board chambers at the Courthouse, with December 4th to be scheduled for further continuance, if necessary.

9:22 p.m. ADJOURNMENT

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA NOVEMBER 18, 1997

Time Description

9:08 a.m. Meeting Called to Order, with Supervisor Pickard excused to attend the California State Association of Counties (CSAC) Conference.

Pledge of Allegiance

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda
- Chairman Stewart introduced Desiree Farias Jones, the new reporter for the Mariposa Gazette.

Approval of Minutes of 10/28/97, 10/30/97, 11/4/97 and 11/5/97 Regular Meeting
BOARD ACTION: Minutes of 10/28/97 and 10/30/97 were approved. Minutes for 11/4/97 and 11/5/97 were continued to November 25, 1997, for approval.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Supervisor Parker pulled items 1, 6 and 10. Supervisor Stewart pulled item 12. These items were continued for action later this date. Janet Hogan, County Administrative Officer, clarified that for item 7, the contract is \$75.00 per trailer. (M)Parker, (S)Balmain, balance of items were approved/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

Dennis Patrick, Data Processing;

Resolution Authorizing the Sale of Obsolete Equipment and Placing the Revenue of Such Sale in the Data Processing Budget for the Purchase of a Computer for the New Employee in the Department

BOARD ACTION: Following discussion, (M)Reilly, (S)Balmain, Res. 97-433 adopted/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

Robert Stewart, Chairman, Board of Supervisors;

Consideration of Request to Waive Costs to Produce Mailing Labels Relative to the Donor Brick Program from the John C. Fremont Healthcare District (\$420) (4/5ths Vote Required)

BOARD ACTION: Discussion was held with Claire Kuczkowski, Healthcare District Administrator. Joanne Thistle, Chairman of the Hospital Foundation, and Don Phillips, Healthcare District Director, provided input relative to the request. It was noted that if the costs were waived for the District, the County would need to fund the costs from its budget. No action was taken.

Pelk Richards, Undersheriff, appeared on behalf of Roger Matlock, Sheriff;

A) Resolution Transferring Funds from General Fund Contingency for Sheriff's Community Organized Policing Efforts Program (SCOPE) in the Communities of Don Pedro, Coulterville, Greeley Hill and Buck Meadows (\$2,000) (4/5ths Vote Required); and

B) Resolution Increasing Estimated Revenue and Appropriations to Reflect Bureau of Justice Assistance Grant and Request the Board Authorize the County Administrative Officer to Execute the Grant Award for the DARE Program (\$56,843) (4/5ths Vote Required)

BOARD ACTION: Discussion was held concerning the SCOPE program and the request for funding, and the request for the grant award for the DARE program. Supervisor Parker requested that funding for these programs be presented during the budget hearing process in the future, and that the Department try to fund these things from within their budgets. Supervisor Reilly requested that other communities be contacted to determine interest in further expanding the SCOPE program. (M)Balmain, (S)Reilly, Res. 97-434 adopted for the SCOPE program and Res. 97-435 for the DARE program/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

Pelk Richards, Undersheriff, on behalf of Sheriff Roger Matlock, thanked Chairman Stewart for his letter of appreciation for Deputy Verley's presentation on the computer program used by the Department. Chairman Stewart suggested that the presentation be scheduled on a future Board agenda.

Janet Bibby, Paralegal, appeared on behalf of Christine Johnson, District Attorney; Resolution to Approve the Statutory Rape Vertical Prosecution (SRVP) Grant Advocate Position; from Extra-Help to an 80% Permanent Part-Time Position, with Benefits; and Appoint the Current Extra-Help SRVP Advocate to the Permanent Part-Time SRVP Advocate Position, Retroactive to November 1, 1997

BOARD ACTION: Discussion was held concerning the requests, and Janet Bibby advised that they were willing to hold the appointment of the current extra help person to the new position pending action on a forthcoming matter from Personnel to revise the salary classification and salary range. (M)Reilly, (S)Balmain, Res. 97-436 adopted approving the change in the SRVP grant advocate position from extra help to 80% permanent part-time contingent on continued grant funding for the position; and appointing the current extra help SRVP advocate to the permanent part-time position contingent on action by the Board in December to approve the revised salary classification and salary range, with direction that the appointment be effective at the time the matters from Personnel are approved. Discussion was continued for the following hearing to be opened.

10:02 a.m. Public Hearing to consider the approval of Agricultural Preserve Applications was opened and continued to after the following matters.

Further discussion was held concerning the request from the District Attorney relative to the SRVP position. Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

10:04 a.m. Recess

10:09 a.m. James W. Moffett, Chief Probation Officer; Resolution Modifying the Employee Allocation for the Probation Department by Adding One Deputy Probation Officer I/II Position and Deleting One Senior Juvenile Supervisor Position

BOARD ACTION: (M)Parker, (S)Reilly, Res. 97-437 adopted/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

10:10 a.m. Ed Johnson, Planning Director; PUBLIC HEARING to Consider the Approval of Agricultural Preserve Applications #97-1 (Mario and Jodi Marchetti, Applicants); #97-2 (Robert "Red" and Nancy Arnold, Applicants); #97-3 (Paul and Shari Morrison, Applicants); and #97-4 (Frank Tuttle, Applicant)

BOARD ACTION: Ed Johnson advised of the applications to be considered. Jean Clark, Assistant Planner, presented staff report and advised of recommendations from the Mariposa County Agricultural Advisory Committee relative to the merging of parcels and recommendation that no Certificate of Compliance application shall be submitted by the

property owner or considered by Mariposa County during the tenure of the Land Conservation Act contract. She advised that the recommended conditions apply to application numbers 1 and 3. Staff responded to questions from the Board relative to the recommended conditions and recognition of historic parcels. Public portion of the hearing was opened. There was no public input. Public portion of the hearing was closed and Board commenced with deliberations. (M)Reilly, (S)Parker, Res. 97-438 adopted approving the applications with findings and conditions as recommended by the Planning Commission, and giving direction for the Chairman to sign the contracts/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

Review and Conceptually Approve Proposal for Public-Private Partnership to Establish a Medical Clinic in Coulterville (Administration and Public Health)

BOARD ACTION: Discussion was held with Dr. Mosher, Health Officer, and Rick Roesch, Mercy Ambulance Service, concerning the proposal. Board concurred with staff pursuing this proposal and bringing recommendations back to the Board.

10:42 a.m. Janet Hogan, County Administrative Officer; Maurie Hoekstra, Librarian; Mike Edwards, Public Works Director;
Procedure for Reviewing and Approving Expenditures from the Library Construction Fund

BOARD ACTION: Janet Hogan advised that Mike Edwards was attending a meeting of the Trial Court Facilities Committee on behalf of Chairman Stewart. Discussion was held. Supervisor Parker requested that the Board receive copies of the monthly expense summaries. (M)Balmain, (S)Parker, Res. 97-439 adopted approving the procedure/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

Maurie Hoekstra, Librarian;
Resolution Authorizing Chairman to Sign a Revised LSCA (Library Services and Construction Act) Project Application and Statement Confirming the Availability of Local Funding

BOARD ACTION: Discussion was held and Maurie Hoekstra advised that an additional \$245,000 will need to be committed with the submission of this revised application. (M)Parker, (S)Balmain, Res. 97-440 adopted/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

Rich Begley, Deputy Parks Director, appeared on behalf of Mike Edwards, Public Works Director;

A) Resolution Approving a County Skate Park Project, Location of the Facility on the Mariposa Park Grounds and Accepting (in Concept) Responsibility for Long-Term Maintenance of the Facility

BOARD ACTION: Discussion was held, and Rich Begley introduced Steve Dahlem/President of the Youth Sports Association, Kathy Delany/Secretary of the Youth Sports Association, and Pelk Richards/Undersheriff, who has been working on this project. Kathy Delany provided input relative to anticipated costs for the project. (M)Reilly, (S)Parker, Res. 97-441 adopted/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard. Kathy Delany presented Skate Park t-shirts to the Board members and thanked the Board for its support of this project.

Clif Price, Facilities Maintenance Manager, appeared on behalf of Mike Edwards, Public Works Director, for the following matters:

B) Waive Second Reading and Adopt Ordinance Amending Chapter 13.06 of County Code, Entitled "Sewer Regulations"

BOARD ACTION: (M)Balmain, (S)Parker, reading was waived and Ordinance No. 928 was adopted/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard. Supervisor

Balmain advised that citizens from the Coulterville area were in the audience and may wish to provide input on the ordinances.

C) Waive First Reading and Introduce Ordinance Amending Chapter 13.02 of County Code, Entitled "Water Regulations" (Continued from 11/4/97)

BOARD ACTION: (M)Parker, (S)Balmain, reading was waived and Ordinance was introduced. Discussion was held relative to allowing additional input from the public on the ordinances since these actions were requested as a result of a public hearing process. Supervisor Reilly asked about the status of review of the ordinances by the Yosemite West Advisory Committee. Input from the public was provided by the following: Ann Stewart asked why "may" and "shall" were taken out of the ordinance, and why the BOD testing requirements were deleted as the testing is required by the State. Walt McClary stated he felt adequate notice was not given for action to be taken on the ordinances. Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

Consider and Submit Candidate(s) for the Commission on Local Governance for the 21st Century (Supervisor Stewart)

BOARD ACTION: (M)Parker, (S)Balmain, Supervisor Pickard was selected/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

Consider Canceling the December 23, 1997 Board Meeting (Supervisor Stewart)

BOARD ACTION: (M)Reilly, (S)Parker, Res. 97-442 adopted canceling the December 23, 1997, meeting/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

Resolution Approving Budget Adjustments in Administration and County Counsel's Budgets (\$825) (4/5ths Vote Required) (Administration)

BOARD ACTION: (M)Parker, (S)Reilly, Res. 97-443 adopted/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard. Supervisor Reilly requested that information for accessing various websites for legislative information, etc., be shared with Board members and staff.

Consider Status as Grantee for Mariposa County Head Start Program (Administration)

BOARD ACTION: Discussion was held. (M)Balmain, (S)Reilly, direction was given for the County to continue as grantee for the Head Start program and that the County Administrative Officer bring any other program options to the Board's attention that become available for further consideration/Ayes: Reilly, Balmain, Stewart; Noes: Parker; Excused: Pickard.

CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to Sheriff's Management Association (MSMA), Deputy Sheriff's Association (DSA), Mariposa County Managerial/Confidential Organization (MCMCO), and General Employees (SEIU) (County Counsel)

BOARD ACTION: Janet Hogan, County Administrative Officer, advised that closed session was not necessary this date.

CLOSED SESSION to Consider Anticipated Litigation with Significant Exposure to Litigation Pursuant to Subdivision (b) of Government Code Section 54956.9 (County Counsel) (Continued from 10-28-97)

BOARD ACTION: Closed session was continued for a full Board to be present.

Consent Agenda item 1 - Discussion was held concerning the request and safeguards for transporting and protecting the negatives. Matter was continued to be brought back with additional information.

Consent Agenda item 6 - Discussion was held and concern was expressed relative to possibly needing to mitigate the mining operation issues and whether there is any risk to the County. Matter was continued to November 25, 1997, for discussion with Public Works Director.

Consent Agenda item 10 - Following discussion, (M)Parker, (S)Balmain, item 10 was approved/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

Consent Agenda item 12 - Following discussion, (M)Parker, (S)Reilly, item 12 was approved/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

Board Information and Announcements

- Supervisor Stewart advised that he will attend the CSAC conference and several committee meetings that are scheduled during the conference.

- Janet Hogan, County Administrative Officer, advised that she will attend the CSAC conference on Wednesday and a committee meeting on the revenue bill with Trinity and Alpine counties and will be back in the office late Thursday morning.

- Supervisor Reilly reported that she attended the job creation fund workshop in Sonora on Monday, and that she will present additional information, along with a report on YARTS efforts at the next meeting.

- Supervisor Parker advised that he and Supervisor Stewart attended a meeting with Merced Irrigation District in Merced relative to power deregulation, and they will review options for the County and bring additional information back to the Board.

INFORMATION - No action was necessary on the following:
Notice of Intent to Advertise for Sealed Bids for Road Division Materials (Public Works)

CONSENT AGENDA

- CA-1 Request by University of California, Riverside re: Microfilm of Gazette Issues (County Clerk); Matter was continued for additional information
- CA-2 Accept Resignation of David Moore from the Airport Advisory Committee (Supervisors Balmain and Stewart)
- CA-3 Accept Resignation of Leroy A. Christman from the Lake Don Pedro Sewer District Ad Hoc Committee (Supervisor Balmain)
- CA-4 Appoint Ruth Middlecamp to Mariposa County Emergency Medical Care Committee (EMCC) as Representative for Yosemite National Park Ranger (Public Health)
- CA-5 Appoint John A. Robbins to Mariposa County Emergency Medical Care Committee (EMCC) as Representative for California Division of Forestry and Fire Protection (Public Health)
- CA-6 Resolution Approving Application for Bureau of Land Management (BLM) Land Acquisition Under the U. S. Recreation and Public Purposes Act for the Eventual Expansion of Catheys Valley County Park, and Authorize Public Works Director to Execute Documents (Public Works); Matter was continued to November 25, 1997

- CA-7 Resolution Authorizing the Public Works Director to Execute a Personal Service Agreement with Fred Youngren for Loading Tires at the Mariposa County Landfill through September 1, 1998, and Authorization to Extend Agreement for One Additional One-Year Period with Increases Tied to the U.S. City Average CPI (Public Works); Res. 97-424
- CA-8 Resolution Authorizing Health Officer to Advertise for a Request for Proposal for Services to Evaluate Health Education Program and Authorization for Health Officer to Enter into Contract with the Lowest Responsible Bidder Not to Exceed \$26,275 (Public Health); Res. 97-425
- CA-9 **HOUSING AUTHORITY OF THE COUNTY OF MARIPOSA**
Resolution Authorizing Chairman's Signature on Amendment to the Certificate Program Annual Contribution Contract with Housing and Urban Development (Housing/Human Services); Hous. Auth. Res. 97-6
- CA-10 Resolution Authorizing the Chairman to Sign a Personal Service Agreement with Kathleen Lozares to Provide Fiscal and Other Support Services for Housing and Community Development Programs (Human Services); Res. 97-444
- CA-11 Resolution Approving Department of Human Services Position Change from Social Services Aide to Social Worker I (Human Services); Res. 97-426
- CA-12 Recommend that the Mariposa County Board of Supervisors Approve and Authorize the Chairman to Sign Letter of Support to Caltrans for the Mariposa County Chamber of Commerce's Annual Holiday Banner Display (Visitors Bureau); Res. 97-445
- CA-13 Resolution Appropriating Unanticipated Revenue from Priority Application Processing for Yosemite View Motels to the Planning Department Budget for Overtime (\$2,000) (4/5ths Vote Required) (Planning and Building); Res. 97-427
- CA-14 Resolution Appointing Clifford Collins and Peggy Walz to Lake Don Pedro Community Services District Board of Directors, Pursuant to Elections Code Section 10515 (County Clerk); Res. 97-428
- CA-15 Resolution Appointing John A. Gaidelis, Jack Hoover, and Robert Swan to the Yosemite Alpine Community Services District Board of Directors, Pursuant to Elections Code Section 10515(b) (County Clerk); Res. 97-429
- CA-16 Resolution Appointing James McGee, Robert W. McKnight, and David Radanovich to Mariposa Public Utility District (MPUD) Board of Directors, Pursuant to Elections Code Section 10515 (County Clerk); Res. 97-430
- CA-17 Resolution Awarding the Contracts for Appraisal Services on Six Parcels Associated with the Airport Improvement Projects to Real Property Analysts of Fresno and Authorizing Public Works Director to Execute the Contracts (Public Works); Res. 97-431
- CA-18 Resolution Authorizing Public Works Director to Execute Individual Program Supplement Agreements to Caltrans' Administering Agency

State Agreement (Master Agreement) No. 10-5940 (Public Works); Res.
97-432

12:00 noon Adjournment in memory of Twyla Fogg, William “Bill” Berry, Janene
McElligott, and Marion Seeley.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA NOVEMBER 25, 1997

| <u>Time</u> | <u>Description</u> |
|------------------|---|
| 9:04 a.m. | Meeting Called to Order Pledge of Allegiance |

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda
- Mike Edwards, Public Works Director, advised of an off-agenda request to authorize a change order for the drilling of the water well at the landfill. He advised of the status of drilling at the current site with insufficient water quantity and the expenditures to date, and of the offer received from the well driller to drill at another site under the same bid price and that he is standing by with his equipment. (M)Reilly, (S)Pickard, Board waived rules requiring 72 hours agenda noticing to consider this matter finding it was not known about at the time the agenda was prepared and it is a matter of timeliness/Ayes: Unanimous. Discussion was held relative to the request and alternatives. (M)Reilly, (S)Parker, Res. 97-446 adopted authorizing a change order as requested for another well to be drilled at the landfill. Motion was amended, agreeable with maker and second, to include direction to staff to discuss with MPUD a long-term solution for providing a reliable source of water to the landfill and the surrounding area; and in the interim, to discuss with the adjacent property owner the possibility of making arrangements to share water/Ayes: Reilly, Stewart, Parker, Pickard; Noes: Balmain.

Approval of Minutes of 11/04/97 and 11/05/97 Regular Meeting
BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)
BOARD ACTION: (M)Parker, (S)Balmain, Consent Agenda was approved/Ayes: Unanimous.

Mickie Romeike, Administrative Court Clerk, appeared on behalf of Judge McMechan, Superior Court;
Resolution Authorizing the Transfer of \$20,000 from the Courthouse Construction Fund and \$15,000 from the Municipal Court Automation Fund to the Court Automation Option 2 Line Item in the Data Processing Budget (4/5ths Vote Required)
BOARD ACTION: Following discussion, (M)Parker, (S)Pickard, Res. 97-447 adopted/Ayes: Unanimous.

Chris Ebie, Assistant Auditor, appeared on behalf of Ken Hawkins, Auditor:
Resolution Establishing Appropriation Limits for the 1996-97 Fiscal Year
BOARD ACTION: (M)Reilly, (S)Balmain, Res. 97-448 adopted/Ayes: Unanimous.

Marita Green, District Attorney/Family Support Division Manager, advised of changes in the support for their automated computer system due to action by the State.

Christine Johnson, District Attorney/Family Support;
Resolution Approving Increase in Estimated Revenue and Appropriations to Reflect Costs of Utilizing Deputy Sheriff's to Perform Investigative Work for the Family Support Division (\$20,000) (4/5ths Vote Required)
BOARD ACTION: Discussion was held with Marita Green, District Attorney/Family Support Division Manager. (M)Pickard, (S)Parker, Res. 97-449 adopted. Supervisor

Reilly requested that results of the program be brought back to the Board at the end of the contract period for this pilot project. Ayes: Unanimous.

Mike Edwards, Public Works Director;

A) Resolution Approving the Transfer of Funds (\$90,000) from Child Support Program Excess Incentive Trust to the Capital Improvement Program Budget for a Building Addition to the Family Support Offices; Direct the Public Works Director to Work with the District Attorney's Office to Issue a Request for Proposals (RFP) for Architectural Design Services, Select an Architect and Negotiate a Contract; and Authorize the Public Works Director to Execute Contract Upon Review by the District Attorney, County Administrative Officer and County Counsel

BOARD ACTION: Discussion was held. Christine Johnson, District Attorney, and Marita Green, District Attorney/Family Support Division Manager, provided input. (M)Balmain, (S)Reilly, Res. 97-450 adopted/Ayes: Unanimous.

10:09 a.m. Recess

10:17 a.m. B) Resolution Authorizing a Land Exchange with Mariposa Masonic Temple Association at the Mariposa Cemetery and Authorizing the Chairman to Execute the Grand Deed

BOARD ACTION: Following discussion with Mike Edwards, (M)Parker, (S)Balmain, Res. 97-451 adopted/Ayes: Unanimous.

C) Resolution Authorizing the Purchase of Six Mid-Size 4X4 Sport Utility Vehicles for the Sheriff's Department Using the Formal Bid Process or a "Tag-On" to Another Agency

BOARD ACTION: Discussion was held with Marty Allan, PWD/Fleet-Fiscal Manager, and he advised that if he could not tag-on to another agency's bid within the next week, he would use the formal bid process. (M)Parker, (S)Pickard, Res. 97-452 adopted authorizing the purchase of mid-size vehicles as requested/Ayes: Unanimous.

D) Resolution Approving Application for Bureau of Land Management (BLM) Land Acquisition Under the U.S. Recreation and Public Purposes Act for the Eventual Expansion of Catheys Valley County Park, and Authorize Public Works Director to Execute Documents (Continued from 11/18/97)

BOARD ACTION: Discussion was held with Mike Edwards, Public Works Director, and Rich Begley/PWD-Deputy Parks and Recreation Director. (M)Balmain, (S)Reilly, Res. 97-453 adopted/Ayes: Unanimous.

10:34 a.m. Ed Johnson, Planning and Building Director;

A) Participation in FEMA Flood Insurance Program

BOARD ACTION: Discussion was held. Supervisor Stewart advised of the results of his research on the availability of insurance coverage. Supervisor Reilly requested that more information be provided relative to the benefits and drawbacks of participation in the program. Board concurred with bringing this matter back for further discussion with additional information for further consideration. Planning staff will coordinate scheduling.

B) Consider Six (6) Month Extension of Personal Service Agreement Between the County Building Department and County Resource Conservation District, for a Term Extending from January 1, 1998 to June 30, 1998, and Compensation of \$4,000.00 to Provide Grading Inspection Services

BOARD ACTION: Following discussion, (M)Parker, (S)Pickard, Res. 97-454 adopted, with clarification in the contract language that it is for a six month period/Ayes: Unanimous.

Ed Johnson, Planning and Building Director; and Steve Hayes, Visitors Bureau Director; County Assistance for Mining and Mineral Museum Relocation

BOARD ACTION: Discussion was held concerning this matter and options, and possible CDBG funding. Ed Johnson advised of notification received from the State that the CDBG grant will be funded which includes funding related to the Mining and Mineral Museum project. Joan Gloor provided input relative to their preliminary proposal to construct a project which will include housing for the Museum and the Visitors Center. Board concurred with staff working on this preliminary proposal and reviewing funding options.

11:45 a.m. Lunch

1:05 p.m. Jeff Green, County Counsel;

A) Resolution Approving Class Specification for the New Position of Information Systems Specialist at a Salary Range of 200 and Amend the Employee Allocation Schedule to Add One Information Systems Specialist Position to Data Processing; and

B) Resolution Approving Revised Class Specification for the Position of Technical Services Director

BOARD ACTION: Following discussion, (M)Reilly, (S)Parker, Res. 97-455 adopted approving class specification and adding position for information systems specialist position; and Res. 97-456 adopted approved revised class specification for technical services director position. Supervisor Stewart requested that future revisions to class specifications reflect the changes being recommended. Supervisor Balmain requested that the dollar amounts for the salary range be included in the future. Ayes: Unanimous.

1:11 p.m. LOCAL TRANSPORTATION COMMISSION

Ed Johnson, Planning and Building Director;

A) Review of Draft Five Year Transit Development Plan Update, Analyzing the County Transit Dial-A-Ride, Meditrans and VIA Yosemite Connection

COMMISSION ACTION: Bonnie Nelson, Nelson/Nygaard Consultants, reviewed their survey results and report. Further discussion was continued until after the following matter.

Jeff Green, County Counsel, introduced his daughter, Janice Dunnam, and his new granddaughter, Riley Dunnam. Chairman Stewart presented Riley with a Courthouse pin.

Further discussion was held relative to the Transit Development Plan Update. Steve Hayes, Visitors Bureau Director, and Curtis Riggs, VIA Yosemite Connection, provided input. Curtis Riggs advised the survey raised a need to identify the different buses so that the public knows which are tour buses and which are transit. Bonnie Nelson corrected the report to reflect that the Amtrak agreement with VIA Yosemite Connection is not a subsidy and that the small buses are wheelchair accessible. Discussion was held relative to transporting employees versus tourists and subsidies; looking at an evening transit component within the town area; and expanding the service to other areas of the County. Bonnie Nelson advised that the draft Plan update will be finalized and brought back for adoption.

2:08 p.m. Recess

2:16 p.m. B) Update on Yosemite Area Regional Transportation Strategy (YARTS) Activities

COMMISSION ACTION: Bonnie Nelson, Nelson/Nygaard Consultants, provided a status report on the YARTS activities -- they have completed the initial planning phase of the study; and she noted that it is important to inter-relate YARTS with the Park and VIP

process. Discussion was held relative to integrating the services and relative to responding to the VIP. Steve Hayes, Visitors Bureau Director, provided input relative to the YARTS process. No action was necessary.

2:53 p.m. CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to Sheriff's Management Association (MSMA), Deputy Sheriff's Association (DSA), Mariposa County Managerial/Confidential Organization (MCMCO), and General Employees (SEIU) (County Counsel)

BOARD ACTION: (M)Balmain, (S)Parker, closed session was held/Ayes: Unanimous.

3:10 p.m. Board reconvened in open session with no action taken as a result of closed session.

CLOSED SESSION to Consider Anticipated Litigation with Significant Exposure to Litigation Pursuant to Subdivision (b) of Government Code Section 54956.9 (County Counsel) (Continued from 11/18/97)

BOARD ACTION: Matter was continued to December 2, 1997.

Review and Approval of 1998/99 Head Start Grant Application (Administration)

BOARD ACTION: Janet Hogan, County Administrative Officer, advised of changes in the grant application as a result of the meeting with the Parent Policy Council.

(M)Balmain, (S)Reilly, Res. 97-457 adopted approving the application as revised and authorizing County Administrative Officer to sign all required documents/Ayes: Reilly, Balmain, Stewart, Pickard; Noes: Parker.

Board Information and Announcements

- Supervisor Balmain commented on Senator Monteith's press release relative to the donation of computers to the School District by the Detweiler Foundation. He also advised that the terms expired for the public members on LAFCO and that he requested that Planning advertise for the positions. Supervisor Parker requested that Board members be advised in advance of advertising in the future of such expirations.

- Supervisor Balmain asked about responding to the Valley Implementation Plan (VIP). Janet Hogan, County Administrative Officer, advised that an extension could be requested, and in the interim a presentation from the Park Service could be scheduled on the Board's agenda. Following that process, the Board could give direction to Planning relative to possibly holding additional meetings and how to get public input. Board concurred with this suggestion and requested that the County Administrative Officer prepare a letter for the Chairman's signature to the Park Service requesting an extension to the response deadline of at least one month. Supervisor Reilly advised that she will follow-up with the Park Service relative to the possibility that they may schedule additional workshops.

- Supervisor Parker advised that he and Supervisor Stewart attended the VIP workshop in Yosemite.

- Supervisor Pickard advised that he completed the third part of the New Supervisors Training Institute, and that he attended the Government Operations and Finance Committee meeting at the CSAC Conference.

- Supervisor Stewart advised that he also attended the CSAC Conference and that he and Supervisor Pickard attended a luncheon with the Governor's staff and Supervisor Pickard reminded them of the tax inequities for counties without cities.

CONSENT AGENDA

CA-1 Waive Second Reading and Adopt Ordinance Amending Chapter 13.02 of County Code, Entitled "Water Regulations"(Public Works); Ord. 929

3:54 p.m. Adjournment in memory of Jeanie Dupczyk, Lillian Violet Lawrence, Lillian Fagan, and Alice Johnson.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA DECEMBER 2, 1997

| <u>Time</u> | <u>Description</u> |
|------------------|---|
| 9:09 a.m. | Meeting Called to Order Pledge of Allegiance |

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda
- Bob Hand, Executive Director for Heartland Opportunity Center, advised of their programs and the programs in Mariposa County -- they provide services for adults with developmental disabilities.

9:15 a.m. Public Hearing to Consider Purchase of Real Property (A.P.N. 01-260-15) from Timothy and Bette Erickson for the Expansion of the Lake Don Pedro Sewer District Facilities was opened and continued to after the following items.

Janet Hogan, County Administrative Officer, advised of an off-agenda request relative to President Clinton's declaration of December 26, 1997, as a federal holiday. She further advised that MOU's with the employee associations, with the exception of the Deputy Sheriff's Association, call for recognition of holidays declared by the President, and she recommended that the Board include all employees for this holiday. (M)Pickard, (S)Reilly, Board waived rules requiring 72 hours agenda noticing finding this matter was not known about at the time the agenda was prepared and it is a matter of timeliness and affects County work hours later this month/Ayes: Unanimous. Following discussion, (M)Pickard, (S)Reilly, Res. 97-458 adopted approving December 26, 1997, as a holiday for all County employees/Ayes: Unanimous.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Supervisor Balmain pulled item 2 - action was taken later this date. (M)Pickard, (S)Parker, balance of items were approved/Ayes: Unanimous.

Approval of Minutes of 11/18/97 Regular Meeting

BOARD ACTION: Approved.

9:23 a.m. PUBLIC HEARING to Consider Purchase of Real Property (A.P.N. 01-260-15) from Timothy and Bette Erickson for the Expansion of the Lake Don Pedro Sewer District Facilities

BOARD ACTION: Jeff Green, County Counsel, presented staff report and advised that all conditions have been met for the purchase. Staff responded to questions from the Board relative to the conditions of purchase. Public portion of the hearing was opened. There was no public input. Public portion of the hearing was closed and Board commenced with deliberations. Jeff Green, and Mike Edwards, Public Works Director, responded to question from the Board relative to the LAFCO process, and results of survey work and testing on the site. (M)Balmain, (S)Parker, Res. 97-461 adopted authorizing the purchase of said property from the Ericksons; authorizing Chairman to sign escrow documents; and requesting the Auditor to draw a warrant for said purchase/Ayes: Unanimous. Hearing was closed.

Mike Edwards, Public Works Director;

A) Resolution Approving Application for Environmental Enhancement & Mitigation Program Funds and Authorizing Public Works Director to Execute Application & Assurances for Improvements to the Mariposa Park; and

B) Resolution Approving Application for Environmental Enhancement & Mitigation Program Funds & Authorizing Public Works Director to Execute Application & Assurances for Mariposa Tree Planting Project

BOARD ACTION: Following discussion, (M)Parker, (S)Pickard, Res. 97-462 adopted for Mariposa Park project; and Res. 97-463 for Mariposa tree planting project/Ayes: Unanimous.

C) Information Regarding Construction Progress for the County Government Center
BOARD ACTION: Dave Tucker, PWD-Civil Engineer, provided status report.

9:41 a.m. LOCAL TRANSPORTATION COMMISSION

Mike Edwards, Public Works Director;

Resolution Authorizing Chair to Sign Letter to the California Transportation Commission Regarding Interim Guidelines for State Transportation Improvement Program Funding for Regional Transportation Projects; and Update on Senate Bill 45

COMMISSION ACTION: Mike Edwards introduced Phil Jones, Chief of Transportation Planning for CalTrans. Discussion was held relative to the draft letter and SB 45 and other issues, including the regional system and YARTS. Mike Edwards requested that consideration be given to having a Board member attend and testify at the next California Transportation Commission (CTC) meeting on December 9th in Sacramento relative to SB 45. (M)Parker, (S)Stewart, LTC Res. 97-17 adopted authorizing Chair to sign letter; and direction was given for the Chair or Vice-Chair, or alternate if necessary, to attend the CTC meeting and for staff to assist in providing the necessary information for testimony/Ayes: Unanimous.

Commissioner Parker initiated discussion relative to the assignment of transportation issues to two departments and requested that the County Administrative Officer review this situation and make recommendation on whether the function should be consolidated under one department. Commissioner Reilly requested that information on the advantages and disadvantages be provided relative to consolidation. Commission concurred with request.

10:17 a.m. Board reconvened and recessed.

10:29 a.m. Dave Lopic, Kiwanis President, invited the Board members and the public to the annual Holiday Tree Lighting Ceremony.

Discussion and Possible Action Regarding Donating a Culvert for Valley View Drive, a Public Interest Road (Supervisor Parker)

BOARD ACTION: Supervisor Parker initiated discussion concerning the request he received for the donation of used culvert that is planned to be included in an upcoming auction of surplus property as a public interest in this case. Mike Edwards, Public Works Director, provided input relative to the estimated value of the used culvert and advised that the Department is in the process of replacing the culverts with a larger size. (M)Pickard, (S)Balmain, Res. 97-464 adopted authorizing the sale of a used culvert, as surplus material, to the Road Maintenance Association for Valley View Drive, or designee, in the amount of \$20.00/Ayes: Unanimous.

10:45 a.m. Don Z. Phillips, County Clerk;

Request to Purchase Elections System Software in the Amount of \$20,000; \$10,000 from State of California Plus \$10,000 from 1997-98 Elections Budget and Approve Budget Change (4/5ths Vote Required)

BOARD ACTION: Following discussion, (M)Balmain, (S)Parker, Res. 97-465 adopted authorizing purchase and approving budget change/Ayes: Unanimous.

Tom Archer, Human Services Director;

Resolution Approving Mariposa County CalWORKs Welfare Reform Plan

BOARD ACTION: Tom Archer commended Debbie Smith and Nancy Bell of his staff for their efforts with this Plan. He reviewed the options and recommendations to implement the Plan for Mariposa County. He further advised that they are in their second day of not providing food stamp benefits to able-bodied adults without dependents. (M)Reilly, (S)Parker, Res. 97-466 adopted/Ayes: Unanimous. Tom Archer advised that in order to implement the CalWORKs program, he will be requesting additional positions, at no cost to the County, for fraud investigation, support staff and employee service work. They will also implement the finger-imaging system.

Ed Johnson, Planning and Building Director;

Discussion and Direction to Staff on CALED Recommendations on Economic Development to:

- 1) Adopt a Policy Resolution; and
- 2) Have an Outside Consultant Prepare an Economic Development Strategy

BOARD ACTION: Discussion was held with Ed Johnson relative to the recommendations by CALED on economic development and the County's role. Dave Lopic, business owner in town and member of the Executive Board of the Chamber of Commerce and the Economic Development Committee, provided input, thanking the Board for its leadership in these matters; and he advised that the Chamber is willing to provide office space and secretarial support if the Board determines to hire a consultant to make this a public-private partnership. Following further discussion, it was determined that the majority of the Board is comfortable with existing activities and with not developing a policy at this time; and as future opportunities arise, they could be brought to the Board's attention, with no action to be taken at this time. Supervisor Parker noted that he would like to see the zoning issues resolved as soon as possible.

Consider and Appoint a Contact Person for Use by the Energy Commission and Regional Council of Rural Counties (Chairman Stewart)

BOARD ACTION: Following discussion, (M)Pickard, (S)Balmain, Supervisors Stewart and Parker were selected to be the contact persons/Ayes: Unanimous.

Authorize Board Chairman to Sign a Letter to the California Public Utilities Commission in Support of Retaining Area Code 209 in the Northern San Joaquin Valley (Administration)

BOARD ACTION: (M)Parker, (S)Pickard, Board approved sending a letter with direction for the letter to be concise/Ayes: Unanimous.

Consent Agenda item 2 - Following discussion, (M)Reilly, (S)Parker, item 2 was approved/Ayes: Reilly, Stewart, Parker, Pickard; Noes: Balmain.

12:37 p.m. Recess

12:47 p.m. CLOSED SESSION to Consider Anticipated Litigation with Significant Exposure to Litigation Pursuant to Subdivision (b) of Government Code Section 54956.9 (County Counsel) (Continued from 11/25/97)

BOARD ACTION: (M)Reilly, (S)Parker, closed session was held/Ayes: Unanimous.

1:09 p.m. Board reconvened in open session with direction given to staff as a result of closed session.

CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to Sheriff's Management Association (MSMA), Deputy Sheriff's Association (DSA),

Mariposa County Managerial/Confidential Organization (MCMCO), and General Employees (SEIU) (County Counsel)
BOARD ACTION: Janet Hogan, County Administrative Officer, advised that closed session for this matter was not necessary.

Board Information and Announcements
- None

INFORMATION - No action was necessary on the following:

- A) Notification of Automatic Contract Renewal with Wagerman Associates, Inc. (Administration)
- B) Board Hearing Schedule (Clerk of the Board)

CONSENT AGENDA

- CA-1 **MARIPOSA COUNTY WATER AGENCY**
Appoint Harter Bruch to the County Water Agency Advisory Board (Supervisor Balmain)
- CA-2 Authorize Chairman to Execute the Family Law Facilitator Agreement with Steve Dahlem (County Counsel); Res. 97-467
- CA-3 Resolution Rescinding and Incorporating Previous Resolutions and Modifying the Establishment and Operation of the Fish Camp Community Planning Advisory Committee/Council (Supervisor Pickard); Res. 97-459
- CA-4 Resolution Authorizing the Chair to Sign a Contract Amendment Between the State Department of Housing and Community Development and the County of Mariposa Extending the Contract Expiration Date to Expire on March 31, 1998 (Human Services); Res. 97-460
- CA-5 **HOUSING AUTHORITY OF THE COUNTY OF MARIPOSA**
Resolution Authorizing the Director of Human Services to Execute Professional Services Agreement (#97C-9101) with Amador Tuolumne Community Action Agency (\$3,716.00) (Housing); HA 97-7
- CA-6 **HOUSING AUTHORITY OF THE COUNTY OF MARIPOSA**
Resolution Authorizing the Director of Human Services to Execute Professional Services Agreement (Amendment #1 to Contract 97B-9000) with Amador Tuolumne Community Action Agency (\$5,567.00) (Housing); HA 97-8

1:10 p.m. Board recessed and continued the meeting to Wednesday, December 3, 1997, at the Best Western Conference Room for the continued Public Hearing on the Industrial/Commercial Zoning Text Amendments.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA

December 3, 1997 (Continued Meeting from 12/2/97)

9:11 a.m. Board convened in continued meeting from December 2, 1997, at the Best Western Conference Room.

Continued PUBLIC HEARING on the Industrial/Commercial Zoning Text Amendments

BOARD ACTION: Ed Johnson, Planning Director, and Jay Pawlek, Associate Planner, were present to provide staff report and respond to questions. Chairman called for general comments from the public and the following persons spoke:

Don Robinson, Snelling, stated he is concerned with water and air quality issues. He noted that one hundred years ago, people would not worry about projects in a neighboring county; now we are concerned about air pollution and the destruction of good land in the state, etc. He stated his family has ranched on the Merced River since 1914 and read his letter into the record expressing concern with environmental impacts, and he noted the Traffic Model Study and the impacts on potential County build-out. He further stated he feels a full environmental impact report (EIR) should be prepared for these proposed changes.

Bart Brown commented on the EIR prepared for the UC Merced campus and water and air quality impacts on build-out for the project -- he noted that the report stated that there will be air pollution that will be unmitigable despite measures required for the project. He further noted that there will be impacts from solid waste and waste treatment facilities for the campus; that law enforcement will be provided on the campus, but it is up to the local jurisdiction to cover the impacts off of the campus; and that the population is projected to greatly increase in Merced County. With the UC Merced project, he feels there will be a significant impact on surrounding communities, and fire protection, law enforcement, water, schools, etc., will be the responsibility of the jurisdiction where the population resides. He stated he feels that all of these cumulative factors should be addressed with these zoning text amendments. He responded to Supervisor Stewart's question relative to review of the rough planning for development of the UC campus property.

Robert Schmelzer expressed concern with the seven applications submitted during the open window period process for industrial development and with the possibility of opening up the town planning areas for development -- he feels the total impacts could be tremendous.

Steve Fortner, Catheys Valley, stated he feels we need to get back to the General Plan and plan for the impacts of changes with Yosemite and with the new UC campus, accordingly. He stated he feels the County could be more aggressive with locating funding. He also stated he feels that someone from the County should be monitoring the UC planning and development process. He also stated he felt the federal government should be of more assistance to local jurisdictions, and not drawing the line at the Park boundary for mitigation measures. He stated he liked the Sierra Business Council presentation and agreed with their conclusion. He further

suggested that consideration be given to following the “Swiss” model of clusters with good economic base.

Jan Mennig, Chamber of Commerce President, noted that all of the opinions expressed concern with the quality of life in the County and with environmental issues. He stated he feels there will be pressures from the UC campus and the Park and gateway community concept, and there will need to be support for public safety and ancillary services for supporting a tourist population. He thanked the Board for taking a leadership role and using citizens and staff to reach this point in the planning process. He stated he feels the document attempts to recognize the quality of the County and commended Planning staff for their efforts in this matter. He further stated that he felt we needed to get this process completed to continue with business.

Tom Archibald, resident, stated he feels there is no economic base in the County -- development is only based on community demand. On an average, only one out of nineteen children can stay in our community because of the number of jobs that are available. He stated that he feels “controlled growth” is a must; and he feels that with defined zoning standards, that can be accomplished. He thanked the Board for going through this process.

Art Baggett noted his involvement in civic and community activities over the years and his work to create protection for the lower portion of the Merced River. He stated he does not feel that this process gets us to where we need to be and suggested that perhaps a programmed EIR like that used for the Mariposa Town Planning Area (TPA) should be done countywide, regardless of the cost. He stated he feels this process is an employment act for engineers and attorneys. He noted the upfront costs required under current processing and the risks involved -- most people cannot afford to do a project. It is the economy of scale that bothers him with this process. In order to have the smaller, home-based type businesses, there needs to be a process that allows for that without a lot of upfront costs. He noted that TPAs have been where the emphasis is for development, but it takes more than just the Mariposa TPA to support development -- other TPAs will need to be looked at so that development is not spread throughout the County. He felt development within the TPAs should be encouraged in the planning process.

Shirley Schmelzer stated that she feels that if this plan is adopted, that decisions will mostly be made by planners and the public will be shut out of the process in the future. She feels zoning should be based on a good General Plan and ours is out-of-date, and we have grown a lot in the last twenty years since our Plan was adopted. She further stated that she felt input should be taken countywide to update the General Plan, and then go through the zoning process with public involvement.

Candy O’donel-Browne stated what has been here is typical of Mariposa -- to do or not to do. She stated she feel the excellence for this is in the on-going growing type of thing. She stated this should be passed, but not be the end of it -- until it is passed, feedback from the people will not be received.

Robert Schmelzer stated he feels a lot of the plan is good, but he feels there are serious weaknesses and those will need to be addressed. He feels that CEQA requires an EIR for General Plan changes. He further stated that he feels this document needs more work.

Steve Fortner suggested the different elements be segregated out and perhaps the process would go smoother. He further suggested that the issues where consensus is not reached be continued and dealt with at a later time.

Marylou Tiner stated she would like the Board to look at CEQA requirements -- she does not feel they are being followed correctly. She expressed concern with the proposed appeal process and stated that she feels too much authority is being placed in the hands of Planning staff. She advised of her research with Sierra County and their review and public hearing processes versus what is being proposed for Mariposa County. She wants the public to stay involved. She stated she does not want to take the County to court -- she further stated that she is part of a group that will take the County to court if this is passed without what they feel has been the appropriate CEQA process. She responded to questions from the Board relative to what she would want in a hearing process if there was more of a land use decision process upfront and as to why she chose Sierra County to survey and those results.

9:56 a.m. Recess

10:09 a.m. Ed Johnson provided input relative to the hearing process and requested direction on whether to review each section. General discussion was held relative to this process and what the intended results are for standards and zoning for the County. Staff responded to questions from the Board relative to the process and timeframes and expense for identifying permitted uses on existing commercial and industrial zones; and relative to the status of the open window period applications.

11:10 a.m. Recess

11:37 a.m. Ed Johnson summarized and responded to the comments received from the public. He advised that this is not a policy document, it is a procedures document -- it is a "rules of the road" that states who decides procedures and uses in what zones. This document does not change the policy of the General Plan, it is not a rezoning -- it only changes some of the zoning names. He further advised that this document does not result in any development or construction. He reviewed a chart relative to types of uses and the review process for each zone. He suggested that the Board begin with review of each zone this afternoon and determine which process is appropriate -- Board concurred.

11:48 a.m. Lunch

2:06 p.m. Ed Johnson presented staff report for the Neighborhood Commercial (CN) zone, allowed uses (retail and office type uses) and reviewing authority. Staff responded to questions from the Board relative to the recommended occupancy load of thirty and consideration of a occupancy load of sixty; and relative to restrictions for on-site sales of miscellaneous indoor handicrafts. Board concurred with deletion of the restriction for on-site sales of the handicrafts. Staff responded to questions from the Board relative to section 17.110.120 for tree preservation and consideration of allowing for replacement off-site. Board concurred with allowing a plan by a registered forester to supersede these standards to allow for flexibility -- Planning staff to work on specific language and bring it back for review by the Board. Further consideration was given to the occupancy load issue. Board concurred with giving a separate category to cafes and restaurants with a higher threshold.

Public input on this section was provided by the following:

Sara Parrish, with regards to the tree preservation issue, urged staff to review the ordinances for Woodside, California; suggested that consideration be given to allowing the removal of up to a specific number, such as four trees, without replacement; and suggested that consideration be given to looking at options for replacement with other types of trees, and the use of registered landscape architect plans.

Steve Fortner stated he felt there should be an awareness of non-conforming uses and we should work toward making it easy for small family businesses and more difficult for big development. He asked how the County will deal with the Park moving its development to the County.

Bart Brown asked how the occupancy load is determined.

Shirley Schmelzer asked about the determination for occupancy load if someone builds a restaurant with the kitchen the same size as the seating area.

Tom Archibald advised that he likes the suggestion that if an applicant is not happy with the recommendations of Planning staff for tree preservation, that they have the option of hiring a landscape architect to do a plan.

Ed Johnson presented staff report and advised that the Neighborhood Commercial (CN) zones 1 and 2 were blended into one CN zone. He also advised that the Commercial-Industrial-Manufacturing (CIM) Plan was replaced by the conditional use permit process and the General Commercial (CG) zones 1 and 2 were blended into one CG zone. Staff responded to questions from the Board relative to the minimum parcel size for creating a CG zone; allowance of 1,000 square feet for junk yard storage at a residence; restriction of retail sales to 1,000 square feet and whether that is sufficient for a lumber yard operation; requirement for a master plan if the parcel is subdivided; pet shop uses; and the occupancy load standards. It was noted that the CN zone is for local uses and the CG zone is for regional uses. Supervisor Parker recommended that the Planning Director continue to make certain determinations; however, that the Planning Commission ratify those decisions. Jeff Green, County Counsel, requested that hazardous materials and toxic substances and lodging and meeting halls be defined in the ordinance. Board concurred with further considering the occupancy load and square footage allowance later in the hearing process.

Public input on this section was provided by the following:

Tom Archibald stated he feels CG is thought to be a higher density than CN. He stated that he feels the requirement to have twenty acres is too high -- it would require such a large amount of development.

Steve Fortner commented on uses in TPAs and noted that the twenty acres would allow for development outside of TPAs, and he feels we need to have a balance.

Ruth Sellers stated she agrees with the twenty acre minimum as she understands it. She feels that this will concentrate commercial activity in one area and not spread it throughout the County. She asked if a residence will be allowed in a commercial area.

Bart Brown suggested the issue of a lumber yard be addressed separately versus expanding all outdoor uses to 4,000 square feet. He stated he felt we need to keep in mind that a use permit determination will be made without a public hearing for these uses and the uses could be intensive.

Shirley Schmelzer stated she felt that what is good for the County should be considered and not just the costs when looking at uses.

Larry Mack, with regards to the storage and handling of explosives, stated he feels it is important to know how much is being stored and that setbacks should be addressed. Supervisor Parker suggested that this could be included with the definition for hazardous materials requested by County Counsel.

Staff responded to questions from the Board relative to process for addressing cumulative impacts for development of various uses on a twenty acre parcel; and relative to the approval process for hotels and motels.

Tom Archibald asked if he wanted to build a shop and went to a friend with twenty acres and purchased one acre for his shop, if that would be permitted. He expressed further concern that a twenty acre minimum is too high and that he does not feel a master plan purchase is practical. He feels a project of 320,000 square feet would be required to make a development pencil for twenty acres.

Ed Johnson noted that the requirement is for twenty acres to be zoned CG -- it does not need to be one parcel.

Ruth Sellers asked if the twenty acres could be zoned CG regardless of the number of owners.

Staff responded to additional question from the Board relative to addressing cumulative impacts for development in the twenty acre zone with multiple owners.

Shirley Schmelzer asked at what point an applicant is required to widen a road for development in this zone.

Supervisor Balmain requested that staff review the twenty acre minimum issue and give consideration to one acre minimums.

Sara Parrish asked if there would be a time when the determination would be made that one acre is not sufficient and a different designation such as two or five acres would be recommended.

4:23 p.m. Recess

4:37 p.m. Discussion was held relative to the hearing schedule. Board concurred with finishing this item and recessing for the day.

Further discussion was held relative to the twenty acre minimum parcel size and the master plan/subdivision processes. Planning staff will review this issue for other alternatives. Board concurred with a 60 occupancy load and 2,000 square foot for cafes and restaurants. Discussion was held relative to square footage needs for outdoor sales and lumber yards. Board concurred with further considering the occupancy load of 60 and square footage of 4,000 for outdoor use areas later in the hearing process.

Supervisor Parker requested that further consideration be given in the hearing process to having the Planning Director's actions ratified by the Planning Commission.

5:09 p.m. Board recessed and continued the public hearing and the meeting to December 4, 1998, at 9:00 a.m. at the Best Western Conference Room.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA

December 4, 1997 (Continued Meeting from 12/3/97)

9:16 a.m. Board convened in continued meeting from December 3, 1997, at the Best Western Conference Room.

Continued PUBLIC HEARING on the Industrial/Commercial Zoning Text Amendments

BOARD ACTION: Ed Johnson, Planning Director, and Jay Pawlek, Associate Planner, were present to provide staff report and respond to questions. Discussion was held relative to the hearing schedule for the day. Supervisor Pickard requested that Planning staff review the process again -- what the result of these text amendments will mean for the County and relative to zoning and the ability for future adoption of zones.

9:24 a.m. Recess

9:39 a.m. Ed Johnson responded to request for clarification of the process and how this process fits together with other documents. The policy for the County is the General Plan land use element; procedures are the standards and procedures for implementation -- the zone code which is what is being considered during this hearing process; the procedures are applied to the overall land use plan (the zoning map); and implementation is accomplished by individual applications for changes (such as the open window period applications). Ed Johnson reviewed the proceedings from December 3, 1997, and the process from this point. Jeff Green, County Counsel, noted that in addition to the public review of the changes made by the Board, there will need to be additional environmental review and the public will have an opportunity to comment on that review. Further consideration was given to the twenty acre minimum parcel size for the General Commercial (CG) zone and development by more than one individual and how that process would work, as well as allowance for residences and the minimum parcel size. Staff advised that the issue relative to residences is also applicable to the Neighborhood Commercial (CN) zone, and density should be addressed. Board concurred with further considering the residential use later in the hearing process.

Chairman called for general comments from the public and the following persons spoke:

Bart Brown commented on setbacks for a minimum parcel size and stated he felt that without restriction on the amount of housing, uses could be mixed in the County and leave the potential for conflicts with surrounding properties.

Tom Archibald stated he felt that consideration needed to be given as to what a CG zone is for, and he feels that twenty acres with one residence is not viable. He feels the size of the parcels should depend on the availability of water and sewer -- if the project is close to town, perhaps smaller parcels could be considered. He stated he feels the other issue is intensity of use

--- if development moves away from infrastructure, the intensity should go down and the parcel size should increase.

Steve Fortner stated he felt uses should be kept compatible with the residences; but if the residents already live there with the use, it would be okay. He further stated he felt that only legally existing parcels should be able to be joined and not substandard parcels.

Ruth Sellers stated that during the open window period application process, the Board requested twenty acre minimums and she feels this should be the same. She further stated that she feels the County should prevent small parcels that are scattered from being developed into commercial use -- it would not be fair to the neighboring residences.

Shirley Schmelzer noted that if there were four or five parcels along a highway that became zoned CG, you could have strip development and that would affect neighboring residences.

Robert Schmelzer noted that he felt this whole process started for businesses who were not interested in locating in TPAs or were not suitable for TPAs. With this type of development, another TPA could be created. If residences exist on a parcel, they could be converted to business use. He stated he feels one acre will generally be too small for development.

10:58 a.m. Recess

11:17 a.m. Chairman advised of receipt of a letter from Donald Robinson relative to water quality and it was entered into the record.

Further discussion was held relative to the twenty acre minimum parcel size and allowing traditional types of uses such as churches on smaller parcels. Board concurred with proceeding with the review of each of the other zones and then re-reviewing each of the zones with regards to this issue.

11:42 a.m. Lunch

1:15 p.m. Ed Johnson provided additional input relative to the environmental review process for this document and the changes and advised that some changes may require a lot of review and in some cases, perhaps an environmental impact report (EIR). These decisions could be made when the document is being finalized or as changes are being made. Board concurred with the decisions being made at the end of the process. Ed Johnson further advised that any additional environmental work will delay the adoption of these amendments and the open window period applications.

Ed Johnson presented staff report for Resort Commercial (CR) zone. Staff responded to questions relative to parcel size requirements; use permit determination process; definition of "additional development standards;" whether there are any assurances for a purchaser that they can develop when purchasing a parcel; processing of zoning changes; the Commercial-Industrial-Manufacturing (CIM) Plan process with adoption of this zone; ability to have pistol, rifle and skeet clubs on a two and one-half acre parcel and whether that parcel size is sufficient for these types of uses and other types of uses; residential use in this zone; whether this process is developer friendly; and relative to allowing for employee housing. Board concurred with further

considering the employee housing issue later in the hearing process. Further discussion was held relative to the various types of uses -- rifle range, RV park, cocktail lounge, and campgrounds with regards to parcel size and the process for permitting such uses. Ed Johnson advised that this zone is where Art Baggett requested that permitted uses be allowed without review. Board concurred with further reviewing the parcel size issue for entertainment/visitor services uses and the process for permitting the uses.

Input from the public was provided by the following:

Steve Fortner stated the allowance of uses are duplicated in the various zones. He feels a rifle range should be deleted; and that "indoor" should be added to archery, rifle and skeet clubs. He asked if the existing nine parcels in this zone will create activity when this proposal is passed. He also noted that you can go to 9,000 square feet with water and sewer versus two and one-half acres.

Bart Brown asked if there is a limit to hotel sizes. He stated he feels there should be a public hearing process and that the appeal process is more restrictive than for other areas -- he feels you will need to hire an attorney to have an appeal.

2:06 p.m. Recess

2:20 p.m. Ed Johnson provided staff report for the Town Planning Area (TPA) 1 zone and advised that this designation is for areas without a specific plan. He further advised that the Specific Plans for Catheys Valley and Bootjack are at the Planning Commission review stage. To rezone a parcel to TPA 2 will require going through a zone change. Jay Pawlek noted that all existing TPAs become zoned TPA 1. Staff responded to questions from the Board relative to the development standards for this zone; the Planning Commission's authority to waive or modify the standards versus authority at the staff level; use of the standards for the Mariposa TPA as a model and whether specific plans supersede these standards; changes in the process with adoption of this zone from what currently exists; whether this affects TPA plans that are being developed; whether the TPA designation would be initiated by the Board; and relative to the intent of the TPA zone.

Ed Johnson provided staff report for TPA 2 zone and advised that this zone will allow new uses and change the approval authority. Staff responded to questions from the Board relative to whether this zone would override or be compatible with the specific plans; the differences between this zone and the TPA 1; permitting process for the uses that are allowed; and process for re-zoning to a TPA 2.

Public input was provided by the following:

Bart Brown asked whether there is zoning for commercial uses in TPAs and noted that in a TPA as they exist now, you have rural residential as an allowed use. He also asked whether resort commercial zoning would be allowed on any property in a TPA. Staff advised that the reviewing authority for the various zones would also apply to those zones within a TPA.

Steve Fortner stated he does not feel that the TPA changes anything from a developer's point of view; and he asked whether a privately financed specific plan has ever been submitted and whether the Board would accept one. He further stated he felt that outright permitted uses should be identified in a specific plan.

Staff responded to questions from the Board as to whether the TPA 2 process would be more attractive than a conditional use permit; relative to the existing permitted uses in the TPA 1; opportunity for a TPA such as Bootjack to go to TPA 2 and have a use that is not permitted; and the zone change process within a TPA. Board concurred with further reviewing the TPA 2 zone later in the process.

Ed Johnson advised that the Business Park (BP) zone replaces the Light Manufacturing zone, and presented staff report. Staff responded to questions from the Board as to whether these businesses are conducted primarily indoors; relative to definition of “campus like setting;” whether something like the new shop building at Public Works would fit in this zone; relative to occupancy load of 60 versus 30; and relative to increase from 1,000 to 4,000 square footage for outdoor storage.

Public input was provided by the following:

Robert Schmelzer cited the Silicon Valley development and stated he felt that 4,000 square footage outdoor use is not appropriate. He stated he felt that this use could almost go in a residential area. He stated he felt that outdoor uses would be more appropriate in Special Use (SU) zones.

Steve Fortner stated he feels this is an improvement from the previous zone, and asked if there is a similar use determination process.

Bart Brown asked what could be stored and risks that could be produced. He suggested an amendment to the storage section for acutely hazardous materials as defined in the California Health and Safety Code. He also asked about the occupancy load and what the build-out could be with no minimum parcel size. Ed Johnson responded relative to the parcel size issue and the occupancy load -- it would depend on the processing for a twenty acre parcel or for portions of the parcel and the environmental review process.

Ed Johnson presented staff report for the Special Use (SU) zone. Staff responded to questions from the Board relative to the processing for a zone change to SU with and without a specific project, and relative to the process for the open window period applicants; and whether an existing permitted use and existing non-conformed uses would require additional environmental processing to be zoned in SU.

Public input was provided by the following:

Karl Baumann, Catheys Valley, stated he has reviewed the document and does not agree with everything, but he feels it is a masterpiece. He thanked Bart Brown and others who have provided input for being a “policing agent” in this process and stated he appreciates the Board’s work on this document.

Jan Hamilton thanked everyone for their efforts and noted that this is quite a document. She further noted that the Planning Commission and Board has spent a great deal of time on this matter, and added her thanks to the citizens who have been a part of the process. She also stated that she felt the comments from the CALED group were interesting.

Ruth Sellers asked if special uses would be concentrated in one area and whether that would be good.

Ed Johnson advised that in the next session, the Board will be reviewing the development standards and findings.

4:03 p.m. Public hearing was continued to January 14, 1998, at 9:00 a.m. at the Best Western Conference Room, with direction given to staff to bring back information and recommendations on the issues raised thus far.

4:04 p.m. Adjournment

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA DECEMBER 9, 1997

Time Description

9:04 a.m. Meeting Called to Order, with Supervisor Reilly excused to attend and testify on behalf of the County at the California Transportation Commission meeting.

Pledge of Allegiance

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda - none.

Approval of Minutes of 11/25/97 Regular Meeting

BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: (M)Parker, (S)Balmain, all items were approved/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

9:07 a.m. Recess

9:09 a.m. Jeff Green, County Counsel;

Resolution Approving the New Class Specification for the Position of Advocate at a Salary Range of 100 (\$1,556 - \$1,891 Per Month), Deleting the Existing Extra-Help Specialized Class Specification of Victim/Witness Advocate, and Transferring Extra-Help Currently Working Under an Extra-Help Agreement as a Victim/Witness Advocate to the New Class Designation of Advocate at Step 1 of that Salary Range

BOARD ACTION: Following discussion, (M)Parker, (S)Pickard, Res. 97-471 adopted/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Steve Hayes, Visitors Bureau Director, noted the possibility of coordinating upcoming workshops on the Valley Implementation Plan for Yosemite -- he will work with the County Administrative Officer and the Board committee on this matter.

CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to Sheriff's Management Association (MSMA), Deputy Sheriff's Association (DSA), Mariposa County Managerial/Confidential Organization (MCMCO), and General Employees (SEIU) (County Counsel)

BOARD ACTION: Janet Hogan, County Administrative Officer, noted that closed session was not necessary this date.

Board Information and Announcements

- Supervisor Pickard advised of three meetings he attended in Sacramento on Monday with representatives of the League of Cities and staff for the legislature and Regional Council of Rural Counties and Wagerman and Associates relative to proposed legislation for city/county tax inequities.

- Janet Hogan, County Administrative Officer, advised that she attended a meeting in Fresno on Monday with the Auditor and Assistant Auditor and Administrative Court Clerk relative to the Lockyer-Isenberg Trial Court Funding Act of 1997, and she will schedule discussion on the next agenda for consideration of actions that are required prior to January 1, 1998, to implement changes as a result of this Act.

- Supervisor Stewart advised of a meeting he and Supervisor Parker attended for a presentation on energy deregulation, and advised that they will try to schedule a workshop on a future Board's agenda.

CONSENT AGENDA

- CA-1 Resolution Authorizing the Mental Health Director to Submit a Grant Application to the California Department of Mental Health for the Funding of a Children's System of Care in Mariposa County (Human Services); Res. 97-468
- CA-2 Resolution Authorizing the Kiwanis Club of Mariposa to Use the Courthouse Lawn for the Annual Christmas Tree Lighting on Saturday, December 13, 1997 (Supervisor Parker); Res. 97-469
- CA-3 Accept Resignation of Renea Kennec from Midpines Community Advisory Committee (Supervisor Reilly)
- CA-4 Resolution Authorizing the Visitors Bureau Director to Sign a Contract with the California State Mining and Mineral Museum Association for a Maximum of \$25,000 to Provide Lease or Rent Payments for the California State Mining and Mineral Museum (Visitors Bureau); Res. 97-470

9:21 a.m. ADJOURNMENT

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA DECEMBER 16, 1997

| <u>Time</u> | <u>Description</u> |
|------------------|---|
| 9:07 a.m. | Meeting Called to Order Pledge of Allegiance |

Resolution and Tile Plaque Recognizing Sue Mejica Upon Her Retirement from the Mariposa County Department of Public Works (Public Works)

BOARD ACTION: (M)Parker, (S)Reilly, Res. 97-472 adopted and presented, along with the tile plaque, to Sue Mejica/Ayes: Unanimous.

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda

- Mike Edwards, Public Works Director, advised of off-agenda request to send a letter to CalTrans and the California Transportation Commission (CTC) relative to implementation of SB 45 and the designation of the High Emphasis Interregional Route Plan, and requesting that Highways 41 and 140 be included in the Plan. (M)Reilly, (S)Pickard, Board waived rules requiring 72 hours agenda noticing finding this matter was not known at the time the agenda was prepared and it is a matter of timeliness as the CTC has a meeting scheduled to act on this matter in the near future/Ayes: Unanimous. Gwen Foster/PWD-Civil Engineer, provided input. Supervisor Balmain asked about consideration of requesting that Highway 132 be designated for inclusion in the interregional system. (M)Parker, (S)Pickard, letters were approved to be sent as requested/Ayes: Unanimous.

- Mike Edwards advised that the California Transportation Commission voted last week to fund the Mariposa Creek Parkway project between 5th and 8th Streets, and he further advised that about \$19,000 of the \$25,000 County match is in the budget. Gwen Foster, PWD-Civil Engineer, provided input relative to the timeframes for the project. Mike Edwards advised that funding was lost for the El Portal foot bridge project.

- Supervisor Balmain advised of conflicting schedules for January 14 1998, with the scheduling of the continued Public Hearing for the Industrial/Commercial Zoning Text Amendments and the Committee's visit to co-composting facilities out-of-state, which will include two Board members. (M)Pickard, (S)Balmain, Board waived rules requiring 72 hours agenda noticing to consider this matter, finding it was not known about at the time the agenda was prepared as it is a matter of timeliness to coordinate scheduling of these activities/Ayes: Unanimous. Mike Edwards, Public Works Director, advised that the airline tickets for visits to the co-composting facilities were purchased in advance to obtain a better rate. Supervisor Reilly advised of coordinating the scheduling of workshops on the VIP. Following discussion, (M)Balmain, (S)Pickard, Board abandoned the January 14, 1998, date set for the continued Public Hearing for the Industrial/Commercial Zoning Text Amendments and continued the Hearing to January 28, 1998, at 9:00 a.m. at the Best Western Conference Room, and if the Conference Room is not available, an alternate location will be posted and noticed/Ayes: Unanimous.

Approval of Minutes of 12/2/97 Regular Meeting

BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: (M)Reilly, (S)Balmain, all items were approved/Ayes: Unanimous.

Mike Edwards, Public Works Director;

A) Resolution Considering Application for Proposition 204 Funding for Improvements in the Stockton Creek and Chowchilla River Watersheds; and

B) Resolution Authorizing Application for Proposition 204 Funding for Improvements in the Fresno and Merced River Watersheds and Confirming County Commitments per the Proposals

BOARD ACTION: Discussion was held. Gwen Foster, PWD-Civil Engineer, provided input. Jerry Progner, Resource Conservation District (RCD), provided input relative to Proposition 204 and their request for support of an application for the Stockton Creek and Chowchilla River watersheds.

Input from the public was provided by the following:

Wilford Von derAhe advised that the project proposed by RCD would give him an opportunity to participate in fuel reduction in the Stockton Creek watershed on about 800 acres and would help protect the town of Mariposa from fire in this area. He further advised of other programs he has participated in and then maintained the project areas, and he noted that funding sources are more scarce.

Doyle Correia, Grosjean Road area resident, stated he felt that meetings held in the area on this matter only included those residents who support this project and he received a letter from a neighbor which he felt was harassment; he noted that some residents are working on fuel reduction on their own; and he feels that there are strings attached to receiving the Proposition 204 funding.

Dennis Blessing, property owner in the Stockton Creek watershed, stated he feels the project will help the area and protect the watershed area for town; and the grant will be written so that a property owner's participation is voluntary, and he stated he felt that about 90% of the property owners support this project. He further stated they have tried to keep everyone informed.

Further discussion was held. Supervisor Parker expressed concern with not having the application package to review for the Stockton Creek and Chowchilla River watersheds, and asked about the letter written by Bud Hoekstra relative to the program and follow-up work. Supervisor Reilly expressed similar concern over the lack of information for the Merced River watershed in District I and expressed a desire to not delay the application for the Stockton Creek and Chowchilla River watersheds. (M)Balmain, (S)Parker, Res. 97-477 adopted approving the application for the Fresno and Merced River watersheds, as requested; and directing that the application for the Stockton Creek and Chowchilla River watersheds could be brought back on January 6, 1998, with a complete package for further consideration/Ayes: Balmain, Stewart, Parker, Pickard; Noes: Reilly.

10:33 a.m. Recess

10:45 a.m. C) Resolution Approving an Appropriation from General Fund Contingencies (\$10,000) for a Permanent Ladder for the Ben Hur Maintenance Shop and Authorizing the Public Works Director to Issue a Change Order to Curll Construction to Provide the Ladder (4/5ths Vote Required)

BOARD ACTION: Discussion was held. Dave Tucker/PWD-Civil Engineer, provided input relative to this project and requirements for the ladder. (M)Parker, (S)Reilly, Res. 97-478 adopted/Ayes: Unanimous. After discussion on the next item and prior to another vote being taken, Supervisor Balmain changed his vote to "No" on this matter. Final Vote: Ayes: Reilly, Stewart, Parker, Pickard; Noes: Balmain.

D) Resolution Opposing the "Government Cost Savings and Taxpayers Protection Amendment" (PECG Initiative)

BOARD ACTION: Discussion was held. Lloyd Crass, Kleinfelder Engineering, provided input relative to this initiative and impacts it could have over local control over projects. (M)Balmain, (S)Pickard, Res. 97-479 adopted. Motion was amended, agreeable

with maker and second, to oppose the proposed "Government Cost Savings and Taxpayers Protection Amendment"/Ayes: Unanimous.

11:10 a.m. Janet Hogan, County Administrative Officer; Receive Update Report Regarding Responsibility for Community Development Block Grant Programs and Authorize the Human Services Director to Negotiate a Contract with Self-Help Enterprises to Administer Existing Community Development Block Grant Activities Including Housing Rehabilitation, Mariposa Pines Sewer Project, Electrification Projects and Community Services Projects; Confirm that the Planning Department will have Primary Responsibility to Administer the Recently Approved Community Development Block Grant Economic Development Project with the Visitors' Bureau Director Coordinating on Program Matters

BOARD ACTION:

Janet Hogan presented staff report and discussion was held with regards to the existing CDBG activities. (M)Pickard, (S)Reilly, Res. 97-480 adopted authorizing Human Services Director to negotiate a contract with Self-Help Enterprises to administer existing CDBG activities including housing rehabilitation, Mariposa Pines sewer project, electrification projects and community service projects/Ayes: Unanimous.

Discussion was held relative to the recent grant for \$35,000 to pursue projects related to economic development and recommendation for oversight. Ed Johnson, Planning and Building Director, and Bruce Daniels, consultant, provided input relative to the following projects and possible CDBG funding: Mining and Mineral Museum, Bower Cave, and Story Hill. Steve Hayes, Visitors Bureau Director, provided input relative to CDBG funding. Discussion was held relative to the status of the contract with ADE. Supervisor Parker requested that the portion relative to the Mining and Mineral Museum be expedited. The following motion by Pickard was held in abeyance: to approve recommendation for administration of the recently approved CDBG economic development project; and to give further direction to Planning Director and Visitors Bureau Director to begin the application process for the over-the-counter CDBG funding and other possible CDBG funds that be used for the Mining and Mineral Museum project at this time; and that the contract include the ability to have the private subvention to get a more detailed feasibility analysis for the Museum. Further discussion was held. Ed Hardy, representing the Gloor family, provided input relative to their proposal for a project that would include relocation of the Mining and Mineral Museum to retain it in the County and increase visitation. He noted that there is some urgency in advising the State of the plans and applying for dollars. He further advised that Mrs. Gloor is ready to proceed. (M)Pickard, (S)Parker, was restated to approve recommendation for administration of the recently approved CDBG economic development project; to direct staff to bring back written agreements with ADE and Mrs. Gloor for these projects; to direct staff to begin work for future grants for the three projects; and to further direct that the Mining and Mineral Museum funding be the focus at this time/Ayes: Unanimous.

Review of Lockyer-Isenberg Trial Court Funding Act of 1997 and Possible Action Regarding a Budget Change (4/5ths Vote Required) (Administration)

BOARD ACTION: Janet Hogan, County Administrative Officer, presented staff report and request for budget action in the amount of \$44,470 for quarterly payment due January 1, 1998, for implementation of the Trial Court Funding Act. Discussion was held. (M)Reilly, (S)Pickard, Res. 97-481 adopted approving budget action in the amount of \$44,470 as recommended/Ayes: Unanimous.

CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to Sheriff's Management Association (MSMA), Deputy Sheriff's Association (DSA), Mariposa County Managerial/Confidential Organization (MCMCO), and General Employees (SEIU) (County Counsel)

BOARD ACTION: Janet Hogan, County Administrative Officer, advised that closed session is not necessary this date.

12:06 p.m. Lunch

2:05 p.m. Review Process for Draft Yosemite Valley Implementation Plan (VIP)
(Administration)

BOARD ACTION: Supervisor Reilly advised of the receipt of notice of extension for the deadline to respond to the VIP to February 23, 1998, and of efforts to schedule a workshop on January 22, 1998, at the Senior Activity Center, with break-out groups on the following subjects: transportation, natural and cultural concerns, campgrounds, and visitor facilities. She further advised of the receipt of a press release announcing the postponement of the Highway 140 construction. Janet Hogan, County Administrative Officer, suggested that the Board define areas to focus its response for the VIP, and that following the workshop, time be scheduled on the agenda for discussion of a response.

Review and Approval of 1998 Mariposa County Legislative/Regulatory Platform
(Administration)

BOARD ACTION: Discussion was held concerning each issue in the proposed platform. Board concurred with modifications, including removal of the health aide, waste diversion, and YARTS at this time; and with addition of requesting inclusion of Highway 132 in the Inter-regional Route System designation. Board concurred with adding funding and management issues for the Mining and Mineral Museum to the platform. Supervisor Reilly requested that emphases be placed in a cover letter on the following priorities: Highway 132 designation, gas tax inequity, Mining and Mineral Museum project, and Mariposa Creek project. Board concurred with the platform as revised during discussion.

Board Information and Announcements

- Supervisor Pickard advised of the RCRC meeting he attended - their legislative platform was adopted and new officers were elected; and advised that Nevada County is hosting a summit on the upcoming Sesquicentennial.
- Supervisor Reilly advised that she spoke at the Travel Writers Conference on Monday in Yosemite relative to transportation planning efforts, and then she attended the YARTS meeting. On Tuesday, she attended the California Transportation Commission meeting in Sacramento and testified on behalf of the County. She further advised that the Whitcombs are repeating their community profile survey project, and she was asked to serve on the citizen committee.
- Supervisor Parker advised that the committee met relative to the fire truck lease/purchase and funding issues and when more information is obtained, the matter will be brought back to the Board.
- Supervisor Stewart advised that he attended the Foreign Trade Zone Board meeting and after the first of the year we will be advised as to whether the application has been finalized. He further commented on a meeting he attended in Sacramento on Monday relative to changing the competitive process for CDBG funding, and suggested that Wagerman & Associates watch this issue.
- Janet Hogan, County Administrative Officer, advised that Leota Striplin sends her wishes for a Merry Christmas and happy holidays to everyone. Janet further reminded everyone of the upcoming employees' Christmas party and of the request for each department to provide a raffle prize - Supervisor Stewart suggested a Courthouse coffee mug.
- Supervisor Pickard advised that he met with Wagerman & Associates and staff on Thursday, along with representatives of Assemblyman House's office and reviewed the preliminary wording for legislation for the tax equity issue, and they are getting more information from the Controller's Office.

- Supervisor Parker asked about the status of the PUC's final determination on the 209 area code issue - decision was to be made this date.

CONSENT AGENDA

- CA-1 Resolution Approving Plans and Specifications for Installation of Groundwater Monitoring Well at the Sheriff's Office Underground Fuel Tank Site, Public Works Project Number PW 91-55; Authorize Advertisement for Formal Bids; and Authorize the Public Works Director to Award and Execute Contract with the Lowest Responsible Bidder (Public Works); Res. 97-473
- CA-2 Resolution Accepting Resignation of Eric Gourley from the Airport Advisory Committee (Supervisor Balmain); Res. 97-474
- CA-3 Resolution Authorizing Chairman to Sign Letters to State Senator and Assemblyman Urging Passage of AB 1180, California Safe Drinking Water Bond Act of 1998 (Health); Res. 97-475
- CA-4 Resolution Commending Jan Mennig as President of the Mariposa County Chamber of Commerce for 1997 (Chairman Stewart); Res. 97-476

3:42 p.m. Adjournment in memory of Joyce Wahnnon, Lois Billings, Alice Coelho, Michael A. Hook, Myrna R. Spiers, Dr. F. W. McKnight and Mrs. Delnora McKnight, and Edmond W. Hartman.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board