DEPARTMENT: PLANNING  
BY: Sarah Williams  
PHONE: 742-1215  

RECOMMENDED ACTION AND JUSTIFICATION:

(1) Adopt A Resolution Establishing the Agricultural Advisory Committee as required by Mariposa County Code, Zoning Ordinance §17.40.010b;
(2) Waive First Reading and Introduce An Amendment to Mariposa County Code, Zoning Ordinance, §17.40.010b to remove the charter of the Agricultural Advisory Committee from the Zoning Ordinance;
(3) Waive First Reading and Introduce An Amendment to Mariposa County Code, Administrative and Personnel, Chapter 2.110 to chartering the Committee by Ordinance
(4) Confirm Appointments of Voting Members to Committee: Dennis Bunning, representing Mariposa County Farm Bureau, Mike Hubert, representing Mariposa County Resource Conservation District, and Blaine Sturtevant, representing an at-large position; and
(5) Direct Staff to Advertise Two Vacancies on the Committee as required by the Maddy Act, one for an at-large position, and one for a representative from the cattle industry

The documents have been reviewed by the Agricultural Advisory Committee at meetings on November 14, 2003, December 12, 2003, September 23, 2004 and November 30, 2004. At their meeting on November 30, 2004, the Committee unanimously recommended Board of Supervisor’s approval of the draft documents and action contained in this packet.

The documents will modify the make-up of the Committee, to make the Planning Commission representative and the NRCS representative (Jerry Progner) advisory instead of voting. The Committee will include a voting representative from the cattle industry, and both at-large voting members will be required to be representatives of the agricultural community, knowledgeable of local agriculture, or have an agricultural background.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

An Agricultural Advisory Committee was established many years ago by the Board through Ordinance No. 475. The primary role of the Committee was to review Williamson Act contracts. When Title 17 was enacted, the Committee’s role expanded to include more zoning actions, particularly related to the AE zoning district. With the enactment of Title 17 in 1988, the repeal of ordinance 475 unintentionally resulted in a committee without a clear charter. The attached resolution complies with the requirements of Title 17 for the Committee to be established by resolution. The attached ordinances result in the charter occurring in the proper Title of County Code (Title 2 instead of Title 17). The duties are proposed to be expanded to better meet the needs of the Board of Supervisors in addressing agricultural issues.

A similar item was scheduled for Board of Supervisors consideration by the previous Planning Director in November, 2003. The Board of Supervisors did not take action on the recommendation, as modifications to the documents were necessary to obtain support of historic members of the Agricultural Advisory Committee.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Modify language in resolution or ordinance, or modify appointments.

No action will result in continued operation of committee with unclear charter.
Financial Impact? Yes ☒ No ☒
Budgeted Current FY? Yes ☒ No ☒ Partially Funded
Amount in Budget: $ ___
Additional Funding Needed: $ ___

Source:
Internal Transfer
Unanticipated Revenue ☐ 4/5's vote ☐
Transfer Between Funds ☐ 4/5's vote ☐
Contingency ☐ 4/5's vote ☐
General ☐ Other ☐

CLERK'S USE ONLY:
Res. No.: S-529 Ord. No. _____
Vote – Ayes: _____ Noes: _____ Absent: _____
☐ Approved ☐ Minute Order Attached ☐ No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.
Date: __________
Attest: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California
By: __________________________

Revised Dec. 2002

COUNTY ADMINISTRATIVE OFFICER:
☐ Requested Action Recommended ☐ No Opinion
Comments:

CAO: __________________________
State of California
County of Mariposa
Board of Supervisors

Resolution No. 2004-529

A RESOLUTION ESTABLISHING THE
AGRICULTURAL ADVISORY COMMITTEE

WHEREAS, the Board of Supervisors appoints Advisory Committees to represent opinions, recommendations, and advice from constituents in communities and representing important issues for the County of Mariposa; and

WHEREAS, the Board of Supervisors established the Planning Advisory Committees for Catheys Valley, Coulterville, El Portal, Fish Camp, Greeley Hill, Midpines, Wawona, and Yosemite West, and a Historic Sites and Records Preservation Committee; and

WHEREAS, the Board of Supervisors Mariposa County Code section 17.40.010.B calls for the establishment of an Agricultural Advisory Committee and defines some of its duties; and

WHEREAS in 1978, the Board of Supervisors adopted Ordinance No. 475 on the 7th day of February, 1978, and Section E of this ordinance calls for the establishment of an Agricultural Advisory Committee and defines some of its duties; and

WHEREAS, the Board of Supervisors did in January 2001 authorize preparation of an update to the General Plan; and

WHEREAS, the Board of Supervisors faces issues related to agriculture; and

BE IT THEREFORE RESOLVED THAT the Board of Supervisors does hereby confirm the establishment of the Agricultural Advisory Committee as follows:

1. The Agricultural Advisory Committee is established to:

   a. advise and provide recommendations on agricultural issues associated with the General Plan and zoning, including requests for General Plan and Zoning Ordinance or map amendments involving agricultural lands and issues;

   b. review and provide recommendations on applications for new Williamson Act (Land Conservation Act) Contracts, applications for cancellation of Williamson Act (Land Conservation Act) Contracts, and non-renewal of Williamson Act (Land Conservation Act) Contracts; and

   c. review and provide recommendations on policies for implementation of the Williamson Act (Land Conservation Act) in Mariposa County; and

   d. provide recommendations to the Board of Supervisors on matters of importance to the agricultural community and agricultural industry.

2. The mission of the Agricultural Advisory Committee is to represent the views and interests of the agricultural community in a credible, conscientious, and fair manner.

3. The Committee shall be comprised of five voting members. The Board may include advisory members as it finds necessary to assist the Committee in meeting its mission.
4. The Committee shall use the standard by-laws for Planning Advisory Committees when adopted by the Board of Supervisors. The Committee may submit modifications from time-to-time for consideration of the Board of Supervisors.

ON A MOTION BY Supervisor Pickard, with a second by Supervisor Balmain, this Resolution passed this 14th day of December, 2004, by the following vote:

Ayes: STETSON, BALMAIN, BIBBY, PARKER, PICKARD
Noes: NONE
Absent: NONE
Abstain: NONE

Garry R. Parker, Chairman
Board of Supervisors

Attest:

Margie Williams,
Clerk of the Board of Supervisors

Approved as to form:

Thomas P. Guarino
County Counsel
COUNTY of MARIPOSA

P.O. Box 784, Mariposa, CA 95338 (209) 966-3222
GARRY R. PARKER, CHAIR
DOUG BALMAIN, VICE-CHAIR
LEE STETSON
BOB PICKARD
JANET BIBBY

DISTRICT IV
DISTRICT II
DISTRICT I
DISTRICT V
DISTRICT III

MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: KRS SCHENK, Planning Director
FROM: MARGIE WILLIAMS, Clerk of the Board

SUBJECT: RESOLUTION ESTABLISHING THE AGRICULTURAL ADVISORY COMMITTEE; INTRODUCTION OF AMENDMENTS TO MARIPOSA COUNTY CODE TO REMOVE THE CHARTER OF THE AGRICULTURAL ADVISORY COMMITTEE AND CHARTERING THE COMMITTEE BY ORDINANCE; CONFIRMING APPOINTMENTS OF VOTING MEMBERS; AND DIRECTING STAFF TO ADVERTISE TWO VACANCIES ON THE COMMITTEE

Resolution No. 04-529

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,

ADOPTED THIS Order on December 14, 2004

ACTION AND VOTE:

B) Adopt a Resolution Establishing the Agricultural Advisory Committee as Required by Mariposa County Code, Zoning Ordinance Section 17.40.010b; Waive First Reading and Introduce an Amendment to Mariposa County Code, Zoning Ordinance Section 17.40.010b to Remove the Charter of the Agricultural Advisory Committee from the Zoning Ordinance; Waive First Reading and Introduce an Amendment to Mariposa County Code, Administrative and Personnel, Chapter 2.110 Chartering the Committee by Ordinance; Confirm Appointments of Voting Members to the Committee: Dennis Bunning, Representing Mariposa County Farm Bureau; Mike Hubert, Representing Mariposa County Resource Conservation District, and Blaine Sturtevant, Representing an At-Large Position; and Direct Staff to Advertise Two Vacancies on the Committee as Required by the Maddy Act, Including One At-Large Position and One Representative from the Cattle Industry

BOARD ACTION: Sarah Williams presented the staff report and advised of an addition in the Ordinance to add Chapter 2.110, Agricultural Advisory Committee, to require that all voting members should be permanent residents of Mariposa County. Discussion was held. Supervisor Balmain asked that the documents be clarified to reflect that the Committee reviews applications and provides recommendations on the applications versus providing recommendations on the execution of contracts. Supervisor Bibby asked if the review of applications for cancellation should be included, and it was agreed that they should be included. Tom Guarino, County Counsel, asked that staff read into the record the full sentences containing changes that have been agreed to as they will be placed in the final documents.

Input from the public was provided by the following:

Dennis Bunning, representative of the Farm Bureau Board and current Agricultural Advisory Committee member as it exists today, advised that the Committee and the Farm Bureau recommend this action. He also presented information from the Merced-Mariposa Cattlemen's Association on their recommendation for appointment to the Committee.
Sarah read the language changes into the record that the Board requested. (M)Pickard, (S)Balmain, Res. 04-529 was adopted establishing the Agricultural Advisory Committee; the first reading was waived and an Ordinance was introduced amending Section 17.40.010b to remove the charter of the Agricultural Advisory Committee from the Zoning Ordinance; first reading was waived and an Ordinance was introduced amending Section 2.110 to charter the Agricultural Advisory Committee by Ordinance in the Administrative and Personnel section; the following appointments were confirmed as voting members to the Committee: Dennis Bunning, representing Mariposa County Farm Bureau, Mike Hubert, representing Mariposa County Resource Conservation District, and Blaine Sturtevant, representing an at-large position; and directing staff to advertise two vacancies on the Committee as required by the Maddy Act for the at-large position and for a representative from the cattle industry. Further discussion was held relative to defining a permanent resident. Supervisor Pickard thanked the Advisory Committee for its work in bringing this matter forward. The Clerk of the Board read the titles of the two Ordinances into the record. Ayes: Unanimous.

cc: File