

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA
JANUARY 7, 1997

Recorded in Minute Book Z-III
Page 1 Mariposa County Records
Entered January 21, 1997

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

Pledge of Allegiance

Judge McMechan, Superior Court, will Conduct Swearing-in Ceremony for Newly Appointed County Administrative Officer Janet Hogan and Elected/Re-elected Supervisors Bob Pickard, Doug Balmain, and Garry Parker
BOARD ACTION: Judge McMechan administered the Oath of Office to Janet Hogan and Supervisors Pickard, Balmain and Parker.

9:07 a.m. Recess

9:18 a.m. Selection of Chairman for 1997; and Selection of Vice-Chairman for 1997
BOARD ACTION: (M)Parker, (S)Pickard, Supervisor Stewart was selected as Chairman and Supervisor Reilly was selected as Vice-Chairman/Ayes: Unanimous.

Approval of Minutes of 12/10/96 Regular Meeting, 12/16/96 (Continued from 12/10/96 Meeting), and 12/17/96 Regular Meeting
BOARD ACTION: Approved.

Presentation of Gavel Plaque to Supervisor Balmain for Serving as Chairman for 1996
BOARD ACTION: Chairman Stewart presented the gavel plaque to Supervisor Balmain.

Discussion and Possible Action Regarding a Declaration of a Local Emergency Relative to the Flooding of the Merced River (County Administrative Officer and Fire Chief/ Emergency Services Coordinator) (No Folder)
BOARD ACTION: (M)Parker, (S)Reilly, Res. 97-1 adopted declaring a local emergency relative to the flooding of the Merced River/Ayes: Unanimous.

9:25 a.m. Supervisor Parker was excused for the rest of the meeting.

The following persons gave a report on the flood disaster:

Supervisor Reilly advised of her efforts with the disaster and evacuations; thanked everyone involved for their efforts and assistance, including Janet Hogan, new County Administrative Officer; Deputies Rumfelt, Mueller, and Hunt, Diane Bondshu/Human Services Department, and Blaine Shultz/Fire Chief, who assisted at the El Portal evacuation center which was set up at the El Portal School and later moved to Cedar Lodge thanks to the offer from Jerry Fischer - advised that the evacuees included families from the trailer park, news crews and tourists; Deputies Scharper and Binnewies; P. G. & E.; Caltrans; and read a letter received from Jerry Fischer acknowledging the efforts of all branches of county government.

Blaine Shultz/Fire Chief, commended Supervisor Reilly, Janet Hogan, Sheriff's Department, Bill Bondshu, Caltrans, CHP, Pat Reilly, and Art Baggett for their assistance; advised of the helicopter/air evacuation plans and food and resources provided; and advised that the emergency operations center has been open at the Sheriff's Department since January 1st.

Deputy Matt Scharper presented slides taken during the flood disaster along the Merced River.

Art Baggett commented on the amount of water flow through the Merced River during the flood.

10:00 a.m. The following Public Hearings were opened and continued to after the following issues: PUBLIC HEARING to Reaffirm the 1990 Regional Transportation Plan (RTP) as the 1996 RTP for Mariposa County; and Continued PUBLIC HEARINGS (Deliberation Phase) for the Permit Streamlining Program and Mariposa Town Planning Area (TPA) Specific Plan/Zoning Amendment.

Additional reports were given regarding the flood disaster.

Roger Matlock/Sheriff, thanked County Administrative Officer, Public Works, CHP, Caltrans, Mark Rowney/MPUD and Bill Bondshu for their support.

George Rosenburg/CHP, expressed appreciation for all of the agencies involved with the disaster; advised that now they are working to keep the road (Highway 140) open for the residents; advised that the Foresta bridge has been closed to all traffic, including pedestrian; and he is willing to hear any concerns.

Mark Rowney/MPUD, commented on damages with regards to the Saxon Creek project - they did not notice erosion or damage to the pipeline, however, the electrical units and pump motors in the vaults flooded and will need to be pulled out and repaired and this may extend the project three months.

Mark Luz/P. G. & E., commented on the damage to their utilities and noted temporary repairs are made.

Mike Edwards/Public Works Director, advised of the damage to Incline Road and their attempts to gain alternate access; they are working to get FEMA and OES teams here to do the assessments of damage; advised that Jerry Fischer has offered borrow sites for backfill materials and is working to establish a batch plant at the Parkline for a local source of materials; and commented on other road and highway damage.

Supervisor Reilly thanked Bob Johnson/PWD-Roads and the road crews for their efforts.

Diane Bondshu/Human Services Department, advised that in the beginning there were about 100 people stranded in El Portal; advised that Mr. Fischer has been working with the Gloors for interim and alternative housing; Environmental Health and Mental Health staff have been of assistance; and advised that more evacuations from the Park are planned and Red Cross is assisting.

Laurie Jurgens/Caltrans Acting Division Chief for the Stockton Office, introduced Jim Easton/Caltrans Superintendent for the Region and Gene Boesch/Caltrans Area Superintendent. Laurie advised that the Highway is undermined and they do not know the extend of the damage; they will send out a task force team this week and have met with their environmental department to proceed with repairs - however, because of environmental concerns and the Federal funding available under emergency services, the highway will only be replaced in-kind.

Lowell Young stated he hoped repairs would not be delayed due to environmental concerns, and was assured that this would not happen.

Gene Boesch/Caltrans, noted they have problems all over the State; they need to assess the damages and evaluate the integrity of the structure for the highway; their goal is to look at the damage and start getting plans, if necessary, and get an emergency contract started for repairs; funding is a major priority statewide; advised that they do not have the law enforcement authority and resources to man the road to maintain the convoy activity and will need to work with other agencies on this matter; and thanked everyone for their cooperation.

Roger Matlock offered assistance with providing office space for assessment crews.

Art Baggett, on behalf of Jerry Fischer, offered assistance with providing space for the assessment crews.

Dave Conway/Environmental Health, stated their concern is getting residents back to the trailer park when the road is accessible.

Supervisor Reilly thanked Caltrans and Leigh Gamble/Caltrans for their assistance.

Jim Easton/Caltrans, commended their Midpines crew for their efforts.

Dave Conway further commented that the major public health issue is sewage going into the Merced River - the problem has been corrected at El Portal and they are still working on the Yosemite Park issues.

Steve Hayes/Visitor Bureau Director, commended the professionals in the emergency services area for handling this situation; noted that all of the hotels are facing an impact with this disaster and they are being supportive; advised that as soon as information is known when Highway 140 and the Park will reopen, they will work to get the information to the public; and advised that he will work to coordinate a meeting with the Board and the Tourism Advisory Council to work out a plan.

Chairman Stewart noted that the U.S. Forest Service and the Park Service has been involved with the disaster.

Blaine Shultz commended all of the agencies on their cooperation.

Ed Johnson/Planning and Building Director, advised they are working with Yosemite Motels relative to the batch plant permit, and have issued emergency permits for grading and other construction; and noted that he felt this disaster should be considered when the Yosemite Housing Plan is reviewed.

Art Baggett commended everyone for working together; and noted that this evacuation included the visiting public and not just County residents and that no one was injured.

Barry Brouillette noted that he spoke with a family who tried to visit Yosemite last year and was turned away due to the federal government shutdown, and they returned to visit this year to be evacuated during the flood.

Mary Good thanked everyone for their efforts and assistance in the emergency evacuation of her husband to Memorial North Hospital, and advised that surgery went well.

Supervisor Balmain noted that an incident of concern occurred during the disaster at the Airport which he felt needed to be addressed and suggested that it be referred to a Board subcommittee.

Janet Hogan/County Administrative Officer, suggested that a Board subcommittee be appointed to work on the flood disaster issues on a day-to-day basis as they arise, and status reports could be brought back to the Board during regular meetings. (M)Balmain, (S)Pickard, Board waived its rules requiring 72 hours agenda noticing, finding that due to the flood disaster issues may arise that require immediate attention and cannot be scheduled on the Board's regular agenda/Ayes: Reilly, Balmain, Stewart, Pickard; Excused: Parker. (M)Balmain, (S)Pickard, Board agreed with expanding the duties of its subcommittee working on tourism related issues (Supervisors Parker and Reilly) to include working on flood disaster issues on a day-to-day basis as they arise.

Subcommittee to keep Board members advised of the status of issues that arise.

Supervisor Stewart asked about establishing a policy for notifying and keeping Board members informed of the status of disasters and their duties during disasters -

Subcommittee to work with County Administrative Officer on this matter. Discussion was held with Mike Edwards/Public Works Director, as to whether specific authorization needs to be given to contract for the road repairs, etc., as a result of the disaster - Mike advised that he felt he has the necessary authority as Road Commissioner. Discussion was held concerning disposal of the debris - Mike Edwards advised that they are working with the Integrated Waste Board relative to exceeding their daily capacity at the landfill due to the disaster. Vote on action relative to the subcommittee/Ayes: Reilly, Balmain, Stewart, Pickard; Excused: Parker.

(M)Pickard, (S)Reilly, direction was given to Public Works Director to continue with the monitoring at the landfill of the disaster debris disposal; and adopt the same policy for disposal of debris by the victims as was approved for the Stumpfield Fire victims - Public Works can track the disposal fees and collect from private insurance where available and waive the fees where no other method of collection is available/Ayes: Reilly, Balmain, Stewart, Pickard; Excused: Parker.

Steve Hayes mentioned that there might be funding in Housing and Community Development where the planned use could be changed to assist in this disaster, particularly the trailer park victims. Following discussion, (M)Reilly, (S)Pickard, Res. 97-2 adopted authorizing Chairman to sign any necessary documents to redirect funds to assist with the disaster, upon recommendation of the County Administrative Officer and County Counsel. Following further discussion, motion was amended, agreeable with maker and second, to include direction that the authorization to sign documents is for cases where time dictates that action be taken prior to a regularly scheduled meeting/Ayes: Reilly, Balmain, Stewart, Pickard; Excused: Parker.

Public Presentations For Non-Timed Agenda Items and for Items Not on the Agenda
- Dana Walton, representing Congressman Radanovich, congratulated Supervisor Pickard upon his election, and Supervisors Balmain and Parker upon their re-election.

11:13 a.m. Recess

11:26 a.m. Janet Hogan/County Administrative Officer, gave a brief report on the response efforts and cooperation with the volunteers, County, State, and Federal agencies during this disaster; and shared information received from Office of Emergency Services (OES) - FEMA will tour the State beginning today and establish a center for claims for private damages (Phone Number 800-462-9029).

Ed Johnson, Planning and Building Director;

C) Continued PUBLIC HEARINGS (Deliberation Phase) for the Permit Streamlining Program and Mariposa Town Planning Area (TPA) Specific Plan/Zoning Amendment: Waive Second Reading and Adopt Ordinances Amending Title 2, Title 16, Title 17 and the Environmental Review Policies and Procedures Relative to Permit Streamlining; and Adopt Resolutions Approving Appeal Procedures, General Plan Amendments, and Amendments to the Mariposa Town Planning Area Specific Plan Relative to Permit Streamlining(Continued from November 14, 1996)

BOARD ACTION: In response to a question relative to receiving public input, Jeff Green/County Counsel, advised that the public portion of the hearings has been closed and the Board is in the deliberation phase; and the only way to accept public input, would be to start the hearing process all over again. Ed Johnson responded to questions from the Board relative to changes in the ordinances between the first reading and second reading; and relative to the numbering of the sections where a section was deleted. Ed advised that the only changes in the documents reflect changes approved by the Board during the hearing process in November, 1996; and staff will correct the numbering of the items to reflect changes. (M)Balmain, (S)Pickard, first reading was waived and the following ordinances were adopted:

Ord. 910 - amending Title 2;

Ord. 911 - amending Title 16;

Ord. 912 - amending Title 17

Ord. 913 - amending Environmental Review Policies and Procedures Relative to Permit Streamlining;

and the following resolutions were adopted:

Res. 97-3 - Appeal Procedures

Res. 97-4 - General Plan Amendments

Res. 97-5 - Amendments to the Mariposa Town Planning Area Specific Plan Relative to Permit Streamlining
Ayes Reilly, Balmain, Stewart, Pickard; Excused: Parker. Hearings were closed.

Approval of Consent Agenda (See End of Minutes)

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

11:42 a.m. LOCAL TRANSPORTATION COMMISSION

Ed Johnson, Planning and Building Director;

A) PUBLIC HEARING to Reaffirm the 1990 Regional Transportation Plan (RTP) as the 1996 RTP for Mariposa County

COMMISSION ACTION: Ed Johnson presented staff report. Public portion of the hearing was opened. There was no public input. Public portion of the hearing was closed and Commission commenced with deliberations. Ed Johnson and Bill King/Planning-Transportation Specialist, responded to questions from the Commission as to whether the Mariposa County Trails Council is still active and relative to other details in the Plan that do not reflect current conditions. Staff advised that the Plan has not been changed since 1986, and does not affect the County projects. (M)Pickard, (S)Stewart, LTC Res. 97-1 adopted reaffirming the 1990 RTP as the 1996 RTP for the County/Ayes Reilly, Balmain, Stewart, Pickard; Excused: Parker. Hearing was closed.

B) Resolution Authorizing Executive Director to Sign Fund Transfer Agreement for 1996/97 Transportation Demand Management Program for Establishment of an "Internet Home Page" for Mariposa County and for YATI Support with Caltrans in the Amount of \$6,000

COMMISSION ACTION: Following discussion, (M)Pickard, (S)Balmain, LTC Res. 97-2 adopted/Ayes Reilly, Balmain, Stewart, Pickard; Excused: Parker.

11:52 a.m. Mike Edwards, Public Works Director;

Inform the Board that No Proposals for Placing Vending Machines in County Facilities were Received and to Request Direction for Handling such Services in the Future

BOARD ACTION: Board concurred with continuing this matter to January 14, 1997, to be considered with another issue concerning vendors on County property.

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

Resolution Authorizing the Chairman to Execute Application for a Cops Universal Hiring Program Grant

BOARD ACTION: Pelk Richards presented amendment to the application requesting that the County's match be waived. Following discussion, (M)Balmain, (S)Reilly, Res. 97-9 adopted approving the amended application/Ayes: Reilly, Balmain, Stewart, Pickard; Excused: Parker.

Ed Johnson, Planning and Building Director;

B) Approval of Mariposa County Resolution Number 96-433 (Adopted 10/15/96); A Resolution Denying Appeal Number 96-5 and Modifying the Planning Director's Use Determination and the Planning Commission's Action on the Appeal of the Planning Director's Use Determination for APNs 10-371-001 and 10-371-003; William Winterberg, Appellant

BOARD ACTION: Matter was continued for the full Board to be present.

Consider Appointment/Reappointment of 12 Members and 1 Alternate Member to the El Portal Town Planning Advisory Committee (Supervisor Reilly)

BOARD ACTION: Matter was pulled to be rescheduled.

Ed Johnson, Planning and Building Director;

A) Request for Issuance of a "letter of Public Convenience and Necessity" to the Department of Alcoholic Beverage Control to Allow Issuance of an Off-Sale Beer and Wine License to 2878 Highway 140, Catheys Valley (Lighthouse/Jones Junction)

BOARD ACTION: Following discussion with Jay Pawlek/Associate Planner, (M)Pickard, (S)Balmain, Res. 97-10 adopted approving request/Ayes: Balmain, Stewart, Pickard; Excused: Parker; Abstained: Reilly.

Visitor Bureau items were continued to the afternoon.

12:01 p.m. Lunch

2:06 p.m. Board reconvened with Supervisor Reilly excused for the rest of the meeting.

Steve Hayes, Visitors Bureau Director;

A) Resolution Authorizing Visitors Bureau Director to Sign Letter Developed Cooperatively by a Coalition of Yosemite Region County and City Visitors Bureaus for Submittal to Mr. Bruce Babbitt, Secretary of the Interior Regarding Fee Increases

BOARD ACTION: Discussion was held. (M)Balmain, (S)Pickard, Res. 97-11 adopted approving letter, with direction given for Visitors Bureau Director to work with County Administrative Officer and County Counsel to draft amendment language in the letter to address the current disaster situation/Ayes: Balmain, Stewart, Pickard; Excused: Reilly, Parker.

B) Request to Schedule Administrative Practice Session(s) with the Visitors Bureau Director to Provide Policy Level Clarifications and Direction

BOARD ACTION: Following discussion, Board concurred with scheduling requests as follows: closed session relative to personnel issues for January 21, 1997; discussion concerning policy level clarifications and directions for January 28, 1997, at 2:00 p.m.; and a joint meeting with the Tourism Advisory Council for February 11, 1997.

Videos taken by Caltrans staff and Public Works Director of the flood disaster along the Merced River were shown. County Administrative Officer advised that a call was just received from the Governor's Office offering their assistance with the disaster recovery.

INFORMATION - No action was necessary on the following:

A) Reception to Welcome Janet Hogan, Mariposa County's New County Administrative Officer from 12:00 to 12:30 p.m. in the Board Meeting Room, Courthouse (Administration)

B) Board Hearing Schedule (Clerk of the Board)

CONSENT AGENDA

CA-1 Appoint Pauline Brawley to the Mariposa County Commission on Aging Representing District III (Community Services)

CA-2 Resolution Authorizing the Award of Sealed Bids, PWB 96-09, for Road Division Materials (Public Works); Res. 97-6

CA-3 Reappoint Leroy Radanovich to the Mariposa County Planning Commission Representing District IV (Supervisor Parker)

- CA-4 Reappoint Theresa Steagall to the Mariposa County Planning Commission Representing District II (Supervisor Balmain)
- CA-5 Schedule Joint Meeting with the School Board to Discuss the New UC Merced with Pat Kessler, UC Regent and Dan Simmons, Associate Provost, on January 21, 1997, at 2:00 p.m. in the School Board Meeting Room (Chairman Balmain)
- CA-6 Resolution Adopting Bid and Specification Documents for County Hangars at the Mariposa/Yosemite Airport, Public Works Project Number PW 95-41; Authorizing Advertisement for Bids; Setting a Bid Opening Date for Thursday, January 30, 1997, at 2:00 p.m.; and Authorizing the Public Works Director to Execute a Contract with the Lowest Responsible Bidder and to Request Caltrans Processing of a Loan for the Hangars (Public Works); Res. 97-7
- CA-7 Resolution Authorizing Chairman to Sign Agreement with Department of Boating and Waterways for FY 1997-98 for the Sheriff to Continue to Participate in the Boating Safety Program (Sheriff); Res. 97-8

3:24 p.m. ADJOURNMENT in memory of James Carter, Benjamin Spence Loewen, Joseph Piro, Marie Provost, Donald Baker, James Moffett, Danielle Reyes, and Elizabeth Stuart.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA
JANUARY 14, 1997

recorded in Minute Book Z III
Page 2 Mariposa County Records
Entered January 28, 1997

Time Description
9:03 a.m. Meeting Called to Order
Pledge of Allegiance

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

- Bud Swift invited everyone to attend the Chamber of Commerce's regular meeting on January 16, 1997, at the Miner's Inn to hear the guest speaker, Keith Baekus, speak on the electoral college and popular vote.

- Ed Johnson, Planning and Building Director, advised that a public hearing has been scheduled on the Board's agenda for January 21, 1997, relative to building permits for reconstruction efforts in the Merced River Canyon for private structures and road repairs.

- Ed Johnson, Planning and Building Director, advised that they are working on the next phase of the Industrial Zoning issues and have scheduled the matter to come back to the Board on February 18, 1997, at 2:00 p.m. at the Senior Activity Center; and asked for direction as to continuing with the matter in the evening - Board concurred with scheduling the matter at 2:00 p.m. and continuing until the matter is concluded.

Jim Landis, representing the Merced-Mariposa Chapter of the Red Cross, gave an overview of their assistance during the flood disaster and advised that at one point they were prepared with 1,100 beds and 40 volunteers to serve evacuees; they also set up a disaster service center at the Fairgrounds; thanked Vietnam Veterans Association for donating the food service for 1,000 meals, Jerry Fischer for donating 200 rooms, Mariposa TV for donating the use of a television and videos, Best Western for loan of towels, residents for donating clothing and noted the excess was given to the Manna House, and thanked Salvation Army, Yosemite Credit Union, Human Services and Mental Health for assisting with services. Jim noted that the communication with the County during this disaster was fabulous, and further commented on the assistance Red Cross provided statewide during the disaster - as of January 10, 1997, they had 76 shelters open, served over 54,800 people with over 260,500 meals, and provided clean-up and comfort kits with 4,000 Red Cross personnel involved. The Board and staff thanked Red Cross for the assistance provided.

Stuart Tanner, Merced-Mariposa Chapter of the Red Cross, commended the community for its support of their efforts.

- Kevin Jackson, Jackson's Gold Prospecting Supplies, asked for clarification relative to the restrictions imposed by a recent ordinance relative to mechanized mining on creeks within the County. Board members and staff responded, and County Counsel advised Mr. Jackson that he would be willing to discuss any further concerns with him.

- Steve Hayes, Visitors Bureau Director, mentioned that town hall meetings are being scheduled relative to the flood disaster (more to be covered by the County Administrative Officer later in the agenda); and advised that anyone with any damage or loss of income should register with FEMA as soon as possible to have their application in before the deadline.

Certificate of Appreciation to Donald Haag for Service to California Travelers
(Supervisor Pickard)

BOARD ACTION: (M)Parker, (S)Reilly, Certificate of Appreciation received from the California Trade Commerce Agency Division of Tourism was presented to Don Haag/Ayes: Unanimous.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Supervisor Balmain pulled item 3. (M)Reilly, (S)Balmain, balance of items were approved/Ayes: Unanimous. Following discussion with Marita Green/DA-Family Support Division, (M)Balmain, (S)Pickard, item 3 was approved/Ayes: Unanimous.

Ken Hawkins, Auditor;

Waive First Reading and Introduce Ordinance Establishing Guidelines for the Issue of Stale-Dated Checks for Amounts Less than \$1,500 and Less than Two Years Old

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

Christine Johnson, District Attorney;

Resolution Transferring Funds from Jury and Witness Expense (\$2,295) to Transportation and Travel, for Reimbursement of Child Abduction and Jury Witness Expenses

BOARD ACTION: Following discussion with Janet Bibby/DA-Criminal Division, (M)Parker, (S)Reilly, Res. 97-18 adopted/Ayes Unanimous.

Jeffrey G. Green, County Counsel;

1996 Reclassification Requests

BOARD ACTION: Nancy Kyle/Personnel Analyst, presented staff report and reviewed recommendations and funding sources for the following reclassification requests:

- DA/Senior Office Assistant to Office Technician - recommendation to reclassify as Legal Secretary;
- revision to class specification and salary range and change in assigned bargaining unit for DA/Victim/Witness Coordinator-Advocate - recommendation to approve new salary range and direct staff to proceed with revision to class specification and make no change in assigned bargaining unit;
- DA/Family Support Officer to Supervising Family Support Officer - recommendation to approve new salary range and direct Personnel Office to proceed with preparation of class specification for new position; Janet Bibby/DA-Criminal Support, responded to questions from the Board relative to excess incentive funding;
- HSD/Social Services Division reclassify Secretary to Office Technician or Executive Secretary - recommendation to reclassify as Office Technician;
- Public Health/Secretary to Office Technician - recommendation to approve request;
- PWD/Equipment Mechanic Supervisor premium pay for administration of DL-170 program - recommendation to partially approve;
- PWD/Traffic Technician revision to class specification and salary range - recommendation to approve new salary range and direct Personnel Office to proceed with revision of the class specification and create a flex series;
- PWD/Special Projects Coordinator reclassification and/or promotion or salary range increase - recommendation to deny request and direct Personnel Office to amend the class specification; and
- Assistant Treasurer/Tax Collector salary revision - recommendation to defer review of this request for the new County Administrative Officer to review and provide recommendation.

Discussion was held concerning the requests. Bruce Atkinson/PWD-Special Projects Coordinator, stated he has a Land Surveyor's license that he has maintained privately and objects to it being added as a requirement of the class specification, and feels that may prohibit him from practicing in the County; and further stated that he does not feel the staff analysis takes into consideration the value of this license. County Counsel advised that these issues can be further discussed when a revised class specification is brought back - Board concurred. Mike Edwards/Public Works Director, responded to questions

from the Board relative to the use of this license within the Department. Lisa Edelheit/SEIU, stated she felt that bringing back a revised class specification for this position will help to resolve the concerns, and she supports the other recommendations. Further discussion was held relative to the cost of funding the requests in light of the recent disaster and alternatives. Board concurred with continuing the matter to January 28, 1997, and with County Administrative Officer meeting with affected department heads to determine the impacts if the requested reclassifications are not approved.

10:20 a.m. Recess

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

A) PUBLIC HEARING to Consider Appeal No. 96-8; Appeal of Planning Commission's Condition of Approval for Land Division Application No. 1476; Judith Moore, Applicant/Dick Seaman, Appellant

BOARD ACTION: Based on recommendation from Planning Director, hearing was opened and continued to February 4, 1997, at 10:30 a.m.

Discussion Regarding Policy of Allowing Vendors to Operate on County Property and Possible Direction to Staff (Supervisor Pickard)

BOARD ACTION: Supervisor Pickard advised that he received a request from a citizen concerning this matter, and discussion was held as to whether a policy should be established. (M)Pickard to direct staff to look into feasibility for vendors to operate on County property and right-of-ways and come back with alternatives for further discussion by the Board, died for lack of a second. No action was taken.

Inform the Board that No Proposals for Placing Vending Machines in County Facilities were Received and to Request Direction for Handling such Services in the Future (Public Works) (Continued from 1/7/97)

BOARD ACTION: (M)Parker, (S)Balmain, direction was given to Public Works Director to handle this matter, with the Board reserving the right to reconsider action by the Public Works Director, and with specific direction that no vending machine be allowed in the Courthouse/Ayes: Unanimous.

Mark Felix stated he has no objections to vendors operating during special events, but feels vendors such as Sal's Taco is different; and he feels there should be regulations for permanent vendor businesses on County property.

Ed Johnson, Planning and Building Director;

B) Approval of Mariposa County Resolution Number 96-433 (Adopted 10/15/96); A Resolution Denying Appeal Number 96-5 and Modifying the Planning Director's Use Determination and the Planning Director's Use Determination for APNs 10-371-001 and 10-371-003; William Winterberg, Appellant (Continued from 1/7/97)

BOARD ACTION: Following discussion, (M)Pickard, (S)Reilly, Board approved the format and content of formal Resolution No. 96-433/Ayes: Pickard, Reilly, Stewart; Noes; Balmain, Parker.

Jim Evans, Housing and Community Development Agency Director;

B) Discussion and Possible Action Regarding the Mariposa Rotary Club Theatre Stage Project

BOARD ACTION: Art Baggett, on behalf of the Rotary Club, advised of the status of the project; commended Roger Stephens for assisting with the project; noted that Lee Stetson and Jerry Fischer have covered the costs for design and acoustics consultations; advised that Rotary is hoping to have the project in place for this upcoming season. Lee Stetson, on behalf of himself and other artists, stated he felt this project will be a civic

asset and will allow performing artists from around the country to perform in a quality space and serve as an incentive for local artists, as well. Art noted that Rod Fiester and Jon Turner of the High School have also been involved in the process. Rich Begley/HCD-Parks and Recreation, responded to questions relative to the architectural drawings. No formal action was necessary for the project to move forward.

A) Discussion and Possible Action Regarding the Community Development Block Grant Program Administered by the Housing and Community Development Agency
BOARD ACTION: Discussion was held. County Administrative Officer advised that they have identified one individual who could provide assistance through September 1997 with the pending projects. (M)Parker, (S)Pickard, Res. 97-19 adopted approving filling the 80% vacant position with the identified funding for administration of the projects, and direction was provided to the County Administrative Officer, County Counsel, Housing and Community Development Agency Director and Planning Director to initiate discussion with the consultant for oversight of the projects/Ayes: Unanimous.

Consideration of Appointment of Resource Conservation District Member to Fill Vacancy on Mariposa County Resource Conservation District Board and Consideration of Policy for Future Vacancies (County Administrative Officer)

BOARD ACTION: Following discussion, (M)Parker, (S)Pickard, Sara Parrish was appointed/Ayes: Unanimous.

Resolution Amending the Staffing Structure of Municipal Court and Requesting Adoption by the State Legislature (County Counsel)

BOARD ACTION: (M)Parker, (S)Reilly, Res. 97-20 adopted/Ayes Unanimous.

Selection of Chairman and Vice-Chairman for the Following:

Mariposa County Water Agency and Local Transportation Commission
(Clerk of the Board)

BOARD ACTION: (M)Parker, (S)Balmain, the following were selected to continue to serve: Director Parker/Chairman and Director Stewart/Vice-Chairman for Mariposa County Water Agency; and Commissioner Reilly/Chairman and Commissioner Balmain/Vice-Chairman for Local Transportation Commission/Ayes: Unanimous.

Review and Direction Relative to Selection of Board Member Liaison to Policy Areas
(Clerk of the Board)

BOARD ACTION: Following discussion, (M)Reilly, (S)Parker, Board approved the existing assignments/Ayes: Unanimous.

Selection of Board Member Representation on Agencies (Clerk of the Board)

BOARD ACTION: Discussion was held. Ed Johnson/Planning and Building Director, provided input relative to representation on the Economic Development Corporation.

(M)Parker, (S)Reilly, the following selections were made:

- Mountain-Valley Emergency Medical Services Agency and Regional Advisory Board (formerly known as Alpine, Mother Lode Emergency Medical Services Agency and Regional Advisory Board) - Representative/Parker; Elected Alternate/Pickard; and Alternate/Chairman of EMCC - Bill Bondshu

- Area Agency on Aging/PSA12 - Representative/Balmain; Alternate/Stewart

- California State Association of Counties (CSAC) - Director/Stewart;

Alternates/Reilly, Balmain, Parker, Pickard

- CSAC Excess Insurance Authority (EIA) Liability Insurance -

Representative/County Counsel; Alternate/Board of Supervisors Chairman

- California State Mining and Mineral Exhibit Liaison - Representative/Parker

- Calaveras-Mariposa Community Action Agency - Representatives/Reilly and Pickard
 - County Medical Services Program (CMSP) - Representative/Pickard; Alternate/Reilly
 - Mariposa Economic Development Corporation - Liaison/Jim Evans, Housing and Community Development Agency Director
 - Mother Lode Job Training Governing Board - Representative/Stewart; Alternate/Pickard
 - Mountain Counties Air Basin - Representative/Parker; Alternate/Pickard (farther action was taken later this date to change this representation)
 - Mountain Counties Water Resources Association - Representative/Parker; Alternate/Stewart (farther action was taken later this date to change this representation and direction was given relative to membership in this Association)
 - Regional Council of Rural Counties (RCRC) - Representative/Parker; Alternates/Pickard, Reilly, Balmain and Stewart (farther action was taken later this date to change this representation)
 - RCRC JPA's for Solid Waste, Rural Housing and Finance - Representatives/Parker and Pickard; Alternates/Mike Edwards, Public Works Director, and Tom Starling/PWD-Solid Waste Coordinator
 - San Joaquin Air Basin Study Committee - Representative/Reilly; Alternate/Parker
 - San Joaquin Valley Supervisors Association (SJVSA) - Representative/Stewart; Alternate/Balmain
 - San Joaquin Valley Supervisors Association/Biodiversity Task Force Working Group and Legislative Committee - Representative/Balmain
 - Yosemite Area Travelers Information System (YATI) and Yosemite Area Regional Transportation Information System (YARTIS) - Representative/Reilly
 - Yosemite Area Traveller Information Services, Inc. (YATIS, Inc.)- Representative/Steve Hayes, Visitors Bureau Director
- Ayes: Unanimous.

12:06 p.m. Lunch

2:00 p.m. Further discussion on Board member representation on agencies was continued to later this date.

Mike Edwards, Public Works Director;
Resolution Approving the Final Subdivision Map for Brian J. Anthony, Major Subdivision 1/13/92 (Continued from 12/10/96)

BOARD ACTION: Discussion was held with Mike Edwards and he advised the Board of his discussion with the applicant relative to the road maintenance issue. Brian Anthony/applicant, asked why he is required to build a road to County specifications and then the County will not take the road into its maintained system; noted that the requirement for a curb and gutter will allow leaves to accumulate; stated he prefers to go with a private road maintenance association, but would accept a zone of benefit if it is just for the road in his subdivision. (M)Parker, (S)Reilly, Res. 97-21 adopted approving Final Subdivision Map for Major Subdivision No. 1/13/92/Anthony, applicant; accepting on behalf of the public, the dedications of public utility easements; accepting for public use but not maintenance, the dedication of public road easement for Mueller Court; require the subdivider to form a private Road Maintenance Agreement through a property owners association, with lien rights, subject to review by County Counsel; and authorizing the Clerk of the Board to sign the map, as recommended/Ayes: Unanimous.

2:22 p.m. COUNTY WATER AGENCY (CWA)

Presentation and Discussion from CWA Advisory Board and Staff Regarding Participation with the Regional Council of Rural Counties' (RCRC) Proposed Resolution in Support of Rural Counties' Area of Origin Alternative to be Offered to the State During its Water Rights Proceedings, Including Recommendations on Related Water Issues (Public Works)

AGENCY ACTION: The following Water Agency Advisory Board members were present: Leroy Radanovich/Chairman, Walt Palmer, Bobby Rader, Grant Colliver, and Tom Standen. Mike Edwards/Public Works Director, reviewed the recommendations of the Advisory Board. Art Baggett, Attorney at Law, gave a presentation relative to the water law and issues, types of water rights, county of origin issues, Public Trust Doctrine, advised that the County of Mariposa does not have any water rights, discussed the agreement with Merced Irrigation District (MID), Federal Energy Regulatory Commission (FERC) license issues, and explained the situation with the Delta and State water system issues. Discussion was held with the Advisory Board members concerning water issues and their recommendations and the request received from RCRC. Leroy Radanovich urged the Agency to watch for any legislation that would change the preferential rights for irrigation districts to obtain licenses. Agency concurred with lending support directed at the FERC license issues that may arise in the future, and with not participating in the current request for funding from RCRC, but continue to monitor the situation and further research the issues. Director Balmain requested that MID and Merced County Board of Supervisors be contacted to determine their positions on these matters. With regards to recommendation to rejoin the Mountain Counties Water Resources Association (MCWRA) and Association of California Water Agencies (ACWA), the Agency concurred with directing Public Works staff to investigate the possibility of sharing membership costs and associated travel expenses and bring information back for further consideration, as well as budget information. The Advisory Board also recommended that County Counsel work closely with the Agency to follow changes in water and power regulations, and fund necessary expenditures from the Agency and work with the Advisory Board. With regards to recommendation to delegate representation, including alternates, for MCWRA and ACWA, Agency agreed to further consider this matter when information on membership is brought back. Chairman Parker asked staff to draft a letter to MID and Merced County Board of Supervisors and advise them of actions taken this date on these issues and invite them to participate in discussions relative to water and license issues on the Merced River.

4:05 p.m. Board reconvened and recessed.

4:19 p.m. Discussion and Possible Action Regarding a Local Emergency Relative to the Flooding of the Merced River (County Administrative Officer) (No Folder) (Continued from 1/7/97)

BOARD ACTION: Mike Edwards/Public Works Director, advised that the first part of Incline Road is open to emergency traffic; FEMA and OES assessment teams are here to deal with County issues and are meeting with Public Works staff to assess the damages on Incline Road and Saxon Creek project; reviewed other roads and areas of damage and advised that the Resource Conservation District is also looking at the damage; advised of his contact with Mother Lode Job Training Agency and additional funding they received to hire temporary help to assist with the clean-up and his suggestion that they be used in Yosemite Valley- he will continue to work with them on this matter; and advised of the status of estimated costs and timeframes for Highway 140 repairs from Briceburg to Parkline. Supervisor Reilly advised of an update she received from Deane Swickard/Bureau of Land Management, relative to their efforts along the Merced River and their goal to have the road open to accommodate the rafting season; OES has reviewed the Briceburg bridge and needed repairs and the weight limit will be downgraded; and advised that there is a borrow pit on Burma grade. Public Works was

commended for their efforts with Incline Road. Janet Hogan/County Administrative Officer, advised that three town hall meetings have been scheduled and she and the Visitors Bureau Director plan to attend each meeting and are working on an agenda with the same topics to be discussed at each location; she will work on the impacts the disaster has created to the County's budget and is initiating the mid-year budget process; and in the interim is using a figure of \$10,000/day budget impact pending a more thorough analysis. Supervisor Reilly provided an update on the status of the repairs to the sewer system in the Valley. Supervisor Parker advised of an upcoming meeting with the Ministry Association relative to assisting with the disaster.

Further discussion was held relative to Board member representation on agencies. (M)Parker, (S)Pickard, the Board's previous action was amended to change representation to the following:

- Mountain Counties Air Basin - Representative/Pickard; Alternate/Parker
 - Mountain Counties Water Resources Association - Representative/Stewart; Alternate/Parker
 - Regional Council of Rural Counties (RCRC) - Representative/Pickard; Alternates/Reilly, Balmain, Stewart, Parker; with Supervisor Parker to continue to attend meetings and work on issues relative to solid waste
- Ayes: Unanimous.

Review the Status of Each Board Committee and its Membership and Update as Appropriate (Clerk of the Board)

BOARD ACTION: (M)Parker, (S)Pickard, Charles Fall's resignation was accepted from the Assessment Appeals Board/Ayes: Unanimous. Following discussion, matter was continued to be rescheduled.

CONSENT AGENDA

- CA-1 Resolution Transferring Funds (\$2,500) from the Recreation Services and Supplies Budget to the Facilities Maintenance Fixed Asset Budget to Purchase a Pool Cover for the El Portal Pool (Housing); Res. 97-12
- CA-2 Resolution Authorizing the Mariposa County Agricultural Commissioner to Sign the California Seed Law Memorandum of Understanding for FY 1996/97 with California Department of Food and Agriculture (Ag Commissioner); Res. 97-13
- CA-3 Resolution Approving and Authorizing the Chairman of the Board of Supervisors to Execute an Agreement for Professional Services with Long Beach Genetics for Genetic Testing to Determine Paternity (District Attorney); Res. 97-16
- CA-4 Resolution Appointing Mark Radanovich to the Mariposa County Emergency Medical Care Committee (EMCC) to Fill the Seat of the Citizen Representative from the Southside of the County (Public Health); Res. 97-14
- CA-5 Resolution Appointing Ed Duncan to the Mariposa County Emergency Medical Care Committee to Fill the Newly Created Seat of Yosemite Fire Representative (Public Health); Res. 97-15

4:58 p.m. ADJOURNMENT

Respectfully submitted,

MARGIE WILLIAMS,
Clerk of the Board

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA JANUARY 21, 1997

<u>Time</u>	<u>Description</u>
9:03 a.m.	Meeting Called to Order Pledge of Allegiance

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

- John Newman, Newman Ranch, advised that Caltrans is letting a contract later today for Highway 140 repair between Briceburg and El Portal and they are looking for specific construction materials, and he has two locations where this material could be obtained locally if SMARA exemptions can be granted under the emergency disaster declaration; and he noted that obtaining the materials locally would save on construction costs.

Request was continued to be considered with the 10:00 a.m. Public Hearing.

- Mark Long referred to publicity by Caltrans that local materials would be used for the Highway 140 repairs; however their bid specifications call for materials that are not available locally. He further noted that he could provide alternative materials that have been used in highway construction previously. This would reduce costs and speed up the repairs. He requested that the County urge Caltrans to use local materials wherever possible. Chairman Stewart asked Public Works Director to check on the status of the Caltrans bid process for awarding a contract. Mike Edwards/Public Works Director, advised that it is his understanding that Caltrans will open bids at 2:00 p.m. this date and that they were working with four or five potential bidders and it could be difficult to get an addendum to the bid prior to opening. Matter was continued to be considered with 10:00 a.m. Public Hearing.

- Cathy Collier/Executive Director for the Arts Council, requested authorization for the Chairman to sign their State/Local 1997/98 Partnership Program Grant Application. (M)Parker, (S)Reilly, Board waived its rules requiring 72 hours agenda noticing finding that the request was not received in time to be scheduled on the agenda and that the deadline for submitting the grant application is January 24th - prior to the next Board meeting/Ayes: Unanimous. Following discussion, (M)Parker, (S)Pickard, Res. 97-17 adopted approving the request, contingent upon review of the final application by County Counsel and County Administrative Officer/Ayes: Unanimous.

- Supervisor Pickard advised of request for support of AB 1, AB 95 and ACA 4 concerning property tax - ERAF (Educational Revenue Augmentation Fund) legislation. Matter to be scheduled on Board's agenda for January 28, 1997, with additional information, including any position that CSAC and RCRC has taken.

Approval of Minutes of 1/7/97 Regular Meeting

BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)

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

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Ken Hawkins, Auditor;

Resolution Making Fund Balance Correction in Visitor Bureau Budget to Accommodate an Accounting Adjustment Between Fiscal Years (\$47,740) (4/5ths Vote Required)

BOARD ACTION: Following discussion, (M)Balmain, (S)Reilly, Res. 97-26 adopted/Ayes: Unanimous.

9:31 a.m. LOCAL TRANSPORTATION COMMISSION

Mike Edwards, Public Works Director;

Letter Requesting Addition of State Highway Projects to State Highway Operation and Protection Program (SHOPP)

COMMISSION ACTION: Following discussion, (M)Parker, (S)Stewart, LTC Res. 97-3 adopted approving request, with Commissioners Stewart and Parker to work with Public Works Director on this matter/Ayes: Unanimous.

9:39 a.m. Mike Edwards, Public Works Director;

A) Select a Preferred Option and Authorize the Chairman to Execute a Lease Agreement for a Building for Temporary County Administrative and Board Offices During Construction of the New County Government Center Building, Upon Approval by County Counsel

BOARD ACTION: Mike Edwards presented options for temporary space and advised of a letter received from Bobbe Standen relative to the former medical building across from the Hospital and their willingness to discuss a month-to-month lease. Discussion was held concerning the options. Art Baggett, representing Jerry Fischer, responded to questions relative to the new proposed commercial building addition adjacent to the offices of Yosemite Motels, Inc. (M)Pickard, (S)Parker, Res. 97-27 adopted approving the option for the space adjacent to the offices of Yosemite Motels, Inc., as recommended/Ayes: Unanimous.

10:03 a.m. PUBLIC HEARING to Consider Temporary Concrete Batch Plant Use and Temporary Borrow Sites for Materials for Emergency Road and Structure Repair Work in Merced River Canyon Following Recent Flooding Events was opened and continued to after the following matters.

B) Resolution Ratifying Emergency Purchase of Water Treatment Equipment (\$572) for the Coulterville Water Supply System and Authorizing Purchase of Additional Water Treatment and Monitoring Equipment (\$2,778) from the Coulterville CSA Utility Capital Fund (4/5ths Vote Required)

BOARD ACTION: (M)Parker, (S)Balmain, Res. 97-28 adopted/Ayes: Unanimous.

C) Resolution to Purchase an Existing Metal Hangar from a Private Party at the Mariposa-Yosemite Airport (\$27,500); Direct Staff to Prepare Purchase Agreement and to amend the State Loan Application to Include the Purchase Price; Direct the Airport Advisory Committee to Recommend the Best Use and Rental Rate of the Hangar

BOARD ACTION: Following discussion, (M)Balmain, (S)Reilly, Res. 97-29 adopted/Ayes: Unanimous.

10:14 a.m. Recess

10:22 a.m. Ed Johnson, Planning & Building Director;

PUBLIC HEARING to Consider Temporary Concrete Batch Plant Use and Temporary Borrow Sites (Including SMARA Exemption) for Materials for Emergency Road and Structure Repair Work in Merced River Canyon Following Recent Flooding Events; APNs 06-040-024, 06-040-023, and 06-060-018; Fischer, Etal. (Yosemite Motels), Property Owners

BOARD ACTION: Ed Johnson presented an overview of the request. Sarah Williams, Planning Manager, provided a detailed staff report and advised of correspondence received for this hearing. Ed Johnson reviewed the State staff's position relative to SMARA exemptions. Staff responded to questions from the Board relative to the status of the temporary batch plant and the request for the plant with regards to the application for the addition to the motel and the Planning Commission's approval process; difference of opinion between State staff and County staff's interpretation of SWANA exemptions; findings for CEQA exemption; and relative to the amount of material in the three sites. Public portion of the hearing was opened and the following input was provided. Applicant's presentation: Art Baggett, representing Yosemite Motels, noted that a temporary batch plant was used for the construction at Cedar Lodge and the Park has used

temporary batch plants for previous construction projects and they have been used in other locations in the County - they provide a cheaper and more efficient use during construction; the issue for temporary use for this plant was raised because Public Works asked about using it for slurry seal for Incline Road; and he stated the rock material that Caltrans is requesting in their bid specifications for Highway 140 repairs is not available in the area. Barry Brouillette, representing Yosemite Motels, advised that they just closed escrow with Jette's for the portion of property across from the Parkline before the flooding and their plans for development for that property are for a wedding chapel with landscaping. Barry Brouillette responded to questions from the Board as to whether any of the sites could provide materials to meet the Caltrans' specifications, and stated they could not provide any of the specified materials, only a slurry seal (decomposed granite and cement mix) and they do not know if Caltrans will use that; the rock by the batch plant is being used on-site to replace rocks that went down river during the flood.

Persons speaking in support of the applicant: Nick Goldman, Outback Materials, advised that they have three portable batch plants and have been operating in the State since 1968, and have operated at least three temporary plants in the County and never needed to go through a permit process; and stated they are not intending to set up a commercial operation and he feels that is where zoning issues come into affect. Persons speaking in opposition to the project: Jean Adams, owner of Ansel Adams Gallery and neighboring property owner to the project, stated she is testifying on behalf of the River and against irreversible damage, noted that the Merced River is designated as Wild and Scenic and should be protected, and stated she is concerned with impacts in the area with heavy trucks, she wants her parcels to remain natural; and she questioned the definition of "temporary" for the batch plant operation. Veronika Gerger, Indian Flat RV Park, stated she is a neighbor to the borrow site by Cedar Lodge, advised that Hites Mine Road goes through her parcel - she requested that if the road becomes dry, that mitigation measures be imposed for the dust, and that the road be left in better condition when the project is finished as it has been used in the past for these types of operations; and requested that the road bank by the Highway not be altered in any way and offered the use of another access for vehicles re-entering the Highway. John Sharp commented on the material requirements for bidders to meet the Caltrans specifications for Highway 140 repair and the concern of the contractors as to whether they can get the materials, and requested that Caltrans be asked to postpone the bid for 24 hours; stated they do not have a problem with the batch plant; and reviewed the list of questions that was submitted to the Planning Department relative to this project; asked if there is a blasting plan and whether air quality and storm water run-off issues have been addressed for this project; and noted that he felt the Security and Exchange Commission limits someone from selling products below cost to restrict other suppliers. Sandy Bunning stated she and her husband have a mining permit in the County and they were the only ones with financial assurances in place the last time she checked the records; stated they had to go through the permit system and is concerned with exempting the normal permit process for the disaster repair work - she would like to see the normal process followed. Comments of a general nature were provided by the following: Michael Quinn, representing landowners in the Whitlock district, stated there is an emergency and there will be problems if the County's roads are not opened; and stated he felt the existing piles of mine tailings in the County should be considered for use in the repairs. John Newman stated he has a proposal for locations for obtaining materials locally to use in the repairs; and asked if these sites are going to be exempted from the normal permit process, if the exemption would apply to others who have material available - using local materials will result in cost savings and lessen the heavy traffic impacts for trucking the materials to the sites. Mike Edwards, Public Works Director, commented that from the County's perspective, the batch plant could be a great local source of material for Incline Road repairs as the cement slurry is a stable backfill to the rip-rap material. Rebuttal: Art Baggett stated they agree with protecting the River - the issues today are not tourism and development issues, they have two landscape architects involved in the project and do not want to do anything that would destroy or impact the area and the Park; advised that they do not plan to operate the batch plant after June 1, 1997; noted that time is of the essence in repairing the roads as people are out of work and the children are unable to get back and forth to school; they have worked with the Resource Conservation District (RCD) on the project; they do not have any rip-rap materials for off-site use; there will be no blasting; no rocks will be taken off-site; they do not have any prices

set for the materials and have no contracts for the materials; and advised that they are trying to plan ahead to help the community. Barry Brouillette noted that there is the possibility of having a windfall to a contractor if they all planned to use outside sources for materials and then a local site is found after the bid is awarded by Caltrans and suggested that Caltrans be made aware of that possibility. Public portion of the hearing was closed. Staff responded to questions from the Board relative to any previous permit process for the site at Cedar Lodge and if there is an existing pit; clarification relative to the use of rip-rap materials and the SMARA exemption process; whether it is possible to expand the exemption to other areas that may have materials for road repairs as a result of the disaster; including the sunset date for the batch plant operation in the formal resolution; whether there is a different regulation process for the Wild and Scenic River issues; whether a report was issued by Fish and Game as a result of their inspection; whether archeological and cultural issues have been addressed as may be required during a normal permit process; whether there is any estimate of the amount of available materials from each of the three sites or any estimate of the amount of materials that will be needed for repairs; and whether granting a SMARA exemption would make it an approved pit for Caltrans. Staff reviewed recommended changes to the resolution relative to applicant's consultation with Fish and Game and inclusion of a sunset date. Board commenced with deliberations. (M)Parker, (S)Pickard, Res. 97-30 adopted approving project as recommended with SMARA and CEQA exemptions; with a closure date of June 1, 1997, for the batch plant, with direction to staff to bring the matter back should it be necessary to extend the deadline due to reconstruction work as a result of the flood disaster; with further direction to staff to review exemptions for SMARA and CEQA for other sites that may exist on a case-by-case basis where there are no unidentified issues and to expedite any such applications; encourage Caltrans to use local contractors wherever possible; include mitigation measures for Hites Mine Road; and suggested that Planning and Public Works discuss with Caltrans their process. Motion was amended, agreeable with maker and second, to include requirement for landscape architect to work with RCD and Planning to protect the plant species/Ayes: Unanimous. Hearing was closed.

Discussion and Possible Direction to Staff Regarding City/County Incorporation Issue (Supervisor Pickard) (No Folder)

BOARD ACTION: Discussion was held concerning this matter. Supervisor Balmain offered to work with Supervisor Pickard in continuing to explore this matter.

12:32 p.m. Lunch

2:06 p.m. Board reconvened at Unified School District Office, 5082 Old Highway North, for a joint meeting with the School Board to Discuss the New UC Merced with Pat Kessler, UC Regent and Dan Simmons, Associate Provost (No Folder)

BOARD ACTION: The following School Board members were present: Donna Ross/Chair - District II, Chriss Chapman - District III, Marguerite Collins - District IV, and Bob Bartholomew - District V. Donna Ross led in the pledge of allegiance. Dan Simmons advised that Pat Kessler was unable to be present as her husband is ill. Dan advised that he is a law professor at UC Davis and is working on the academic planning for the new campus. He presented slides of this site and other campus sites and their development and reviewed statistics relative to increasing enrollment in the university system and noted that they hope to have the new campus open in 2005 or shortly thereafter and they are working on funding issues. He discussed changes in education, the need to connect the campus with Internet and to interface with the community and the schools. Dan responded to questions from the Board members and from the public. Bart Brown asked about the selection of the Merced site over the other sites and relative to preservation of the agricultural land - Merced had worked to resolve issues and the site consists of two trusts and due to the projected growth in the area over the rest of the valley, and the proposed construction site is not suited for agricultural purposes. Ruth Sellers asked if there are any projections relative to the types of businesses that might want to locate in Mariposa County as a result of the new campus, and whether there are any plans to improve roads such as LaPaloma Road which would given better access from

the campus to Mariposa - at this time they do not have any projections and their transportation planning includes connecting Highway 99 to the campus. Rachel Oliver asked about proposed academic majors and encouraged environmental planning to be considered. Superintendent Bill Pettus advised of the innovative interactive system in place with the schools. Dan advised that they will work closely with the School District as development of the campus progresses. The Board requested that the County be kept informed relative to potential impacts during the development of the facility.

3:31 p.m. Recess

3:48 p.m. Discussion and Possible Action Regarding a Local Emergency Relative to the Flooding of the Merced River (County Administrative Officer) (No Folder) (Continued from 1/14/97)

BOARD ACTION: Supervisor Reilly advised that she received a call on Sunday that sewer system had failed again in the Valley due a break in the Cascade area; weather has been severe with snow on the Valley floor; Highway 41 was closed due to driving conditions on Monday; there was a new slide on Highway 140 and they hope to have one lane open for emergency vehicles shortly; advised of a Yosemite National Park press release relative to getting the Wawona area open; and that they are still waiting for the assessment report. County Administrative Officer to check on the status of the assessment report. It was noted that Public Works is working with Mother Lode Job Training to coordinate a program to employ displaced workers in the clean-up efforts. Steve Hayes, Visitors Bureau Director, advised of coordination with Employment Development Department to provide employment for those who have been affected by the disaster.

Consent Agenda item 2 - Discussion was held concerning the request and relative to the County's commitment for ongoing costs if the grant is awarded. (M)Reilly, (S)Pickard, item 2 was approved. Second was withdrawn, and motion was seconded by Supervisor Balmain, following further discussion. Motion was amended, agreeable with maker and second, to include direction that outside sources provide the funding commitment to match the grant and sustain ongoing costs/Ayes: Reilly, Balmain, Stewart; Abstained: Parker, Pickard.

Resolution Authorizing the Chairman to Execute an Amendment to the Alpine, Mother Lode, San Joaquin EMS Agency Joint Powers Agreement (Supervisor Parker)

BOARD ACTION: Following discussion, (M)Parker, (S)Pickard, Res. 97-32 adopted/Ayes: Unanimous.

Waive First Reading and Introduce Ordinance Eliminating Building Permit Exemptions for Specific Structures (County Counsel)

BOARD ACTION: Following discussion, (M)Pickard, (S)Reilly, ordinance was introduced/Ayes: Reilly, Stewart, Pickard; Noes: Balmain, Parker.

4:30 p.m. CLOSED SESSION Relative to Public Employee Performance Evaluation for Visitors Bureau Director Position (County Counsel)

BOARD ACTION: (M)Pickard, (S)Parker, closed session was held with Steve Hayes, Visitors Bureau Director, to be present for portion of session/Ayes: Unanimous.

5:17 p.m. Board reconvened with direction given to staff as a result of closed session.

CONSENT AGENDA

CA-1 Resolution Approving Revised Class Specification for Municipal Court Clerk (County Counsel); Res. 97-22

- CA-2 Resolution Authorizing County Librarian to Submit Grant Application for InfoPeople Internet Project from the State Library (Library); Res. 97-31
- CA-3 Resolution Authorizing the Public Works Director to Execute Caltrans State-Local Transportation Partnership Program Supplement No. 002 for Partial Funding of the County Roads Asphalt Concrete Overlay Project, Public Works Jobs Number 95-30 (\$36,979) (Public Works); Res. 97-23
- CA-4 Amendment to the Committee Representation on the Coulterville Service Area No. One Advisory Board (Public Works); Res. 97-24
- CA-5 Resolution Commending Dianne Fritz as President of the Mariposa County Chamber of Commerce for 1996 (Chamber of Commerce); Res. 97-25

5:18 p.m. Adjournment in memory of Stephen Good.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA JANUARY 28, 1997

Time Description
9:01 a.m. Meeting Called to Order with Supervisor Parker excused.
Pledge of Allegiance

Resolution Recognizing William “Mike” Turkington for his Service to the County of Mariposa (District Attorney)
BOARD ACTION: (M)Pickard, (S)Balmain, Res. 97-33 adopted and presented to Mike Turkington/Ayes: Reilly, Balmain, Stewart, Pickard; Excused: Parker.

Resolution and Tile Plaque Recognizing James F. “Jim” Evans for his Service to the County of Mariposa (Board)
BOARD ACTION: (M)Pickard, (S)Reilly, Res. 97-34 adopted and presented along with tile plaque to Jim Evans/Ayes: Reilly, Balmain, Stewart, Pickard; Excused: Parker.

Discussion and Possible Action Regarding a Local Emergency Relative to the Flooding of the Merced River (County Administrative Officer) (No Folder)
BOARD ACTION: Supervisor Reilly advised of the status of roads - on Highway 120 they are watching the “slump” area and hope to open the Highway to Crane Flat; Badger Pass will open to nordic skiing weather permitting; sewer system is still not operating; and work is going well on Highway 140 at the “cookie” slide. Blaine Shultz, Fire Chief, reported on the five additional landslides that occurred over the weekend on Highway 140, Incline Road and Foresta Road; advised that any amount of rain may cause problems; he is still attending the incident meetings each morning which are mostly devoted to clean-up issues and is representing the County and Forestry; advised that last Thursday he attended a meeting with several department heads in Fresno with FEMA personnel; and recommended that the County continue with the Emergency Declaration. (M)Pickard, (S)Reilly, the Board noted that it considered the Emergency Declaration this date and approved recommendation of the Fire Chief to continue with the Declaration until action is taken to terminate the Declaration/Ayes: Reilly, Balmain, Stewart, Pickard; Excused: Parker. Janet Hogan, County Administrative Officer, presented preliminary figures relative to the impact of the disaster on the County’s budget with regards to the transient occupancy tax. Supervisor Pickard asked about the impact relative to sales tax revenue to the County. Mike Edwards, Public Works Director, advised that there were minor damages to roads throughout the County during the weekend rains.

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

Approval of Minutes of 1/14/97 Regular Meeting
BOARD ACTION: Approved.

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

Mike Edwards, Public Works Director;
Resolution Approving and Authorizing the Chairman to Sign the Stipulated Compliance Order Between County and the California Integrated Waste Management Board to Fund Deficit in Mariposa County Landfill's Closure/Postclosure Maintenance Fund
BOARD ACTION: Following discussion, (M)Balmain, (S)Reilly, Res. 97-37 adopted/Ayes: Reilly, Balmain, Stewart, Pickard; Excused: Parker.

9:42 a.m. LOCAL TRANSPORTATION COMMISSION

Bill King/Planning - Transportation Specialist, appeared on behalf of Ed Johnson, Planning & Building Director;
Resolution Approving a Memorandum of Understanding Regarding the County's Participation in the Yosemite Area Regional Transportation Strategy (YARTS) Project, and to Authorize the YARTS Representative of the Mariposa County LTC to Sign
COMMISSION ACTION: Following discussion, (M)Pickard, (S)Stewart, LTC Res. 97-4 adopted/Ayes: Reilly, Balmain, Stewart, Pickard; Excused: Parker.

9:54 a.m. Ken Hawkins, Auditor;

A) Request for Direction Concerning Contracts with Mariposa Public Utility District (MPUD) Contracts

BOARD ACTION: Following discussion, (M)Reilly, (S)Pickard, Res. 97-38 adopted authorizing Public Works Director to execute contracts with MPUD for the pressure zone and water tower projects funded in the CIP budget/Ayes: Reilly, Balmain, Stewart, Pickard; Excused: Parker. Mike Edwards advised that he reviews all requests for disbursement from the CIP budget and plans and agreements and change orders for these projects.

B) Resolution Authorizing Fixed Asset Purchase - HTE Hardware Upgrade (\$82,000)

BOARD ACTION: Discussion was held with Ken Hawkins, and he clarified that the request is for the AS 400 system upgrade as budgeted, and includes a computer workstation. Dennis Patrick, Data Processing, provided input relative to the request and advised that this will increase the number of devices that can be hooked into the controller and some of the equipment has been located at a real cost savings. (M)Pickard, (S)Reilly, Res. 97-39 adopted/Ayes: Reilly, Balmain, Stewart, Pickard; Excused: Parker.

C) Resolution Appropriating Unanticipated Revenues for Fixed Asset Purchase for Laptop Computers in Sheriff's Office (\$102,615) (4/5ths Vote Required)

BOARD ACTION: (M)Reilly, (S)Pickard, Res. 97-40 adopted/Ayes: Reilly, Balmain, Stewart, Pickard; Excused: Parker.

10:10 a.m. Jeffrey G. Green, County Counsel;

1996 Reclassification Requests (Continued from 1/14/97)

BOARD ACTION: Following discussion, (M)Pickard, (S)Reilly, Res. 97-41 adopted approving requests as recommended. Supervisor Balmain requested that the matter be continued to February 4, 1997, for a full Board to be present and requested that when departments apply for grant funding that may result in a reclassification request, that the Board be advised up front of this possibility. Supervisor Reilly requested that consideration be given to requesting the reclassification requests earlier - perhaps during the budget process. Janet Bibby/DA-Paralegal, advised that the award of grants in the District Attorney's office have not had any impact on their reclassification requests. Ayes: Reilly, Stewart, Pickard; Noes: Balmain; Excused: Parker.

10:25 a.m. Recess

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA FEBRUARY 4, 1997

Time Description

9:04 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

- David Biggins, representing the Chamber of Commerce, with Ann Sparks, Executive Director for the Chamber, present, advised of their plans for a celebrity concert fundraiser event to be held April 4 - 6, 1997, and requested that the Board adopt a resolution in support of this charitable event. (M)Parker, (S)Pickard, Board waived its rules requiring 72 hours agenda notice, finding the request was not known at the time the agenda was prepared and based on the timeframes for promoting the event, this is a matter of timeliness/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly. Discussion was held concerning this event and other activities being planned. Supervisor Parker advised that he is a director on the Yosemite-Mariposa United Way and feels it may be a conflict for him to participate in this matter due to the proposal to donate the revenue to the United Way. David Biggins clarified that they have not met with the United Way and no specific organization is designated to receive the proceeds at this time. (M)Pickard, (S)Balmain, Res. 97-42 adopted supporting the efforts of the Chamber of Commerce and Celebrity Concert days for April to benefit the community/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Discussion and Possible Action and Direction to Staff Relative to an Agreement Between the County and Bureau of Land Management (BLM) Regarding Emergency Repair of the Access Road Below the Briceburg Bridge (No Folder) (County Counsel)

BOARD ACTION: Jeff Green, County Counsel, advised of request received from BLM that the County contract to repair the access road to expedite the process to accommodate the opening of rafting season and a miner that lives downstream. BLM would handle all of the processing and provide funding to the County for the work. Discussion was held concerning a hold harmless clause to protect the County. Mike Edwards, Public Works Director, commented on their role in this process. Jim Eickert, BLM, commented on the hold harmless clause. (M)Balmain, (S)Parker, direction was given for staff to work with BLM to reach an agreement, include whatever is possible in the way of a hold harmless clause, and bring the matter back to the Board/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly. Matter was continued to February 11, 1997, for staff to report on the status.

Approval of Minutes of 1/21/97 Regular Meeting

BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Janet Hogan, County Administrative Officer, pulled item 2 - matter was continued to February 11, 1997, for further review of the distribution with regards to the budgeted funding. Supervisors Balmain and Pickard pulled item 1 - matter was continued to be discussed with the Local Transportation Commission agenda later this date. (M)Parker, (S)Pickard, item 3 was approved/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

9:32 a.m. LOCAL TRANSPORTATION COMMISSION

Ed Johnson, Planning Director;

A) Resolution to Support the Merced County Association of Governments Grant Application to Implement Phase II of the Yosemite Area Regional Transportation Strategy

COMMISSION ACTION: Discussion was held concerning this matter and relative to requesting additional funding to expedite the project. (M)Parker, (S)Stewart, LTC Res. 97-5 adopted supporting the grant application, with request for additional funding for a total of \$200,000, to complete the project expeditiously. Further discussion was held. Bill King/Planning - Transportation Specialist, provided input relative to the YARTS process and these projects. Motion was amended, agreeable with maker and second, to adopt the Resolution as requested, with direction to staff to work with Merced County Association of Governments to request additional funding to expedite the project in light of the flood disaster and the impending release of the Valley Implementation Plan from the Park/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

C) Resolution Authorizing Submission of Application for Federal Transit Administrative State Planning and Research Grant to Develop Public Transportation Strategy to Coordinate with Yosemite National Park's Housing and Transportation Plans

COMMISSION ACTION: Following discussion, (M)Parker, (S)Stewart, LTC Res. 97-6 adopted/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

B) Resolution Authorizing Submission of Application for Federal Transit Administrative State Planning and Research Grant to Update the Transit Development Plan for Mariposa County

COMMISSION ACTION: Following discussion, (M)Pickard, (S)Stewart, LTC Res. 97-7 adopted/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly. Ed Johnson advised that they will include the requests in the study relative to privatization and county-wide service.

Consent Agenda item 1 - Following discussion with Ed Johnson, Planning and Building Director, and Bill King, Transportation Specialist, (M)Pickard, (S)Stewart, item 1 was approved - LTC Res. 97-8/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

10:11 a.m. Board reconvened and recessed.

10:19 a.m. Don Z. Phillips, Treasurer;
Presentation by Seidner & Company and by Deputy County Treasurer (Investment Officer) Regarding County's Investment Portfolio and Treasurer's Guidelines

BOARD ACTION: Alan Seidner and Joan West/Seidner & Company, presented report and responded to questions. Discussion was continued for the following hearing to be opened and continued.

PUBLIC HEARING to Consider Appeal No. 96-8; Appeal of Planning Commission's Condition of Approval for Land Division Application No. 1476 was opened and continued to after the following matter.

Further discussion was held concerning the County's investment portfolio. Marian Spacke, Investment Officer, provided input. Supervisor Parker requested information for 1996 costs for consultant services to the County and more detailed information on the investments. Alan advised that he will work with the Treasurer to provide the requested information within the next couple of weeks, and will provide updates in future reports to the Board. Discussion was held relative to the proposed guidelines. (M)Pickard,

(S)Parker, Res. 97-43 adopted approving the Treasurer's Investment Guidelines/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

10:58 a.m. Recess

11:01 a.m. Ed Johnson, Planning Director;
PUBLIC HEARING to Consider Appeal No. 96-8; Appeal of Planning Commission's Condition of Approval for Land Division Application No. 1476; Judith Moore, Applicant-Appellant; Dick Seaman, Agent (Continued from 1/14/97)

BOARD ACTION: Ed Johnson presented an overview of the appeal issues and advised that action on this matter will set a precedent for future decisions relative to road frontage improvements and in-lieu fees. Jean Clark, Assistant Planner, reviewed the details of the appeal and the Planning Commission's decision. Staff responded to questions from the Board relative to road frontage improvement requirements and in-lieu fees and designation of road segments being impacted by the land division; actual construction costs to bring Carter Road to a Class II standard for the affected portion and the cost for in-lieu fees; and process of getting an engineer's estimate and review by Public Works. Mike Edwards, Public Works Director, advised that the in-lieu fee has not been set - it would be based on an engineer or contractor's estimate, and he feels the \$14,000 in the staff report may be high. Staff further responded to questions from the Board relative to calculating the in-lieu fees.

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

- Dick Seaman, agent for the applicant/appellant, stated the subject parcel has a mobile home at one end which the owners rent and they are building a residence on the other end; however, in order for them to obtain CalVet financing on the new residence, it has to be on its own parcel - CalVet will not allow the second structure (mobile home) to be on the same parcel with the residence; the land division is not creating any additional impact on Carter Road and two dwellings are allowed on the existing parcel; he referred to the Road Circulation Policy and advised of a subdivision that occurred previously where no improvements have been made and subsequently no impacts to the roads; stated he does not feel Carter Road is unsafe in its current condition even though it is not constructed to County standards - if so, Public Works would have done something about it; stated he felt it was unfair to require these owners to pay a fee just because their property fronts a County road and others with property behind this parcel would not have to pay a fee if they divided; stated he feels the County should want an impact fee that would affect all properties versus a road frontage fee that affects selected parcels as all parcels create an impact; stated he feels the road impact occurs when people reside on the property; noted that not all pieces of property will be fully developed; and requested that the proposed fee be waived, and that if a fee is charged, that it should be proportional to the increased usage impact on Carter Road by the people who live there and not include the other roads. Mr. Seaman responded to questions from the Board relative to the proposed size of the two parcels, access to the second parcel by an easement road; and noted that without the land division, the new structure is legal - it is the land division that triggers the fee.

- Judith Moore, applicant-appellant, advised that their loan for the new residence is based on their wages and an additional fee is a financial hardship, especially since she is currently unemployed with the closure of Yosemite due to the flood and she is concerned that they could lose their house; and she does not feel that they would get another loan to include this fee under the current circumstances. Mrs. Moore responded to questions from the Board relative to processing the loan and the final parcel map and coordinating with the Planning process.

- Harry Moore noted that they need to retain the mobile home for the rental income to meet the income requirements for the loan.

- Mr. Wolf stated he is in a similar situation and his project is on hold pending the outcome of this matter - they have a parcel with two houses and are splitting it; in the process they are trading a parcel and now they fall under this provision and are being asked to improve Old Highway for the length of their parcel; this improvement will involve moving utility facilities, mailboxes and fencing, and they are not creating any additional impact with their project; stated he felt the project being considered today is also a no impact situation; and stated he feels the fee is logical if there is an impact and another process should be found.

- Jan Hamilton, Realty World, noted that the builder asked her to be present for this hearing; advised that Leroy Radanovich spoke at the Board of Realtors meeting recently and mentioned that new ways would be looked at to address the impacts; and urged the Board to consider the applicant's situation in this matter.

- Mr. Wolf further stated they have been trying to sell their property and it is too expensive with two residences - that is why they are trying to divide the property.

Persons speaking in opposition to the project: none.

Comments of a general nature: none.

Staff responded to the input provided and to questions from the Board relative to imposition of the road frontage fee for parcels that front County roads and not for parcels that are set back in, and relative to variations. Jeff Green, County Counsel, noted that if you are on a parcel served by an access other than a County frontage road, the applicant would need to pay for off-site improvements for the easement road; and responded to questions from the Board relative to the possibility of working out a payment schedule with the applicant, and whether this matter could be revisited if the policy changes in the future.

Board commenced with deliberations. (M)Parker, (S)Balmain, Res. 97-44 adopted denying appeal with regards to the off-site improvement requirements; all other conditions imposed by the Planning Commission remain in force; direction was given for Public Works Director to work with the property owners to come up with an identified cost for the road improvement to bring the property frontage on Carter Road to a Class II standard, and to work out a payment schedule, and to bring the matter back to the Board if an agreement is not reached; allow the property owners the opportunity to have the costs reviewed by an engineer; and further direction was given that if the Road Circulation Policy is amended in the future in such a manner that it would result in a reduction of the costs, then the payments would be reduced accordingly. Discussion was held relative to collateral for the payments. Ayes: Balmain, Stewart, Parker; Noes: Pickard; Excused: Reilly. Mrs. Moore noted that they are getting ready to retire and their finances are limited. Hearing was closed.

12:24 p.m. Lunch

2:05 p.m. Ed Johnson, Planning Director;
PUBLIC HEARING to Consider Temporary Borrow Site (Including SMARA and CEQA Exemption) for Materials for Emergency Road Repair Work in Merced River Canyon Following Recent Flooding Events; John Newman, Applicant/APN 11-250-018, Puglizevich, Property Owner

BOARD ACTION: Ed Johnson gave an overview of the application and reviewed the correspondence that was received relative to this hearing. Sarah Williams, Planning Manager, provided a detailed staff report. Staff responded to questions from the Board relative to interpretation of being able to authorize SMARA exemptions as a result of the flood disaster.

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

- John Newman, Newman Ranch, reviewed his proposed project and advised that the Puglizevich property consists of 1700 acres; advised that the project site consists of about five acres and is in the center of a 662 acre parcel and is surrounded by vegetation and a small canyon and it cannot be seen from Highway 49 North; the nearest residence is about one mile away and there is no visual impact; he proposes to build about 2,000 feet of road and this location is a short hauling distance to Highway 140; he proposes to use D-8 and D-9 bulldozers and may or may not screen the materials depending on Caltrans' specifications; the materials could be used for road shoulders and embankments; could possibly be used by BLM and the County on Incline Road; he intends to operate within the guidelines of the contractor - currently that is seven days a week and ten hours a day; he has discussed safety signing on the Highway with Caltrans to alleviate any hazards with the trucks entering and exiting the Highway; he is working with Public Works relative to mitigating impacts to Mr. Ophir Road; he has discussed the project with Fish and Game and they will authorize a wet stream crossing; there is a pond close-by to handle sedimentation and he is working with Resource Conservation District on those issues; he is pursuing this project so that Caltrans can purchase materials locally and he feels they are interested in the material he can produce and will meet with him later in the week; this can expedite the project and generate a savings and will not impact the environment; advised that he is not asking for SMARA and CEQA exemptions - he will provide financial assurances and a reclamation plan and comply with all regulations; commented on the status of other operations in the County; and stated he is just asking for a waiver of the timeframes.

Persons speaking in opposition to the project:

- Sally Dupre, neighboring resident, stated they feel left out of the process as they were not aware of the proposed project until receiving a notice of this hearing in the mail; she expressed concern with noise impacts and that the operation may continue after the road repairs are finished as a result of the flood disaster; expressed concern with potential water contamination and with impact to the wildlife in the area. Mrs. Dupre responded to question from the Board relative to the location of their residence in regards to the project site.

- Tom Weidner, real estate agent for the Dupres, stated he felt there must be some safeguards to protect the neighbors; expressed concern that there may be some chemicals left in the area from earlier mining operations that might be disturbed by this project; and asked if blasting would be involved in this project.

- Frank Long stated he has had his financial assurances for his operation since February 19, 1996, but there needs to be a minor change in them to satisfy the State; stated he has material available; commented on the permit processes he has gone through and the costs for his operation and the amount of material they can supply; stated he feels this application could jeopardize the previous exemption granted by the Board for Yosemite Motels; he referenced a letter from John Parrish, State Mining and Geology Board, relative to interpretations of being able to exempt SMARA requirements and commented on other correspondence that was received; noted that a storm water permit is required annually for each pit site; referred to the earlier grading project by this applicant; and advised that if the Board approves this project, he will attempt to get on the next agenda for the State Mining and Geology Board to object.

Planning Director and Public Works Director responded to questions from the Board as to whether products exist on this site that meet Caltrans' specifications.

Comments of a general nature: none.

Rebuttal by applicant: John Newman introduced Mr. Puglizevich, property owner of the proposed project site; advised of a ridge and vegetation between the Dupre residence and the site and stated he does not feel that noise will be an impact; stated he feels Mr. Long should be trying to sell his own material instead of contesting his project - he feels there will be a need for more materials than can be produced locally; stated he does not feel that there are any water quality concerns for the area; and he will address storm water drainage. Mr. Newman responded to questions from the Board relative to the status of any contractual arrangements with Caltrans or their contractor for materials that he proposes to produce. Mr. Long responded to questions from the Board relative to the status of their operation and whether they have any contractual arrangements with Caltrans.

Public portion of the hearing was closed. Staff responded to the input provided during the hearing, and revised their recommendation in light of the input provided by the applicant and the State - they feel that the Board should not waive any requirements or grant any exemptions, other than time limits; suggested a temporary permit be granted with a specified time to meet all conditions; and advised that with regards to environmental review, everything has been incorporated in the process with the exception of the noise issue and a mitigation measure could be added relative to hours of operation, and suggested six days a week during daylight hours, or relative to level of acceptable noise. Staff responded to questions from the Board relative to recommendation.

Board commenced with deliberations. (M)Pickard, (S)Parker, Res. 97-45 adopted approving a temporary mining permit for the temporary borrow site with financial assurances and reclamation plan to be submitted to staff in compliance with SMARA regulations within fifteen days; with all permit fees to be paid by the applicant; project to comply with noise standards as set forth in the General Plan for residential areas and any complaints shall come back to the Board for further consideration; applicant to comply with CEQA regulations as identified in the staff report; use of the materials from the project site is restricted to the Merced River canyon and Yosemite Valley repairs as a result of the flood disaster; term of the project shall not exceed 100 days; operation at the site is permitted during daylight hours, seven days a week. Motion was clarified to state that the project can only proceed if there is a contract for the materials and the financial assurances and reclamation plan are in place; the 100 day time limitation begins when the permit is issued, and any extension of this timeframe will come back to the Board for further review. Motion was amended by maker, agreeable with second, following further discussion, to restrict the use of the materials to the Merced River canyon to the boundary of Yosemite/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly. Hearing was closed.

3:44 p.m. Recess

3:58 p.m. Discussion and Possible Action Regarding a Local Emergency Relative to the Flooding of the Merced River (No Folder) (County Administrative Officer)

BOARD ACTION: Discussion was held with Raymond Lenaburg and Michael Shore, representing FEMA, relative to the National Flood Insurance Program, its background, goals, and requirements for County participation and affects non-participation has on disaster assistance programs for residents. Barry Brouillette asked if the Flood Plain maps could be corrected to reflect actual situations, and was advised that an appeal could be submitted; and asked about ability to obtain a loan for loss of income as a result of the flood disaster. Discussion was held concerning insurance rates and coverages. Ed Johnson, Planning and Building Director, provided input. Jerry Rankin responded to

questions relative to the number of claims that have been filed with FEMA as a result of the flood disaster. Blaine Shultz, Fire Chief, provided input. Direction was given to Planning staff to review this matter and come back to the Board with a report including implications relative to land use and affect on existing structures and potential affect for future structures; how long the County has to make a determination to participate in the program and the affect on the current situation.

Board members discussed their recent visits to Yosemite and the damages in the Valley and to the highways, etc.

Discussion was held relative to letters received from Congressman Radanovich advising of legislation being introduced to enable the most rapid recovery of Yosemite National Park possible and relative to the reopening of Badger Pass Ski Resort. Board concurred with referring the letter relative to the Ski Resort to the County Administrative Officer to forward to the Tourism Advisory Committee for review and recommendation and thoughts as to how the County may or may not participate. Further discussion was held relative to the letter advising of legislation and dealing with transit, repair of Highway 140 and promotional issues. Supervisor Stewart suggested the funding request include widening of Highway 140 and that the proposal identify and include a price-tag for a staging area for public transit services. Mike Edwards, Public Works Director, suggested the funding request include improvements to Incline Road and the Forest Service campgrounds associated with Incline Road; and improving and utilizing J-132 as an alternate route to Yosemite - he will provide the County Administrative Officer with some wording to cover infrastructure repairs. Blaine Shultz, Fire Chief, advised that the Forest Supervisor will be touring the El Portal flood areas on Friday and looking at the Hites Cove Trail, Red Bud campgrounds and picnic areas, and stated those issues may already be addressed in the proposed funding request. (M)Parker, (S)Balmain, Res. 97-46 adopted supporting the legislation introduced by Congressman Radanovich and John Doolittle for the recovery of Yosemite National Park; and Res. 97-47 adopted directing County Administrative Officer to prepare a letter to encourage Congress in this process, as requested, with the letter to be distributed to Congressman Radanovich, President Clinton, all of our legislators, State Office of Tourism, neighboring counties, YARTS and as appropriate/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Waive Second Reading and Adopt Ordinance Eliminating Building Permit Exemptions for Specific Structures (County Counsel)

BOARD ACTION: Matter was continued to February 11, 1997, for a full Board to be present.

Mike Edwards, Public Works Director, provided additional input relative to the flood update - advising of a request he received from an individual to remove bedrock from the landfill for use as rip rap. He advised that this project would be subject to SMARA and would require the County's authorization to remove material from County property. This project could benefit the County, as it is their intent to level the proposed project site for future operations. Jeff Green, County Counsel, advised that the public process requirements would need to be reviewed as this is a sale of County-owned property. Staff will review this matter and report back. Mike further advised that they are applying for Federal aid funds for the County roads.

INFORMATION - No action was necessary on the following items:
Board Hearing Schedule (Clerk of the Board)

CONSENT AGENDA

- CA-1 **LOCAL TRANSPORTATION COMMISSION**
Resolution Allocating State Transit Assistance Funds for the 1996-97
Fiscal Year (Planning); LTC Res. 97-8
- CA-2 **LOCAL TRANSPORTATION COMMISSION**
Issue Resolution Allocating Transportation Development Act Funds for the
of Stale-Dated Checks Effective February 14, 1997 (Auditor); Matter was
continued to February 11, 1997, for further review
- CA-3 Waive Second Reading and Adopt Ordinance Establishing Guidelines for
the Issue of Stale-Dated Checks Effective February 14, 1997 (Auditor);
Ord. 914

5:40 p.m. Adjournment in memory of Paul Vice, Edwin DeWilder, Jack Snell and
Arthur Steeley.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA FEBRUARY 11, 1997

<u>Time</u>	<u>Description</u>
9:05 a.m.	Meeting Called to Order Pledge of Allegiance

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

- Leota Striplin requested a proclamation for National Hospitalization Veterans Day to present at the VA Hospital, and announced the sale of daffodils for the Cancer Society fundraiser. (M)Parker, (S)Pickard, Board waived its rules requiring 72 hours agenda noticing to consider the request, finding the matter was not known about at the time the agenda was prepared and the event is scheduled prior to the next Board meeting/Ayes: Unanimous. (M)Parker, (S)Reilly, Board proclaimed February 14, 1997, as National Hospitalization Veterans Day/Ayes: Unanimous.
- Supervisor Pickard advised of a request received from Regional Council of Rural Counties (RCRC) for the County's preference of which fiscal relief measure would be most financially beneficial to Mariposa: State assumption of General Assistance or permanent trial court funding. (M)Reilly, (S)Pickard, Board waived its rules requiring 72 hours agenda noticing to consider this request, finding this matter was not known about at the time the agenda was prepared and action is requested prior to the next meeting/Ayes: Unanimous. Following discussion, (M)Reilly, (S)Pickard, Board accepted County Administrative Officer's recommendation to notify RCRC that Mariposa County's preferred strategy is to support the current pending major trial court funding bills and to advocate that for all counties, the county contribution for general assistance be frozen at a specified level such as 1995-96 actual expenditures or 1996-97 budgeted appropriation with the State funding future growth in costs/Ayes: Unanimous.

Approval of Minutes of 1/28/97 Regular Meeting
BOARD ACTION: Approved.

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

Discussion and Possible Action Relative to John C. Fremont Healthcare District's Request to be Declared a "Weapons Free Zone" (Supervisor Parker)
BOARD ACTION: Discussion was held concerning the request, the boundary for the zone, types of weapons that would be regulated, and whether there are other codes to deal with this issue. (M)Pickard, (S)Parker, direction was given to staff to bring back a proposed ordinance for further consideration/Ayes: Unanimous. Gary Dorman, Healthcare District's Maintenance Department, advised that he is in charge of security at the hospital, and advised of past situations that have occurred where it was felt that a "weapons free zone" designation could have assisted in alleviating potential danger.

LOCAL TRANSPORTATION COMMISSION

Resolution Allocating Transportation Development Act Funds for the 1996-97 Fiscal Year (Planning) (Continued from 2/4/97)

BOARD ACTION: Janet Hogan, County Administrative Officer, pulled this matter for further consideration during the mid-year report.

Discussion and Possible Action Regarding a Local Emergency Relative to the Flooding of the Merced River (No Folder) (County Administrative Officer); and Discussion and Possible Action and Direction to Staff Relative to an Agreement Between the County and Bureau of Land Management (BLM) Regarding Emergency Repair of the Access Road Below the Briceburg Bridge (No Folder) (County Counsel) (Continued from 2/4/97)

BOARD ACTION: Mike Edwards, Public Works Director, presented the Board with information from the Public Contract Code relative to provisions for waiving the formal bid process for projects as a result of the flood disaster, and advised that he has three projects for the Board to consider. Discussion was held concerning the Bureau of Land Management (BLM) project to repair the access road below Briceburg bridge - Mike advised that he feels they have solved the hold harmless clause issue for a contract and the payment and reimbursement issue so that the County is not fronting money from the General Fund, and emergency repair will allow for the rafting season to occur. (M)Reilly, (S)Parker, Res. 97-53 adopted authorizing Public Works Director to negotiate and execute an agreement with BLM and to issue a contract with the currently employed contractor by BLM for work in the River canyon for repairs on the access road below Briceburg bridge as a result of the flood disaster; said contract not to exceed \$158,000 and approval is contingent upon review and approval of the contract documents by County Counsel; plans and specifications for the project were approved, with direction given for a copy of the documents to be provided to the Board for review; and action was taken with the following findings pursuant to the Public Contract Code Section 1102: the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action is necessary to respond to the emergency; and the Board shall review the emergency action every 14 days, until the action is terminated, to determine that there is a need to continue the action/Ayes: Unanimous. The other projects were continued to later this date for consideration.

10:10 a.m. Recess

10:22 a.m. Susan Lyons/Administration - Executive Secretary, introduced Liz Baumann who will be working in her place during the recruitment process to fill the position.

Ed Johnson, Planning Director;

Yosemite Housing Plan Informational Workshop (Supervisor Reilly)

BOARD ACTION: Mark Butler/National Park Service - Planning Officer, presented background to the Housing Plan process, and reviewed the alternatives contained in the addendum, with the preferred alternative to relocate housing to El Portal and retain use in Yosemite Valley based on the 1992 study. Discussion was held and it was noted that the changes will affect communities and that the Park plans to integrate the flood information into the planning process. Discussion was held relative to requesting an extension to the deadline to respond to the Plan and the process for adopting the Plan. Ed Johnson reviewed the background to this Plan and reviewed previous comments from the County. Mike Edwards, Public Works Director, commented on infrastructure issues to better serve our residents and Yosemite as a whole, noting the Yosemite Connection Transit Service could provide an opportunity for other alternatives within a reasonable commute, and the Saxon Creek project provides for growth opportunities in the Mariposa town planning area.

Input from the public was provided by the following:

- Shirley Schmelzer stated she opposes the alternative for moving housing to Wawona as it would result in the loss of 16 acres of trees; with regards to the Riverside area in El Portal, she is concerned with flood damage and whether a high bridge would be required

for access; and stated she would like an in-depth study of moving Park Headquarters and the Administrative Site to Mariposa where there are more services available.

- Barry Brouillette noted that funding for the potential cost of a bridge and housing for the El Portal alternative could be used to make a transportation system free; and stated he feels there is a blend of things that will allow a significant increase of housing in El Portal and the County and better serve the needs of the County and meet the needs of the Park.

- Jan Hamilton stated it is clear to her that a tremendous effort has been put into this planning, and she hopes we can take advantage of the situation and move forward and get things resolved.

- Charles Lammers stated he feels it is a good idea for non-essential functions to be moved to Mariposa as El Portal can be landlocked without warning, as occurred during the recent floods; the County has invested a lot of dollars in infrastructure and we could model the situation at the Grand Canyon where the Park administration services are located about sixty miles away; and this would boost the economic viability of the County.

- Art Baggett stated he agreed with Supervisor Reilly's input that these are communities being impacted and agrees that this is an opportunity to change things; the Valley Implementation Plan is merging with this process; the town of Mariposa is pre-zoned and has a water and sewer system in place and there is nothing to slow the relocation process; and he noted that past Boards and Planning staff have spent a lot of time responding.

Mark Butler further commented that this is an opportunity to work together; noted that the people currently housed in the Valley are not high-salaried and transportation costs would be a factor; and advised that the headquarters staff numbers represent a minority in terms of numbers of people to be relocated from the Valley. Barry Brouillette noted that everyone has been working together, especially since the flood disaster, and we need to continue to communicate. Supervisor Reilly stated she will continue to work with Planning staff to bring draft comments, based on today's discussion, back to the Board. (M)Pickard, (S)Parker, Board requested an extension of time for public comment on the Housing Plan to March 31, 1997, due to the situation with the flood disaster and to allow the County and Park Service and communities and staff to expand on the public input and to research if there are other alternatives that are available. Motion was amended, agreeable with maker and second, to request the extension to April 1, 1997/Ayes: Unanimous.

Bob Andrew, Yosemite National Park, thanked the Board for the input on the Housing Plan and stated he agrees that this is an opportunity to work together; and he provided an update on the status of flood recovery efforts - within the next two weeks they should be able to establish a timeframe for opening the roads and the Valley. A lot of progress has been made on Highway 140 and they are working on a process to phase the opening of Yosemite and he discussed the options being considered. Supervisor Parker requested that the County be involved in the discussions relative to the opening of Highway 140.

Following further discussion relative to responding to the Housing Plan, Board concurred with Supervisor Parker working with Supervisor Reilly to work with Planning staff to bring back a draft response.

Steve Hayes, Visitors Bureau Director;
Joint Meeting with the Tourism Advisory Council (TAC) to Identify the TAC's Role and Communicate the Board's Vision Regarding the Visitors Bureau Function

BOARD ACTION: Matter was continued to March 4, 1997, at 2:00 p.m.

12:27 p.m. Lunch

2:03 p.m. Board reconvened with Supervisor Reilly arriving at 2:10 p.m.

Continued Discussion and Possible Action Regarding a Local Emergency Relative to the Flooding of the Merced River (No Folder) (County Administrative Officer)

BOARD ACTION: Further discussion was held with Mike Edwards, Public Works Director, concerning waiver of normal contracting procedures for projects as a result of the flood disaster. Discussion was held concerning restoration of Incline Road before further damage occurs as a result of the spring run-off; and relative to removal of rock rip rap from the landfill for use in the flood recovery efforts. (M)Parker, (S)Balmain, Res. 97-54 adopted authorizing Public Works to proceed with both of these items as requested, and with the same findings as set forth earlier this date for the repair work on the access road below the Briceburg bridge/Ayes: Balmain, Stewart, Parker, Pickard; Abstained: Reilly. Discussion was held concerning road funding status - Mike Edwards advised that they are gathering information for the mid-year budget report and they will not issue a contract for the Incline Road repairs until further discussion is held during the mid-year report relative to their budget status; and he expressed concern with changes in the reimbursement process with FEMA and OES for these projects and the additional costs that the County will incur. He also noted there are unanticipated problems with other County roads due to the additional rains this winter and the costs for those repairs are not budgeted.

Mike Edwards advised that the Park is planning to remove about 1,000 tons of old asphalt as a part of the flood recovery efforts in the Valley, and the Park has asked the County if they could accept this material at the landfill and at a reduced rate. Discussion was held concerning the request, and Mike advised that the landfill can handle this material and perhaps it could be used to surface the haul roads, and he recommended accepting it on this one time basis at one-half the normal rate as it would require one-half of the work for normal refuse. Discussion was held relative to the possibility of using the material on the Incline Road repairs. (M)Reilly, (S)Pickard, Res. 97-55 adopted giving Public Works Director the discretion to accept the material at \$32.00 per ton, with the Park Service having the choice of stockpiling it in El Portal for use by the County, or taking it to the landfill/Ayes: Unanimous.

Janet Hogan, County Administrative Officer, advised that several bills have been introduced in Sacramento addressing the amount of reimbursement for disaster costs not covered by the Federal government, and she will be meeting with her colleagues this Thursday in Sacramento relative to these issues. Janet further advised of the receipt of HR 528 (Radanovich) relative to the flood disaster, and stated she has been in contact with Jesse Brown/Merced County Association of Governments, and staff is assisting with cost estimates relative to transportation issues, and she is still working on the tourism/promotional issue, and will have a specific proposal soon.

Waive Second Reading and Adopt Ordinance Eliminating Building Permit Exemptions for Specific Structures (County Counsel) (Continued from 2/4/97)

BOARD ACTION: (M)Pickard, (S)Reilly, Ordinance 915 was adopted/Ayes: Reilly, Stewart, Pickard; Noes: Balmain, Parker.

2:47 p.m. CLOSED SESSION Relative to Public Employee Performance Evaluation for County Administrative Officer and County Counsel Positions (Chairman Stewart)

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

4:15 p.m. Board reconvened in open session with direction given to staff as a result of closed session.

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA FEBRUARY 18, 1997

<u>Time</u>	<u>Description</u>
9:05 a.m.	Meeting Called to Order Pledge of Allegiance

Resolution Recognizing Susan Lyons for her Service to the County of Mariposa (County Administration)

BOARD ACTION: (M)Parker, (S)Balmain, Res. 97-56 adopted and presented to Susan Lyons/Ayes: Unanimous.

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

Discussion and Possible Action Regarding a Local Emergency Relative to the Flooding of the Merced River (No Folder) (County Administrative Officer)

BOARD ACTION: Supervisor Reilly advised of the day use reservation system being proposed by the National Park Service and some alternatives being discussed to address this issue for when the Park reopens following the flood disaster. Supervisor Stewart advised of workshop meetings scheduled for later this week relative to these issues. Discussion was held relative to transit issues, and consideration of phasing the program in during the high impact/peak periods. Supervisor Parker requested that the Visitor Bureau Director have the Tourism Advisory Committee (TAC) meet as soon as practical and get their recommendation relative to the transit issues, including costs and funding. Supervisor Reilly requested input relative to concerns that could be carried to the meetings with the Park Service. Steve Hayes, Visitors Bureau Director, and members of the TAC were present for the discussion. Jerry Fischer, Chairman of the TAC, advised that the industry is developing a list of questions that can be given to the Board; stated it is difficult to compete with incomplete news messages relative to the proposed day use reservation system and the tourists are becoming confused; and stated he feels the issue will be transportation and shuttle system for visitors. Supervisor Reilly stated she felt it was important that planning to accommodate activities be included in the transit system schedule, and that this is an opportunity to develop evening programs for the visitors in the County. Jerry Fischer further stated there are many unanswered questions with the proposed system such as whether the number of day use reservations allowed will be based on the seven day current Park pass, how many days will you be able to make reservations for and relative to ability to add or cancel days to the reservation, will the number of reservations accepted make allowance for cancellations, handling a family rate pass, and how to deal with the visitors who enter at one gate and exit from another gate. Chairman Stewart advised of his telephone conversation with Congressman Radanovich - Superintendent Griffin is on her way to Washington, D.C. to encourage funding for the transportation system and to request inclusion of a lower gate entrance fee for those who use the transportation system; the \$20.00 gate fee is scheduled to be imposed on March 15th and Highway 140 is scheduled to open to buses, with vehicles and buses to be allowed at the other gates; and they are working on developing an incentive for visitors to use the transportation system. Mary Good urged the County to stress the need for the Park to improve Highway 140 to better standards. Herb Gloor, Mariposa Lodge, noted that when Highway 140 was closed for the sewer lines to be installed, it was opened to traffic in the morning, at noon and in the evening for an hour; and further stated that if

they can allow buses on March 15th, he doesn't understand why they could not allow cars at a specified time. Barry Brouillette commented on potential conflicts with the day use reservation system and the transportation system.

10:15 a.m. Recess

10:25 a.m. Further discussion was held concerning the proposed day use reservation system and attendance at the meetings with the Park Service to discuss these matters on Wednesday and Thursday - matter to be further considered later this date.

Approval of Minutes of 2/4/97 Regular Meeting

BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)

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

10:45 a.m. Mike Edwards, Public Works Director;
Resolution Approving Increase in Project Budget by \$18,600 from State Aeronautics Loan Funds for Ten County Hangars at the Mariposa/Yosemite Airport, Public Works Project Number PW 95-41 (4/5ths Vote Required)

BOARD ACTION: Discussion was held. (M)Balmain, (S)Pickard, Res. 97-59 adopted. Motion was amended, agreeable with maker and second, to include direction for 12 years of financing/Ayes: Unanimous.

Mike Edwards, Public Works Director, advised of situation with the failure of pumps for the Yosemite West water system; advised that P. G. & E. has provided assistance with getting the equipment back on line; they have incurred a cost of about \$20,000 for materials and equipment to replace one pump; and they still need to deal with the other pump. They will try to obtain reimbursement through FEMA/OES sources and are reviewing other options.

Ed Johnson, Planning and Building Director;

Request for Fee Waiver, Certificate of Compliance #08-330-014, Frank Cole, Applicant

BOARD ACTION: Discussion was held concerning the request. Supervisor Parker requested that the Planning Director further review the issues involved with the request for a Certificate of Compliance. (M)Pickard, (S)Parker, Res. 97-60 adopted denying the request for a fee waiver/Ayes: Unanimous.

Resolution Approving Personal Service Agreement with Bruce Daniels to Serve as a Contract Manager for the Housing and Community Development Department for the Period February 17, 1997 Through September 1997 (\$20,625) (Administration)

BOARD ACTION: Janet Hogan, County Administrative Officer, requested that the matter be continued for further negotiations with Mr. Daniels relative to the terms of the contract, and advised that Housing and Community Development Agency is running smoothly with her minimal direction. Supervisor Parker requested that discussion be scheduled relative to the overall structure of the department. Matter was continued to February 25, 1997.

11:30 a.m. Lunch

2:07 p.m. Board reconvened at the Senior Activity Center on Spriggs Lane.

Ed Johnson, Planning and Building Director;

Workshop and Discussion Regarding Industrial and Commercial Zoning, Findings for Approval, Variances, and Subdivision Mergers

BOARD ACTION: Ed Johnson advised that this was scheduled as an informal workshop, and presented staff report on the following areas:

Subdivision Mergers - Bart Brown asked about the definition of “zoning administration,” and was advised that this would be covered later in the presentation. Board concurred with recommendation to direct staff to prepare final ordinance language for public hearings and adoption.

Minor Variances - Discussion was held concerning this issue. Bart Brown asked for clarification of the process for a neighboring property owner to provide input on an application for a minor variance. Virginia Mitchell stated she felt that with the Park shutdown, the County needs something to attract tourists, and stated she feels a good idea would be to put a casino on Indian land with a small hotel. Joan Kayes stated she wonders how the Native Americans would feel about their land being used for this idea. Jim Spacke stated he submitted an application during the Open Window Period for his property on Highway 140 and feels the existing setback requirements would place him well into his planned building area. Sarah Williams, Planning Manager, responded relative to the setback requirements. Maury Varney suggested a 25% increase be allowed versus 10% for height of structures and sign area; and noted that if a small sign were involved, the proposed amount of a 10% increase may only allow a few inches. Ed Johnson advised that he also received a request from Art Baggett for an increase in the parking space allowance. Board concurred with recommendation to direct staff to prepare final ordinance language for public hearings and adoption.

Industrial and Commercial Zoning - Ed Johnson reviewed recommendations for a business park zone and for a special use zone. Supervisor Parker asked about the status of the seven pending applications submitted during the open window period process, and discussion was held. April Heikaekins asked about the definition of “significant amount of hazardous and toxic waste” and was advised that examples in law and court cases provide a definition. Bart Brown stated he feels that the section of CEQA referred to for using the recommended occupancy level does not apply to industrial zoning, and referred to environmental impact review requirements and processes. Don Starchman, Starchman Law Offices, suggested having industrial zoning in place in the County so that applicants would not have to come back for review of each specific project; stated he felt the phrase “traffic level of service not worsened” should be clarified; expressed concern with what has resulted in a lengthy process for the seven applications submitted during the open window period process and additional requirements being proposed; stated he felt that if grading is not allowed on 20% or greater slopes, it would eliminate development in the County; and stated he feels there needs to be allowance for being flexible. Further discussion was held concerning the open window period application process and this process. Don Starchman further noted that we need to be able to make services available in the County, such as a batch plant, and some uses will involved noise and dust; and that with a development agreement, the seven applications could go forward. Jim Musick asked if the seven applications are for parcels in different locations in the County and for different uses. Maury Varney stated he submitted an application for commercial use during the open window period process and those applications are still under consideration and they do not appear to have any environmental impact; and advised that he is unable to obtain financing until the zoning is in place.

3:55 p.m. Recess

4:17 p.m. Chairman advised that the Board will continue with discussion on this matter until about 5:30 p.m., and then continue the matter if necessary. Further discussion was held with regards to the previous processing of the open window period applications and processing of these issues and timeframes. Maury Varney suggested the Board consider processing the commercial applications before finishing with the industrial applications. (M)Balmain, (S)Parker, to accept staff recommendation and move forward with the public process for these issues, was held in abeyance pending additional input from the public and further consideration. Mary Lou Tiner stated she thought that this item was scheduled for discussion, with no decision to be made at this time. Bob Borchard stated he feels the proposed thresholds are so tight that any viable business would require a use permit, and asked that the Planning Commission be requested to review the thresholds, such as the number of rooms for hotel establishments and square footage for restaurants; and provided comments with regards to the use permit process. Bart Brown stated he agrees with Supervisor Reilly's position; stated he feels an environmental review should be done up front as required by CEQA and then each individual project would not require this process. Bob Borchard stated he feels that this would distort the CEQA process, that site specific/project specific review will be required. Bart Brown asked for clarification of the motion that was tabled. April Heikaekins asked if staff had finished with their presentation on the entire proposal, and suggested that the entire proposal be presented before action is taken. Wilford Von derAhe suggested developing performance standards which will apply to everyone and everything. Motion was restated to direct staff to return to the Board with draft ordinance language for the hearing process, with the remainder of the questions on the decisions points raised by staff to be referred to the Planning Commission as recommended. Maury Varney asked how many of the industrial zone applications would fit in the business park and special use zones. Further discussion was held relative to further processing of this matter. Supervisor Parker withdrew his second to the motion, and motion died for lack of a second. (M)Balmain, (S)Reilly, remainder of the questions on the decision points raised by staff were referred to the Planning Commission as recommended/Ayes: Unanimous.

Further discussion was held relative to Board member representation at the upcoming meetings with the Park Service this week. Board concurred with Supervisors Reilly and Parker attending the meetings. Jerry Rankin advised of a conversation he had with Congressman Radanovich and there being no problem with the press attending the meeting on Thursday. Board members reviewed issues raised with regards to the proposed day use reservation system.

CONSENT AGENDA

- CA-1 Appoint Pierce Loberg to the Mariposa County Planning Commission, Representing District V (Supervisor Pickard)

- CA-2 Accept Resignation of Christyn Mathis from Parks and Recreation Commission (Parks and Recreation/HCD)

- CA-3 Resolution Authorizing the Public Works Director to Advertise and
 Accept the Bid Most Favorable to the County for Removal of the Facilities
 Maintenance Shop Building Located on 11th Street, Upon
 Review by County Counsel (Public Works); Res. 97-57

- CA-4 Resolution Electing to Become Subject to the Provisions of the Trial Court Program for the Fiscal Year July 1, 1997 through June 30, 1998 (Administration); Res. 97-58

5:36 p.m. ADJOURNMENT

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA FEBRUARY 25, 1997

Time Description
9:07 a.m. Meeting Called to Order
Pledge of Allegiance

Leota Striplin, Representing the American Cancer Society;
Proclaim February 6 through March 7, 1997, as "Daffodil Days" in Recognition of the
American Cancer Society

BOARD ACTION: (M)Parker, (S)Pickard, proclamation was approved and presented to
Leota Striplin/Ayes: Unanimous.

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

- Caroline Korn advised that Betty McRee was present with her, and presented their
request on behalf of the Catheys Valley Historical Society for relocating the old Catheys
Valley schoolhouse to the Catheys Valley Park. Caroline advised that the Historical
Society will provide liability insurance and the School District has agreed to provide
workers compensation coverage for restoration volunteers and for the docents.

(M)Parker, (S)Pickard, Board waived its rules requiring 72 hours agenda noticing, finding
this is a matter of timeliness as a commitment needs to be given to the movers for the
building so it can be scheduled for relocation this spring/Ayes: Unanimous. Discussion
was held concerning the request. (M)Parker, (S)Balmain, direction was given for County
Counsel to be involved in negotiating a possible long-term lease of a portion of County
property at the Catheys Valley Park with the Catheys Valley Historical Society/Ayes:
Unanimous.

- Lowell Young, President of Economic Development Corporation, stated he stands
firm behind proceeding with a transportation system for visitors to Yosemite, and he feels
the proposed day use reservation system would be a disaster to the County.

Discussion and Possible Action Regarding a Local Emergency Relative to the Flooding of
the Merced River (No Folder) (County Administrative Officer)

BOARD ACTION: Steve Hayes, Visitors Bureau Director, presented the following
requests for Board direction:

- day use reservation system for Yosemite - Following discussion, Board concurred
with recommendation for Visitors Bureau Director and other appropriate County staff to
prepare report(s) about the known and potential affects and make a report to the Board on
March 11, 1997, recommending actions that could be taken by the Board of Supervisors
in response to the proposed day use reservation system.

- interim transit adjustment on Highway 140 - Following discussion, Board concurred
with recommendation for Visitors Bureau Director and other appropriate County staff to
prepare report(s) and recommendations to bring back to the Board of March 11, 1997, for
approval of plans to augment or re-adjust the existing transit service on the Highway 140
corridor to provide the highest level of service possible. Supervisor Parker requested that
the report include the limited use of Highway 140, its closure, and input from the TAC.

- emergency enhancement of County-wide transit plan - Following discussion, Board
concurred with recommendation for Visitors Bureau Director and other appropriate
County staff to prepare a report and recommendation for the Board to consider on March
4, 1997, for emergency enhancement of the County-wide transit plan. Paul Ratchford,
Tenaya Lodge, stated he supports the transit system, and is concerned with the economic
impact on businesses and the County's TOT revenue with the day use reservation system;

advised that their revenue has been down since the Federal government shutdown and this year could be worse; stated he felt implementing the day use reservation system is like selling 5,000 parking spaces and would give visitors one more reason to go elsewhere, and this system would involve two million transactions annually and would alienate customers; and he urged the Board to oppose the proposed system. Les Ziefer, Narrow Gauge Inn, stated he felt the Park Service is basing their calculations on past history and not taking into consideration the fact that the flood disaster and negative publicity about the Valley will have a reduction on the visitors coming to Yosemite. Candy O'Donel-Browne, KOA Campground, stated they are currently closed, is proud of everyone's participation in the disaster and that no one got hurt during evacuations; however, she feels we need to be proactive in terms of the bus and shuttle system to get visitors into the Park so that we do not damage their infrastructure; advised that they have experimented with using the transit system for their customers and have found it to be a positive experience if the cost is kept to about \$10.00 for a round trip; and further expressed concern with day use reservation system. Janet Hill, KOA Campground Manager, stated she agrees with the previous comments and the need to get the buses through to the Park. Supervisor Parker requested that County Counsel investigate public transit uses and methods of funding and report back to the Board, and the Board concurred with this request.

9:58 a.m. Recess

10:10 a.m. Approval of Minutes of 2/11/97 Regular Meeting

BOARD ACTION: Minutes were continued to March 4, 1997, for approval.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Supervisor Parker pulled item 2 for discussion with the Fire Chief later this date. (M)Pickard, (S)Parker, balance of items were approved/Ayes: Unanimous.

Mike Edwards, Public Works Director;

A) Resolution Authorizing the Public Works Department to Use Unanticipated Revenue to Purchase a Computer System of the Mariposa/Yosemite Airport (\$3,000) (4/5ths Vote Required)

BOARD ACTION: Following discussion, (M)Parker, (S)Balmain, Res. 97-65 adopted/Ayes: Unanimous.

B) Resolution Awarding Contract for Construction of the Fleet and Heavy Equipment Maintenance Shop Addition, Ben Hur Yard, Public Works Project PW 94-35, Including Base Bid and Options A and B for the Total Amount of \$568,271 to Curll Construction of Fresno; Direct the Public Works Director to Seek Value Engineering with the Contractor for Possible Cost Savings; and Authorize the Public Works Director to Seek Possible Additional Loan Funding up to \$204,650 from the Rural Development Agency
BOARD ACTION: Discussion was held with Mike Edwards and Dave Tucker/PWD-Engineer, concerning this matter and alternative sources of funding. Matter was continued to March 4, 1997, for County Administrative Officer to meet with Public Works Director and bring back more detailed funding information for the project, including more specific figures for the value engineering.

C) Resolution Finally Dissolving the Apple Seed Lane Maintenance Zone of Benefit and Authorizing Release of All Unencumbered Zone Funds

BOARD ACTION: (M)Parker, (S)Reilly, Res. 97-66 adopted/Ayes: Unanimous.

Mike Edwards, Public Works Director, provided a status report on the emergency projects as a result of the flood disaster - they plan to go out to bid in a couple of weeks for the Incline Road repairs; they have been working with BLM to meet requirements and he is reviewing modified language with County Counsel relative to the BLM access road project; and he has negotiated terms with the contractor for removal of rip rap from the landfill and feels that project may go forward.

Blaine Shultz, Fire Chief;

B) Resolution Authorizing Auditor to Issue a Warrant in the Amount of \$27,000 to Woodside Fire Protection District for Purchase of a 1987 GMC/Weststates Fire Engine
BOARD ACTION: Following discussion, (M)Balmain, (S)Parker, Res. 97-67 adopted/Ayes: Unanimous.

-) Consent Agenda Item 2 - Following discussion with Blaine Shultz, (M)Parker, (S)Reilly, item 2 was approved/Ayes: Unanimous.

A) California Department of Forestry and Fire Protection's Five-Year Plan
BOARD ACTION: Following discussion, (M)Balmain, (S)Parker, Res. 97-69 adopted/Ayes: Unanimous.

11:13 a.m. LOCAL TRANSPORTATION COMMISSION

Ed Johnson, Planning and Building Director;

Resolution Authorizing Execution of Contract for the 1996/97 Intercity Bus Program Grant

COMMISSION ACTION: Following discussion, (M)Parker, (S)Pickard, LTC Res. 97-9 adopted/Ayes: Unanimous.

11:16 a.m. Ed Johnson, Planning and Building Director;
Planning Department Work Program Priorities for 1997

BOARD ACTION: Discussion was held concerning the priorities and pending projects; and Ed Johnson advised of the status of staffing in the Department. Board concurred with directing staff to make the number one priority the completion of the industrial open window period applications and zoning issues.

Discussion Regarding Administration of Housing and Community Development Agency and Consideration of Contracting for Services (Continued from 2/18/97)
(Administration)

BOARD ACTION: Janet Hogan, County Administrative Officer, presented recommendation for contracting with Bruce Daniels and transferring funds (\$8,000) within the Planning Department budget for a portion of the services to be performed pursuant to the contract. With regards to the administration of the Housing and Community Development Agency, Janet Hogan advised that the Human Services Director has agreed to consider taking over the day-to-day operation of the Department in the interim, which would allow her time to review the alternatives and come back with recommendations for the long-term administration of the programs. (M)Parker, (S)Balmain, Res. 97-64 adopted authorizing Chairman to execute a contract with Bruce Daniels to provide consulting services to Housing and Community Development Agency and to provide services to the Planning Department for transportation related tasks/Ayes: Unanimous. Ed Johnson, Planning and Building Director, clarified that this action officially awards the FTA Transit Grant.

Board Information and Announcements

BOARD ACTION:

- Supervisor Balmain advised that the County paid the difference between the County's in-kind services and its share of the match to the Area Agency on Aging for the last fiscal year; however, they have retained our County Counsel's services and our in-kind services should meet the County's match in the future.

- Supervisor Parker advised that he and Supervisor Reilly attended the meeting with the Park Service at Tenaya Lodge last Wednesday. Supervisor Reilly noted that the meeting allowed an opportunity to provide concerns relative to the day use reservation system and allowed for exploration of a transit system as an alternative.

- Supervisor Stewart advised that the San Joaquin Valley Supervisors Association Conference has been scheduled at Cedar Lodge for April 9 - 11, 1997, and they are working with Tenaya Lodge for scheduling the Fall conference.

- Supervisor Pickard advised that he attended the New Supervisors Institute in Sacramento last week and it was informative; and he plans to attend a meeting later this week relative to the CEQA process. He also commented on the high winds experienced on Monday and the power outages and closure of Highway 41 for awhile.

- Supervisor Reilly advised of community meetings scheduled this week in Midpines and El Portal to receive community input on the draft Yosemite Housing Plan.

- Supervisor Stewart advised that a Catheys Valley TPA meeting has been scheduled for Thursday.

CONSENT AGENDA

CA-1 Resolution Authorizing Chairman to Sign a Revised Signature Specimen for the Governor's Office of Emergency Services to Obtain Financial Assistance to Reflect Change in Administrative Officer (Fire); Res. 97-61

CA-2 Resolution Authorizing Chairman to Sign an Amendment to the Existing Three-Year Contract with the California Department of Forestry and Fire Protection for Dispatch and Command/Control Services (\$2,507) (Fire); Res. 97-68

CA-3 Resolution Authorizing Chairman to Sign a Personal Service Agreement with Thomas Brusoe to Coordinate the Closure of Shelter and Feeding Operations in the Mariposa and El Portal Evacuation Centers (\$637) (Fire); Res. 97-62

CA-4 Resolution Authorizing Reserved Use of the Mariposa Park Tennis Courts (Parks and Recreation/HCD); Res. 97-63

CA-5 **HOUSING AUTHORITY OF THE COUNTY OF MARIPOSA**
Resolution Approving Revised and Updated Administrative Plan Necessitated Changes in Federal Regulations Governing the Section 8 Program (Administration); Hous. Auth. Res. 97-1

12:49 p.m. Adjournment in memory of Marie Escola, Eva Shaw, Thomas Wallace, Mary Peterson, Patricia Brown, Bill Schwing, and Annie Reneau.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA MARCH 4, 1997

Time Description
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 - None

Approval of Minutes of 2/18/97 Regular Meeting
BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)
BOARD ACTION: Janet Hogan, County Administrative Officer, pulled the class specification in item 2 for the Supervising Family Support Officer for discussion with SEIU - matter to be rescheduled for March 11th. Supervisor Parker pulled item 2. (M)Parker, (S)Reilly, balance of items were approved/Ayes: Unanimous. (M)Reilly, (S)Pickard, item 2 was approved, with the exception of the class specification for the Supervising Family Support Officer/Ayes: Reilly, Stewart, Pickard; Noes: Balmain; Abstained: Parker.

Dennis Patrick, Data Processing;
Resolution Authorizing Board Chairman to Sign Contract with JLAN, for the JLAN Court Automation Software License (\$27,610) and Annual Maintenance Agreement (\$4,141)
BOARD ACTION: Following discussion, (M)Pickard, (S)Parker, Res. 97-74 adopted/Ayes: Unanimous.

Mike Edwards, Public Works Director;
Resolution Awarding Contract for Construction of the Fleet and Heavy Equipment Maintenance Shop Addition, Ben Hur Yard, Public Works Project PW 94-35, Including Base Bid and Options A and B for the Total Amount of \$568,271 to Curll Construction of Fresno; Direct the Public Works Director to Seek Value Engineering with the Contractor for Possible Cost Savings and Possible Additional Loan Funding up to \$204,650 from the Rural Development Agency; and Further Discussion of Financing Options (Continued from 2/25/97)
BOARD ACTION: Discussion was held with Mike Edwards and Marty Allan/PWD-Fleet-Fiscal Manager, relative to this matter and financing options. (M)Balmain, (S)Pickard, Res. 97-75 adopted awarding contract as recommended, with direction for Public Works Director to seek value engineering with the contractor in the amount of \$104,000 and additional loan funding in the amount of \$100,000 from the RDA (which is within the amount already approved), as discussed/Ayes: Reilly, Balmain, Stewart, Pickard; Noes: Parker.

9:54 a.m. LOCAL TRANSPORTATION COMMISSION

Ed Johnson, Planning Director;
Resolution Authorizing FTA Section 5311(f), Intercity Bus Program Grant Application for the 1997/98 Fiscal Year
COMMISSION ACTION: Following discussion, (M)Parker, (S)Stewart, LTC Res. 97-10 adopted/Ayes: Unanimous.

10:02 a.m. Board reconvened and recessed.

10:17 a.m. Ed Johnson, Planning Director, introduced Bruce Daniels, transit consultant.

Ed Johnson, Planning Director;

Yosemite Housing Plan Response (No Folder) (Supervisors Reilly and Parker)

BOARD ACTION: It was noted that the Park Service extended the deadline to March 31, 1997, for receiving comments. Supervisor Pickard asked about including cost information for housing and build-out. Supervisor Parker requested that information be included relative to costs for mitigating the impact on services. Ed Johnson advised that he will contact the School District for their input in this regard. Janet Hogan, County Administrative Officer, advised that she could meet with affected departments and pull together information based on assumptions. Supervisor Stewart requested that the information also include impact on services by State agencies such as the CHP. Matter was continued to March 18, 1997.

Discussion and Possible Action Regarding a Local Emergency Relative to the Flooding of the Merced River (No Folder) (County Administrative Officer)

BOARD ACTION:

- Mike Edwards, Public Works Director, presented a draft letter to FEMA relative to concerns encountered in processing claims as a result of the flood disaster. Supervisor Reilly offered to meet with the aides for the Senators relative to these issues, as they have offered their assistance. Board concurred with sending the letter to FEMA, with distribution as discussed.

- Janet Hogan, County Administrative Officer, advised of an upcoming Flood Worker Disaster Appreciation Day in Sacramento on April 17th, and a request from the Governor's Office for names of persons who made outstanding contributions for recognition at this event. The names need to be submitted by March 14th.

- Supervisor Parker advised that he and Supervisor Reilly will attend a meeting with Superintendent Griffin on Wednesday, and they will be discussing transportation, day use, roads and entrance fees and would like to know what message the Board would like for them to carry. (Direction was given during discussion of the next matter.)

10:51 a.m. Recess

11:03 a.m. Steve Hayes, Visitors Bureau Director;

Resolution Authorizing Emergency Transit Enhancement Plan

BOARD ACTION: Lengthy discussion was held concerning this matter and possible funding sources, with services estimated to take place between May 15th and September 15th. Supervisor Parker advised that he and Supervisor Reilly have a meeting scheduled with the Park Service on Wednesday and would like direction from the Board relative to the message to carry to the meeting. Barry Brouillette noted that planning would need to include a wide range from worst case to best case scenarios and everything in between relative to visitation, and the County will need to react precisely and with as much finesse as possible and be prepared with staging areas; suggested that the Board go to the table only with the stipulation that the Park will back away from the day use reservation system; and noted that with more preliminary planning, the County will be in a better situation. Curtis Riggs, VIA Adventures, expressed concern that the Park is wanting a transit service but is not giving the basic information necessary to plan for a transit system, and cited an example of not knowing what the entrance fee will be for bus passengers; suggested that perhaps an amount such as \$3.00 of every \$20.00 entrance fee for private vehicles could be used to fund a transit system. Further discussion was held. (M)Pickard, (S)Parker, Res. 97-70 adopted approving emergency enhancement of the

County-wide transit plan with the contingency that the day use reservation system approved by the National Park Service is not implemented and that the National Park Service participate in full or in part with the necessary funding and that the County's portion be paid for from the general fund reserve, with flexibility of utilizing whatever funding source may be available to implement the program. Motion was amended, agreeable with maker and second, to include direction that in-house resources be used wherever possible in the transit planning. Following further discussion, motion was further amended, agreeable with maker and second, to include direction for the Board committee (Supervisors Parker and Reilly) to carry to the meeting on Wednesday with the Park Service:

- Yosemite National Park (YNP) would need to expand its internal shuttle service to meet the needs of increased public transit visitors. YNP management staff has promised (2/25/97, Oakhurst public meeting) that YNP would expand their transit service to meet whatever guests an outside transit service would bring;
- Transit revenue would be affected by the National Park Service (NPS) policy on public transit entrance fees;
- Yosemite Concessionaire Services (YCS) would need to provide service equal to County's capacity to move enough passengers at peak demand;
- The question of the availability of the Badger Pass parking lot for use as a staging area needs to be resolved;
- The County needs to know where the Park Service stands relative to the day use reservation system, and if there is a possibility that the system would not be implemented if a viable transit service is provided;
- The County needs to know the details of the day use reservation system that are known thus far;
- The NPS and YCS need to participate in the transit system;
- More information needs to be known relative to the gate fees and the transit fees at the gate;
- More information needs to be known relative to Highway 140 access to Yosemite; and
- More information needs to be known relative to restricted private vehicle use.

Gwen Foster/PWD-Civil Engineer, provided input relative to representing the gateway communities when dealing with the Park Service. It was noted that the \$60,000 funding issue will be further addressed next week. Further discussion was held concerning the motion. Motion was further amended, agreeable with maker and second, to approve emergency enhancement of a County-wide transit plan with the contingency that the day use reservation system approved by the National Park Service is not implemented and that the National Park Service participate in full or in part with the necessary funding and that the County's portion be paid for from an undetermined source, with direction that in-house resources be used wherever possible in the transit planning, and with the direction to the Board's committee as previously stated/Ayes: Unanimous.

12:54 p.m. Lunch

2:05 p.m. Steve Hayes, Visitors Bureau Director;
Joint Meeting with Tourism Advisory Council (TAC) to Identify the TAC's Role and Communicate the Board's Vision Regarding the Visitors Bureau Function (Continued from 2/11/97)

BOARD ACTION: Steve Hayes introduced the following persons present for discussion: Peter Killum/representing Tenaya Lodge, Jan Mennig/representing Chamber of Commerce, Ann Sparks/representing Chamber of Commerce, Joan Gloor/representing Mariposa Lodge, Harold Wesley/representing Yosemite Westgate, Don Pitts/representing

the Yosemite West area and President of the Bed and Breakfast Association, Jerry Fischer/representing Yosemite Motels and Chairman of the TAC, Michael Habermann/who will be representing the County at the International Tourism Exchange in Berlin, Germany, and Jim Boyer/an economist under contract with the Park Service to do an analysis of the current situation with the Park and surrounding communities. Steve advised that he did not have a chance to revise and bring back detailed goals for this discussion and will bring those back at a later date. Discussion was held relative to the Event Development Guidelines. Supervisor Parker asked about a mechanism for considering events that are not planned at the time the budget considerations are held. Supervisor Reilly asked about consideration of a mechanism for keeping the Board informed of the distribution of funds. Jerry Fischer noted that planned events could be put on the State and regional calendars. Discussion was held relative to the Co-op Advertising Program Guidelines. Jan Mennig noted that this information is being presented in draft form and will allow the Board an opportunity to decide what direction the TAC should go. Supervisor Parker asked for clarification relative to the Chamber's representation on the TAC.

Supervisor Balmain was excused at 2:45 p.m. for the rest of the meeting.

Supervisor Pickard suggested that the TAC include representation from the American Indian Council. Ann Sparks asked for clarification of the TAC's role in approving distribution of funds for special events. Don Pitts noted that the TAC receives very little public comment during its meetings. Board concurred with Visitors Bureau Director's recommendation that members of other interest groups be invited to attend TAC meetings.

3:05 p.m. Recess

3:12 p.m. Further discussion was held. Jan Mennig noted that a Board member attends the Mental Health Board and he feels that presence is important and requested consideration of a Board member attending the TAC meetings. Matter was continued for Visitors Bureau Director to bring back more specific goals and objectives. Steve Hayes commended the TAC for their efforts in these matters.

3:28 p.m. Board Information and Announcements (No Folder)

BOARD ACTION:

- Supervisor Pickard advised that the CEQA seminar he attended last week was very informative; this Thursday he will attend a meeting in Modesto relative to the 209 area code issue and will schedule this matter on the agenda for March 11th for discussion and will continue to work with staff on this issue.
- Supervisor Reilly advised that she will attend a multi-agency meeting this Friday to discuss Merced River issues and work to save a late opening of the rafting season.
- Supervisor Parker advised that he and Supervisor Reilly will meet with the Park Superintendent and personnel on Wednesday and discuss matters pursuant to direction given by the Board earlier this date.
- Supervisor Stewart advised that he will attend the dinner sponsored by Senator Leslie and the 35th Annual Prayer Breakfast in Sacramento; and that the SJVSA Conference is pulling together well and they have an excellent speaker lined up.

INFORMATION - No action was necessary on the following:
Board Hearing Schedule (Clerk of the Board)

CONSENT AGENDA

- CA-1 Resolution Authorizing Chairman to Sign a Personal Services Agreement with Kathleen Friedland to Provide Various Administrative and Programmatic Activities as Required for the Tobacco Health Education Program Under the Direction of the Health Officer (Public Health); Res. 97-71
- CA-2 Resolution Approving New Class Specification for the Position of Supervising Family Support Officer and Revised Class Specifications for the Positions of Traffic Technician and Victim/Witness Coordinator-Advocate (County Counsel); Res. 97-73, with the exception of the class specification for the Supervising Family Support Officer
- CA-3 Resolution Authorizing Contract with Michael Habermann to Represent Mariposa County at the International Tourism Exchange, Berlin Germany (Visitors Bureau Director); Res. 97-72

3:33 p.m. ADJOURNMENT

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA MARCH 11, 1997

Time Description
9:05 a.m. Meeting Called to Order

Pledge of Allegiance led by Girl Scouts

Yosemite/Mariposa (YOMAR) Girl Scouts, Representing the Girl Scouts of America; Proclaim March 9 through March 15, 1997, as "Girl Scout Week" and March 12, 1997, as "Girl Scout Day"

BOARD ACTION: (M)Pickard, (S)Parker, proclamation was approved and presented to representatives of the Girl Scout Troops, along with a Courthouse pin/Ayes: Unanimous.

Approval of Minutes of 2/11/97, Regular Meeting; and 2/25/97, Regular Meeting

BOARD ACTION: Approved

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda
- Supervisor Reilly advised that she had an opportunity to assist with the Storytelling Festival over the weekend -- it was a great success and well attended, and brought many visitors to the County.

Jim Landis, American Red Cross;
Presentation of Red Cross Activities

BOARD ACTION: Jim Landis introduced Dennis Haines, Executive Director for the Merced-Mariposa Red Cross Chapter, and the following volunteer members: Pandora Edmonston, Phyllis Staggs and Stu Tanner. Jim Landis gave a presentation of the background of the Red Cross, activities and services provided during the previous year and more specifically during the recent flood disaster; and requested that the Red Cross be notified promptly of any disaster. Stu Tanner read a letter of appreciation for Red Cross services. Janet Hogan, County Administrative Officer, advised of the status of the disaster response document being reviewed and noted that the document will be presented to the Board in the near future, and that Red Cross' request relative to notification will be reviewed in context with processing this document. The Board commended the Red Cross volunteers for their efforts and Chairman Stewart presented a Courthouse pin to the volunteers who were present.

Tom Archer, Human Services Director;
Resolution Modifying County General Assistance Program

BOARD ACTION: Following discussion, (M)Parker, (S)Balmain, Res. 97-77 adopted/Ayes: Unanimous.

Jeffrey G. Green, County Counsel;

A) Resolution Approving Revised Class Specifications for AIDS Program Coordinator at a Salary Range of 193

BOARD ACTION: Following discussion, (M)Parker, (S)Reilly, Res. 97-78 adopted approving the revised class specification with correction of the typographical error/Ayes: Unanimous.

B) Resolution Approving New Class Specification for the Position of Supervising Family Support Officer (Continued from 3/4/97)

BOARD ACTION: Janet Hogan, County Administrative Officer, advised of her discussion relative to this request with SEIU, and stated that everyone affected has agreed to changes to reflect “Manager” versus “Officer” in the job title and “manage” versus “supervise” in the description of responsibilities. (M)Pickard, (S)Reilly, Res. 97-79 adopted approving the revised class specification/Ayes: Reilly, Stewart, Pickard; Noes: Balmain; Abstained: Parker.

Mike Edwards, Public Works Director;

A) Waive First Reading and Introduce an Ordinance Making Upper Bullion Street (County Road 87X) One-Way in the Southerly Direction Between 8th and 9th Streets

BOARD ACTION: Following discussion, (M)Pickard, (S)Parker, Ordinance was introduced with changes as discussed in the description of the street/Ayes: Unanimous.

B) Resolution Appropriating \$50,000 from General Fund Reserve for Contingencies to the Road Fund for Critical Emergency Work on County Roads Prior to Consideration of an Additional Funding Request During the Mid-Year Budget Review (4/5ths Vote Required)

BOARD ACTION: Discussion was held concerning the request and the road repair situation and status of the budget. (M)Balmain, (S)Parker, Res. 97-80 adopted. Following further discussion, motion was amended by second, agreeable with maker, to approve appropriation in the amount of \$60,000/Ayes: Unanimous.

10:16 a.m. Recess

10:29 a.m. MARIPOSA COUNTY WATER AGENCY

Consider Refunding to the Coulterville County Service Area, the Costs Associated with the Recent Water Well Contamination (Approximately \$13,000) (4/5ths Vote Required) (Public Works)

AGENCY ACTION: Discussion was held with Mike Edwards, Public Works Director, concerning the request from the Coulterville Citizens Committee. (M)Balmain, (S)Stewart, Water Agency Res. 97-1 adopted reimbursing the Coulterville County Service Area in the amount of \$13,000. Further discussion was held concerning the request and forthcoming request from MPUD for Water Agency Funds. Matter was continued for the Board to open the following hearing.

11:00 a.m. Public Hearing to Consider Appeal #96-9 was opened and continued to after the Water Agency item.

Further discussion was held concerning the request to reimburse the Coulterville County Service Area. Motion was amended, agreeable with maker and second, to make a commitment for reimbursement from future Water Agency funds in the amount of \$13,000 so that MPUD’s request can be considered from the remaining fund balance/Ayes: Unanimous.

11:06 a.m. Board reconvened and discussed its agenda schedule. Board concurred with taking a recess, holding the public hearing, and then considering the other matters on the agenda.

11:09 a.m. Recess

11:16 a.m. Ed Johnson, Planning Director;

PUBLIC HEARING to Consider Appeal #96-9, Appeal of Planning Commission Conditions of Approval on LDA 1478, Bittner/Verley, Applicants/Appellants

BOARD ACTION: Jay Pawlek, Associate Planner, presented staff report.

- Ed Johnson, Jay Pawlek, and Mike Edwards/Public Works Director, responded to questions from the Board relative to existing improvements and proposed changes to meet the conditions imposed by the Planning Commission; requirements that would result if new development is proposed in the future on Parcel A; flexibility in the required improvements to build the sidewalk, curb and gutter to the existing alignment of the road; existing degree of slope for the driveways and changes that would occur with the required improvements; and relative to the setback to the existing structures.

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

- Lou Bittner, representing the applicant/appellant, advised that with the required improvements, the asphalt driveways will have to be re-done and it will result in a much steeper slope, and work on the driveway to the garage will make the garage inaccessible by vehicle; and further advised that they do not have a problem with the required improvements for parcel B.

- Ed Verley, applicant/appellant, advised that he was present.

- Staff responded to additional questions and requests for clarification from the Board relative to the width of the existing road and whether driveways exist or could be installed across the street (Charles Street) from the subject parcels; whether improvements could be made in alignment with the existing road without removing the tree and redesigning the driveways; whether Charles Street is up to standard grade; whether there is room to make the improvements on the other side of Charles Street; and relative to requirements for a sidewalk.

- Ed Johnson provided staff wind-up and advised that Public Works has flexibility in the way the conditions are written; stated if the conditions are waived, it would require findings as to why the waiver is in the public interest; and recommended that the appeal be denied.

- Public portion of the hearing was closed and Board commenced with deliberations. (M)Reilly, (S)Stewart (who passed the gavel), to uphold the appeal, and direct that in the event of future development of change in use of parcel A, the requirements would be imposed, was held pending further discussion. Staff responded to additional questions as to whether drainage is an issue for the gutters; relative to consideration of waiving the requirement for a sidewalk to lessen the impact on the driveways; and whether there would be a continuation of the sidewalk in the future. Supervisor Reilly withdrew her motion. Further deliberation was held. Supervisor Balmain requested an opportunity to look at the site. Jeff Green, County Counsel, advised that individual Board members could look at the site without any discussion with each other or with the applicant or the agent, or the Board could continue the meeting and reconvene at the site for everyone to be present. Board concurred with having the ability to look at the site individually during the lunch recess. Hearing was continued to 1:30 p.m.

12:08 p.m. Lunch

1:30 p.m. Board reconvened and continued with deliberations. Staff responded to questions from the Board relative to ability to save the tree; ability to require off-site improvements; and advised that there is room across the street to install the improvements. (M)Pickard, to deny the appeal based on information that Public Works is able to mitigate the alignment of the sidewalk to the existing street alignment versus the existing easement, died due to lack of a second. Board concurred with reopening the public portion of the hearing to ask the applicant's agent about off-site improvements. Lou Bittner responded to questions from the Board relative to off-site improvements along 12th Street to Bullion Street, and advised that he does not know if it would be feasible to make the requested improvements by the American Legion Hall, and he

believes that the use on parcel A will change in the future given the current land use zoning and then the requirements could be imposed. Mike Edwards further advised that improvements by the American Legion Hall could require a retaining wall and may not be a simple project. (M)Stewart (who passed the gavel), (S)Reilly, Res. 97-81 adopted requiring the improvements on parcel B, and upholding the appeal and waiving the requirements with regards to parcel A. Regulations relative to future use and improvements to parcel A will dictate imposition of the requirements. Ayes: Reilly, Balmain, Stewart; Noes: Parker, Pickard. Hearing was closed.

Steve Hayes, Visitors Bureau Director;

A) Request for Approval of Adjustments to Existing Contract with VIA Adventures to Provide for Mitigation of Impacts Caused by Limited Access to Yosemite National Park on Highway 140 (Continued from 2/25/97)

BOARD ACTION: Discussion was held, and Steve Hayes advised that due to the many uncertainties, VIA Adventures is unable to address adjustments at this time. He has discussed the possibility of suspending the services currently being provided by VIA and implementing a less extensive schedule to save funds during the closure of Highway 140; and he requested clarification of who is responsible for the "transit officer" function referred to in the contract with VIA. Supervisor Stewart requested that ridership activity statistics be presented -- Steve will bring this information back in the future. Supervisor Reilly requested that notice of any change affecting the schedule be provided to the ridership in advance and that consideration be given to the students and employees when the schedule is reviewed. Steve advised that VIA is providing documentation relative to the services provided since the flood disaster and that will be reviewed in context with contract payments. Board concurred with Visitors Bureau Director working with County Administrative Officer and County Counsel relative to any unanticipated contract adjustments with VIA that may be required, with the Board members to be kept informed. Matter to be scheduled on each week's agenda for further consideration.

B) Request for Board Resolution/Position Clarification Regarding the National Park Fast-Tracking of the Day Use Reservation System (Continued from 2/25/97)

BOARD ACTION: The following persons provided input:

- Jerry Fischer/Yosemite Motels, stated he felt there are four issues facing the industry: 1) day use reservation (DUR) system and its impacts; 2) Highway 140 access and gate fees; 3) status of access for Highway 140 after September -- stated he feels the Board should take a position of what process would best serve the community; and 4) the on-going relationship with the Park should be strengthened.

- Neal O'donel-Browne, KOA Campground, stated he supports the comments provided by Jerry Fischer; advised that they are not accepting reservations currently because they cannot tell their customers what is happening with regards to access to the Park; existing reservations are being canceled; stated he feels the issue of access to the Park by bus is important; he feels citizens need to be involved in what is happening; and stated he feels the focus should be on getting results.

- Harold Wesley/Yosemite Westgate and Tourism Advisory Board member, asked about the results from the meeting held last week with the Park Superintendent and the Board subcommittee -- report was given later during this discussion.

- Ann Sparks/Chamber of Commerce, advised of the Chamber's letter to the Park Superintendent opposing the DUR system, and requesting that the Chamber be made a part of the process before any system is implemented.

- Jerry Fischer responded to Supervisor Reilly's question relative to the preferred option for Highway 140 access, advising that he felt that a two hour period in the morning for entrance and a period in the evening for exiting is preferred.

- Candy O'donel-Browne, KOA Campground, noted that longer afternoon/evening hours would allow people to come to Mariposa and patronize establishments; and expressed concern with the unknowns relative to access to the Park.

- Supervisor Balmain asked that other routes to the Park be considered (i.e., Highway 120) when Highway 140 is not accessible.

- Supervisors Parker and Reilly reported on their meeting last week with Superintendent Griffin and advised that it was a good meeting; however, issues are still unresolved; the Park has contracted with a traffic consultant to look at the transit system within their confines; they are proposing an entrance fee for those using public transportation of \$6/person not to exceed \$12/family, tour bus fee of \$100 for this year and \$300 for 1998, and effective March 15th a vehicle fee of \$20; the Park proposes that staging areas tie in with Yosemite Concession Services; the DUR system was not discussed in any detail; with regards to Highway 140 -- the Park is proposing a 20-minute window period at 6:30 a.m. for up to 10 buses, with 2 to 3 buses designated for employees, and returning at 6:00 p.m., the Park intends to have Highway 140 open May 23rd to September 2nd for two lanes of unrestricted travel, and then close it again in September with a two-hour (6:30 to 8:30) window period for travel in the morning and a return period in the evening while they are working on a permanent fix of the seven bad curves/areas, and continue with this schedule until May 29, 1998.

- Steve Hayes reviewed recommendations, and discussion was held.

- (M)Parker, (S)Balmain, Res. 97-76 adopted: 1) opposing the fast-track implementation of the DUR system in the immediate future and offering to work with the Park Service for future implementation so that it can be a viable project; 2) supporting an incentive for public transit, such as a \$2.00 entrance fee per person; 3) taking a position that Highway 140 should be open to all traffic by use of a pilot car system every day of the week for a two-hour period in the morning and evening, with a suggestion of keeping the Highway open until 8:00 a.m.; 4) lobbying for long-range funding for a transit and transportation system, whether it be in support of YARTS or another mechanism; and 5) requesting that a meeting be scheduled with the Park Service officials that have the authority to make decisions and provide answers with County representatives, our Congressman and State Senators or their representatives, and with representatives from the lodging industry and Yosemite Concession Services and VIA Adventures. Further discussion was held relative to asking that the Park participate in the transit funding and on-going participation and authority of the Board's subcommittee. Ann Sparks asked that the Chamber of Commerce be included in the meeting process. Jan Hamilton, Board of Realtors, stated she supports the proposed action. Motion was amended, agreeable with maker and second, to clarify in item 3 that this period commences March 15th and continues until Highway 140 is open to unrestricted traffic; item 4 was amended to state that the Board resolves to continue to support public transit alternatives; and item 5 was amended to include our legislative delegation/Ayes: Unanimous. Supervisor Reilly requested that a letter be sent to Superintendent Griffin thanking her for the meeting last week and advising of this further action taken as a result of that meeting, with the letter to be copied as appropriate -- Board concurred. Further consideration of the subcommittee's on-going participation and authority was continued to be scheduled on a future agenda. Ann Sparks asked for clarification of the motion with regards to participation by the Chamber of Commerce. It was noted that no meeting has been scheduled at this time.

C) Resolution Authorizing Emergency Transit Enhancement Plan (Continued from 3/4/97)

BOARD ACTION: Steve Hayes advised that due to the uncertainties, there is no recommendation at this time. Matter to be scheduled on each week's agenda for further consideration.

Discussion of 209 Area Code (No Folder) (Supervisor Pickard)

BOARD ACTION: Supervisor Pickard advised that this matter is scheduled on the Board's agenda for March 18th for direction.

Discussion and Possible Action Regarding a Local Emergency Relative to the Flooding of the Merced River (No Folder) (County Administrative Officer)

BOARD ACTION: Janet Hogan, County Administrative Officer, reminded the Board of the request for names of individuals who contributed during the flood disaster, and advised that she will submit the information to the Governor's Office.

Board Information and Announcements (No Folder)

BOARD ACTION: Supervisor Reilly advised she attended the Merced River Use Corridor meeting held last Friday and it was well-attended by all agencies and they are working to resolve issues for the opening of rafting season at the end of April; and she advised that she scheduled an item on the next agenda for the Board to consider the request to hold a meeting in El Portal.

3:54 p.m. CLOSED SESSION Regarding Conference with Legal Counsel Relative to Existing Litigation (Case No. 7556, Stanford Dean Maples v. Mariposa County, et al.) (County Counsel)

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

4:07 p.m. Board reconvened in open session and announced that direction was given to staff as a result of closed session.

INFORMATION: No action was necessary on the following -
To Inform the Board of Bid Results for the Lab Scope, Scanner and Related Equipment for Fleet Maintenance (Public Works)

4:08 p.m. ADJOURNMENT

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA MARCH 18, 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

- Leota Striplin thanked everyone for their support of the daffodil orders for the American Cancer Society; and she advised of the sale of newspapers to benefit the Children's Hospital in Fresno.

- Supervisor Parker advised of an upcoming event to recognize the retirement of Callie Crisp from Sierra Telephone Company after 37 years of service. (M)Pickard, (S)Parker, Board waived its rules requiring 72 hours agenda noticing to consider this matter, finding the event will occur prior to the next Board meeting/Ayes: Unanimous. (M)Pickard, (S)Parker, Res. 97-82 adopted recognizing Callie Crisp upon his retirement/Ayes: Unanimous.

Chairman Stewart recognized the presence of John McCamman, Chief of Staff for Congressman Radanovich, and Bruce Daniels, transit consultant.

Discussion and Possible Action Regarding a Local Emergency Relative to the Flooding of the Merced River (No Folder) (County Administrative Officer)

BOARD ACTION: Mike Edwards, Public Works Director, provided a status report on the following three projects:

1) Repair of access road below Briceburg - BLM is handling the contracting under their own processing and were able to expedite it and have a contractor that was scheduled to begin work yesterday and they anticipate completion in one month for opening of rafting season.

2) Contract for removal of rock rip rap from the landfill - the contractor has started with work and it is going slow; there is concern with the quality of the rock as some of it is soft and may not be suitable for work in the river canyon, but it could be used for other projects at the landfill.

3) Incline Road repairs - Dave Tucker/PWD-Civil Engineer, advised that the bid opening for the Moss Creek section is scheduled for this Thursday, with an estimated cost of \$590,000, and they hope to have the project completed before the spring run-off.

Further discussion concerning the flood disaster was held later this date.

Approval of Minutes of 3/4/97 Regular Meeting

BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)

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

Marita Green/District Attorney-Supervising Family Support Manager, appeared on behalf of Christine Johnson, District Attorney;

Resolution Transferring Existing Funds from Salaries to Fixed Assets to Purchase a State Automated Child Support System Workstation (\$1,950)

BOARD ACTION: Following discussion, (M)Parker, (S)Balmain, Res. 97-85 adopted/Ayes: Unanimous.

Joe Rivero, Chairman of the Merced County Board of Supervisors; and
John F. Fowler, Merced County Office of Information and Technology and Special
Projects Manager;
Presentation and Consideration of Endorsement and Support of Merced County's Efforts
to Create a Central Valley Foreign Trade Zone

BOARD ACTION: Presentation was given and discussion was held concerning the
request for endorsement. (M)Reilly, (S)Balmain, Res. 97-86 adopted endorsing and
supporting Merced County's efforts to create a Central Valley Foreign Trade Zone/Ayes:
Unanimous.

9:57 a.m. Recess

10:09 a.m. Ed Johnson, Planning & Building Director;

A) Yosemite Housing Plan Response (No Folder) (Supervisors Reilly and Parker)
(Continued from 3/4/97)

BOARD ACTION: Discussion was held and the comments from the Midpines
Community Advisory Committee and from citizens of El Portal were considered -- Board
concurred that the communities could forward their comments directly to the Park
Service. Ed Johnson advised that he also has changes to incorporate in the response from
Bruce Daniels, consultant. Discussion was held relative to consideration of impacts from
the recent flood disaster with regards to the proposed housing plans. Carol Davis,
Midpines Community Advisory Committee, expressed concern with isolation of the El
Portal area for additional housing, and thanked the Board for being able to forward the
Advisory Committee's comments directly to the Park Service. Charles Lammers,
Midpines Community Advisory Committee, expressed concern with changes that
occurred in the last 25 years since the original planning that has led to the proposed Plan,
and with the changes as a result of the flood disaster, especially with the south side of the
River, and stated he felt these changes should be considered in the proposed Plan; he does
not want to see the Park Service in the housing construction business as he feels the Park
asks how much is wanted versus how much is needed; and he stressed the isolation of El
Portal. Discussion was held relative to the rough estimates for cost impacts on County
services. Further consideration of the response was continued to March 25, 1997.

Barry Brouillette, Yosemite Motels, asked for clarification of the Board's previous action
relative to the borrow sites in El Portal for providing materials for repairs as a result of
the flood disaster. He advised that the action refers to decomposed granite and requested
that it be expanded to include rock. Jeff Green, County Counsel, advised that if the
Board's original intent was to include rock, then that clarification could be made today;
otherwise, the request would need to go through the public hearing process for expanding
the mining permit use. Ed Johnson, Planning and Building Director, provided input
relative to request they received to take materials from the road leading to the site which
could result in thirty-foot cut banks versus from the bench at the site. Jeff Green stated he
felt that if the issue is removing rocks from the bench site previously approved as a part
of mining the decomposed granite, that would be okay -- Board concurred with Planning
Director making the determination on this matter. Barry Brouillette stated he was in
agreement. Any requests to change the previously approved permit will need to go
through the public process.

B) Resolution Transferring \$6,000 from Salaries and Benefits in Planning Department
Budget to Extra-Help to Train Staff in Preparation of a Pending Retirement and Provide
Office Assistance During Recruitment Process

BOARD ACTION: Following discussion, (M)Parker, (S)Pickard, Res. 97-98
adopted/Ayes: Unanimous.

11:12 a.m. Recess

11:24 a.m. Consider Request of the California State Association of Counties to Adopt a Resolution Supporting the Civil Grand Jury Training, Communication and Efficiency Act of 1997 (County Administrative Officer)

BOARD ACTION: (M)Parker, (S)Reilly, Res. 97-88 adopted/Ayes: Reilly, Stewart, Parker, Pickard; Abstained: Balmain.

Resolution Designating Supervisor Bob Pickard as the Official Representative to the California Code Administration Meetings and Provide Direction for his Vote Regarding the 209 Area Code Split (Supervisor Pickard)

BOARD ACTION: (M)Parker, (S)Reilly, Res. 97-89 adopted designating Supervisor Pickard as the official representative, with the Board taking the position that the 209 area code be retained for the entire County, Merced County, and Yosemite National Park; and if that is not possible, that Mariposa and Yosemite be in the same area code/Ayes: Unanimous.

Discussion and Possible Action Relative to SB 147 (Kopp) Which Would Require all Local Agencies to Receive Majority Voter Approval Before Incurring Certain Types of Indebtedness (Supervisor Pickard)

BOARD ACTION: Following discussion, (M)Reilly, (S)Pickard, direction was given for a letter to be sent opposing SB 147, with a copy to be distributed to the Senate Local Government Committee, RCRC, CSAC, and our legislative delegation/Ayes: Unanimous.

Discussion and Consideration of Possibly Changing Location of a Future Board Meeting at the Request of the El Portal Community (Supervisor Reilly) (No Folder)

BOARD ACTION: Discussion was held concerning the request, and Board concurred with Supervisor Reilly working with the Clerk of the Board to schedule the meeting.

Discussion and Possible Action Regarding a Local Emergency Relative to the Flooding of the Merced River (No Folder) (County Administrative Officer)

BOARD ACTION: John McCamman, Chief of Staff for Congressman Radanovich, advised of legislation introduced by Congressman Radanovich and Doolittle to appropriate \$178,000,000 for repairs to the Park resulting from the flood disaster; and advised of the Congressional Resources Committee Oversight hearing scheduled for Saturday at Cedar Lodge to discuss use of the funds and the day use reservation system and stated this would provide an opportunity for invited members of the community to provide input -- the Committee will also accept public comments in writing for a period of sixty days and they will become a part of the formal record. Supervisor Reilly advised that she has been invited to make a presentation on behalf of YARTS. Supervisor Parker suggested that the Board consider developing a letter and position to be entered into the record. John McCamman advised that he has a copy of the Board's actions to date and will include those in the record. Supervisor Reilly advised that since the Board's previous action, there has been ongoing discussions relative to alternatives for access on Highway 140 and those issues will be brought back to the Board. Chairman Stewart advised that a request was submitted for the Board to be represented at the hearing; and if that request is honored, he would like Supervisor Parker to speak on behalf of the Board as a representative of the Board's subcommittee -- Board concurred. Supervisor Pickard advised that he has prepared comments that he would like to have attached to the material submitted.

Continued Consideration of Possible Adjustments to Existing Contract with VIA Adventures to Provide for Mitigation of Impacts Caused by Limited Access to Yosemite National Park on Highway 140 (Continued from March 11, 1997) (No Folder)

BOARD ACTION: Janet Hogan, County Administrative Officer, advised that there is no additional information for this matter this week.

Continued Consideration of Authorizing Emergency Transit Enhancement Plan (Continued from March 11, 1997) (No Folder)

BOARD ACTION: Janet Hogan, County Administrative Officer, advised that there is no additional information for this matter this week.

Board Information and Announcements (No Folder)

BOARD ACTION:

- Supervisor Stewart advised that Ed Johnson may attend the ISTEPA meeting on March 27th in Sacramento and asked if anyone else is planning to attend.
- Janet Hogan advised that she will be attending the CSAC Legislative Conference on Wednesday and Thursday in Sacramento, and then go to a meeting in Visalia on Thursday afternoon for the Southern San Joaquin Leadership Coalition, and will be back in the office mid-day on Friday.
- Supervisor Stewart advised that he will attend the CSAC meeting on March 20th.
- Supervisor Pickard advised that he will attend the RCRC meeting on March 21st.

CONSENT AGENDA

- CA-1 Appoint Bonnie Ferguson to the Mariposa County Commission on Aging Representing District II (Community Services)
- CA-2 Accept Resignation of Pierce Loberg from the Wawona Town Planning Advisory Committee (Planning)
- CA-3 Resolution Appropriating Unanticipated Revenues to the Transportation/ Planning Budget for Transportation Demand Management Programs (\$6,000) (4/5ths Vote Required) (Planning); Res. 97-83
- CA-4 Resolution Authorizing Chairman to Execute the Standard Agreement with the State of California for the Emergency Housing and Assistance Program IV in the Amount of \$10,000 (Administration); Res. 97-84

11:48 a.m. Adjournment in memory of Edward Lowell Hood.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA MARCH 25, 1997

Time Description
9:05 a.m. Meeting Called to Order with Supervisor Reilly excused.

Pledge of Allegiance

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

Approval of Minutes of 3/11/97 Regular Meeting
BOARD ACTION: Approved.

Approval of Consent of Agenda (See End of Minutes)
BOARD ACTION: Supervisor Stewart pulled item 2 -- action was taken later this date. (M)Parker, (S)Pickard, balance of items were approved/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Resolution and Tile Plaque Recognizing Susan Young for Retirement from the Department of Social Services Human Services Division as the Staff Services Manager (Human Services)
BOARD ACTION: (M)Parker, (S)Pickard, Res. 97-90 adopted and presented to Sue Young, along with a County tile plaque/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Janet Bibby/District Attorney-Paralegal, appeared on behalf of Christine Johnson, District Attorney;
Resolution Transferring Funds from Office Expense (\$408) to a Newly Created Fixed Asset Line Item for the Purchase of an Office Desk, Utilizing Statutory Rape Vertical Prosecution (SRVP) Grant Funds
BOARD ACTION: Following discussion, (M)Pickard, (S)Parker, Res. 97-92 adopted/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Jim Moffett, Chief Probation Officer;
Resolution Authorizing the Chief Probation Officer to Submit a Juvenile Challenge Grant Application
BOARD ACTION: Discussion was held concerning the grant application, the County's match, and staffing changes. (M)Balmain, (S)Pickard, Res. 97-93 adopted/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Consent Agenda item 2 - Following discussion with Jim Moffett, Chief Probation Officer, (M)Parker, (S)Pickard, item 2 was approved/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Ed Johnson, Planning & Building Director;
Yosemite Housing Plan Response (Supervisors Reilly and Parker) (No Folder) (Continued from 3/18/97)
BOARD ACTION: Discussion was held concerning the draft response. (M)Pickard, (S)Parker, Res. 97-95 adopted approving the response with changes as discussed and with direction that previous comments be submitted as attachments, and with direction for distribution/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Provide Direction to Staff for Research and Recommended Action Regarding the Mercy Medical Transportation Transit Proposal (County Administrative Officer)

BOARD ACTION: Discussion was held concerning the letter received from Merced Medical Transportation. Janet Hogan, County Administrative Officer, suggested that as the YARTS process moves forward, transit issues could be considered for incorporation in that process. Discussion was held concerning the status of the VIA contract for bus service and reviewing overall transportation issues. Ed Johnson, Planning and Building Director, commented on the status of the grant contract process for reviewing transit issues. Board concurred with providing direction to staff (County Administrative Officer, Planning Director, transit consultant) to review this proposal in the context of reviewing of all transit issues.

9:57 a.m. Recess

10:12 a.m. Janet Hogan, County Administrative Officer;
Presentation of Mid-Year Budget Report and Request for Direction

BOARD ACTION: Janet Hogan thanked department heads and their staffs, particularly the Auditor and Assistant Auditor, and her predecessor, Mike Coffield, for assistance with this report. She reviewed the status of the budget, unanticipated revenues and expenses, and the impacts as a result of the flood disaster and Park closure. Discussion was held concerning the report and options for covering the budget shortfall. Mike Edwards, Public Works Director, commented on the reduction to the solid waste revenue as a result of the Park closure. Ken Hawkins, Auditor, responded to questions relative to the unanticipated revenue from PERS and cash flow. Jim Moffett, Chief Probation Officer, commented on the unanticipated revenue and expenses related to their planning grant, and expenses with the juvenile caseload. Marty Allan/PWD Fleet-Fiscal Manager, provided input relative to expenses. Supervisor Parker asked about the status of the purchase of hand-held radios for the Road Division; and he noted that investment information previously requested has not been provided by the Treasurer. Janet Hogan advised that she could prepare a third-quarter report and have departments evaluate and reduce expenses as much as possible. Discussion was held relative to addressing the need for additional funds to maintain the roads within the County system. Supervisor Parker requested that the County Administrative Officer review the budget status of the various funds within the budget and any other alternatives for funding sources. Mike Edwards responded to question from the Board relative to scheduling road maintenance. Board concurred with County Administrative Officer bringing back the budget actions transferring funds to the Reserve for Contingency that will not be necessary for on-going operations this fiscal year, and with preparing a third-quarter report.

Resolution Approving Request for Proposals for the County Audit for Fiscal Years 1997/98 through 2001/02 (County Administrative Officer)

BOARD ACTION: Discussion was held and it was noted that the proposal calls for an audit of the transient occupancy taxes. (M)Parker, (S)Pickard, Res. 97-96 adopted/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Resolution Opposing the Administration's Funding Request for the Payments in Lieu of Taxes (PILT) (County Administrative Officer)

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

Discussion and Possible Action Regarding a Local Emergency Relative to the Flooding of the Merced River (No Folder) (County Administrative Officer)

BOARD ACTION:

- Janet Hogan, County Administrative Officer, advised that with regards to the meeting the Board requested with the Park and elected officials, that Congressman Radanovich's

Office is organizing a meeting relative to Highway 140 access and so there will not be a need to organize a parallel meeting.

- Janet further advised that with regards to the Governor's recognition of volunteers that assisted during the flood disaster, that an additional request has been received for the submission of the name of an individual who provided outstanding volunteer effort -- Board concurred with its subcommittee members working with the County Administrative Officer to address this request.

- Ed Johnson, Planning and Building Director, advised that he is not aware of anyone having any problems with FEMA as a result of the County not participating in the flood insurance program, and asked if the Board wanted staff to continue to pursue this matter. Board concurred with staff continuing to review the matter.

Continued Consideration of Possible Adjustments to Existing Contract with VIA Adventures to Provide for Mitigation of Impacts Caused by Limited Access to Yosemite National Park on Highway 140 (Continued from March 18, 1997) (No Folder)

BOARD ACTION: There was no additional information and matter was continued to April 1, 1997.

Continued Consideration of Authorizing Emergency Transit Enhancement Plan (Continued from March 18, 1997) (No Folder)

BOARD ACTION: There was no additional information and matter was continued to April 1, 1997.

Board Information and Announcements (No Folder)

BOARD ACTION:

- Supervisor Parker advised of the Congressional Oversight Hearing that he and Supervisor Reilly and County Administrative Officer Hogan attended on Saturday. He felt the message was consistent from those who testified -- the day use reservation system is the way of the future, but not now, and they are still trying to deal with the Highway 140 access issues. It was a good meeting and well attended. He advised that Highway 140 may open at the end of the week with unrestricted travel to the Parkline.

- Supervisor Reilly commented on the Hearing and stated she felt the presentation was good and pointed out the need for everyone to work together with transit issues.

- Janet Hogan, County Administrative Officer, advised that the Highway to El Portal was in good condition and the Canyon was beautiful with the poppies and redbud in bloom.

- Supervisor Pickard advised of a meeting scheduled for March 27th in Modesto relative to the 209 area code issue for the northern exchange; and advised of a telephone call he received from Fresno County and their consideration of a solution that would include Mariposa as a part of the southern exchange -- they will have a meeting on March 27th in Fresno. Discussion was held relative to the options.

- Supervisor Balmain reported on the Leadership Forum (Biodiversity Council) meeting held last Wednesday and Thursday in Visalia.

- Supervisor Stewart reminded the Board of the upcoming San Joaquin Valley Supervisors Association meeting to be held at Cedar Lodge on April 9 - 11, 1997; and advised that he attended a CSAC meeting in Sacramento.

11:57 a.m. Jeff Green, County Counsel, advised of an off-agenda item for closed session relative to a litigation matter, pursuant to Government Code section 54956.9(b).

(M)Pickard, (S)Parker, Board waived the rules requiring 72 hours agenda noticing to consider this matter, finding the matter was not known about at the time the agenda was prepared and the affected employee is only able to meet with County Counsel prior to the next Board meeting to try and resolve the matter/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly. (M)Pickard, (S)Parker, closed session was held following a short recess/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

12:08 p.m. Board reconvened in open session with direction given to staff as a result of closed session.

CONSENT AGENDA

- CA-1 Waive Second Reading and Adopt an Ordinance Making Upper Bullion Street (County Road 87X) One-Way in the Southerly Direction Between 8th and 9th Streets (Public Works); Ord. 916
- CA-2 Resolution Authorizing Personal Services Agreement with Jan Stutzman (Probation); Res. 97-94
- CA-3 Resolution Approving Emergency Purchase and Waiving Bidding Requirements for Purchase of New Water Pumps for the Water System at Yosemite West (\$18,774.11) (Auditor); Res. 97-91

12:09 p.m. Adjournment in memory of Alfred Samson, Coyt Hackett, Olive Schlaudt, and Eula Mae Peter.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board