

DEPARTMENT: PLANNING

BY: Sarah Williams
PHONE: 742-1215

2nd Reading & Adopt
12/21/04

CA-4

RECOMMENDED ACTION AND JUSTIFICATION:

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

Ord. 1014
Ord. 1015

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

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

BACKGROUND AND HISTORY OF BOARD ACTIONS:

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

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

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Modify language in resolution or ordinance, or modify appointments.

No action will result in continued operation of committee with unclear charter.

Financial Impact? Yes No Current FY Cost: \$
 Budgeted Current FY? Yes No Partially Funded
 Amount in Budget: \$
 Additional Funding Needed: \$

Annual Recurring Cost: \$

List Attachments, number pages consecutively

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

1. Draft Resolution
2. Draft Ordinance Amending Ch 17.40
3. Draft Ordinance Amending Chapter 2.110
4. 10/6/03 Correspondence from Board Clerk
5. Historic Committee Makeup
6. Current Title 17 Language
7. Repealed Title 17 Language
8. Ordinance 475 - Established Original Committee

CLERK'S USE ONLY:

Res. No.: _____ Ord. No. 1014 + 1015
 Vote - Ayes: 5 Noes: _____
 Absent: _____
 Approved
 Minute Order Attached No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.

Date: _____
 Attest: MARGIE WILLIAMS, Clerk of the Board
 County of Mariposa, State of California
 By: _____
 Deputy

COUNTY ADMINISTRATIVE OFFICER:

Requested Action Recommended
 No Opinion
 Comments:

CAO: [Signature]

MARIPOSA COUNTY ORDINANCE NO. 1015

**AN ORDINANCE ADDING CHAPTER 2.110 TO THE MARIPOSA COUNTY CODE,
CHARTERING THE AGRICULTURAL ADVISORY COMMITTEE.**

Whereas, Agriculture is a critical part of the economy and landscape of the County of Mariposa, and

Whereas, the agricultural community is comprised of a broad cross section of people with specialized knowledge that is important for the Board of Supervisors; and

Whereas, the Board of Supervisors has maintained an Agricultural Advisory Committee since

1978, prior to the adoption of Title 17, Mariposa County Code, Zoning; and

Whereas, the Board of Supervisors empowers its boards, committees, commissions, and departments in Mariposa County Code Title 2, Administration and Personnel; and

Whereas, the Agricultural Advisory Committee is currently chartered within Chapter 17.40 of the Mariposa County Code, a chapter associated with the Agriculture Exclusive zoning district; and

Whereas, the Board of Supervisors needs an Agricultural Advisory Committee to provide it with information, recommendations, and advice from a broader perspective than just zoning issues.

Now, Therefore, the Board of Supervisors of Mariposa County, a political subdivision of the State of California, does ordain as follows:

Section I:

Chapter 2.110 is hereby added to the Mariposa County Code.

Chapter 2.110

Agricultural Advisory Committee

Sections:

2.110.010	Purpose
2.110.020	Established
2.110.030	Qualifications
2.110.040	Term of office and appointment
2.110.050	Removal
2.110.060	Duties

2.110.010 Established.

The Agricultural Advisory Committee is established to advise and recommend as requested on agricultural issues associated with the General Plan and zoning, applications for new Williamson Act (Land Conservation Act) Contracts, applications for cancellation of Williamson Act (Land Conservation Act) Contracts, non-renewal of Williamson Act (Land Conservation Act) Contracts, policy for implementation of the Land Conservation Act in Mariposa County, and other matters of importance to the agricultural community and agricultural industry.

2.110.020 Qualifications.

A. The Agricultural Advisory Committee shall be composed of five voting members consisting of:

1. The President of the Mariposa County Farm Bureau or designee,
2. Chair of the Mariposa County Resource Conservation District or designee,
3. A member from the public who represents the cattle industry, preferably a cattleman or cattlemaster belonging to the Merced/Mariposa County Cattlemen's Association,
4. Two (2) members of the public at large, who are representatives of the agricultural community, or knowledgeable of local agriculture, or have an agricultural background;
5. All voting members shall be permanent residents of Mariposa County.

B. Staff to the Agricultural Advisory Committee shall be:

1. The County Planning Director or designee,
2. The Natural Resources Conservation Service (NRCS) District Conservationist,
3. The County Agricultural Commissioner or designee,
4. The County Assessor or designee,
5. The University of California Cooperative Extension County Director,
6. A Planning Commissioner nominated by the Planning Commission,
7. Other professional staff as directed by the Board of Supervisors or the Committee chair;

C. The Committee shall elect a Chair at its first meeting of the calendar year from amongst its members.

2.110.040 Term of office and appointment.

A. Each member shall be appointed by the Board of Supervisors for term of two years expiring on the last day of February in the appropriate calendar year, or until a reappointment is made. For the first appointment, members shall be selected by lot to one year and two year terms so that not more than three members have terms expiring in the same year.

B. The identified organizations shall present their names to the Board of Supervisors for appointment prior to the expiration of a term;

C. The identified organizations may propose a designee in lieu of the identified person or an alternate member to serve in the absence of the appointed members. All alternates shall be appointed by the Board of Supervisors.

2.110.050 Removal.

All members serve at the pleasure of the Board of Supervisors, and may be removed by majority vote of the Board.

2.110.060 Duties.

The Committee shall provide comment, recommendation, and advice to the Planning Commission, Board of Supervisors and its personnel on the following matters:

A. Advise and provide recommendations on agricultural issues associated with the General Plan and zoning;

B. Review and provide recommendations on changes in policy for implementing the Williamson Act (Land Conservation Act);

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

D. Recommendations to the Board of Supervisors on matters of importance to the agricultural community and agricultural industry.

Section II: This Ordinance shall become effective thirty (30) days after final passage pursuant to Government Code Section 25123.


Passed and adopted by the Board of Supervisors of Mariposa County this 21st day of December, 2004, by the following vote:

Ayes: STETSON, BALMAIN, BIBBY, PARKER, PICKARD

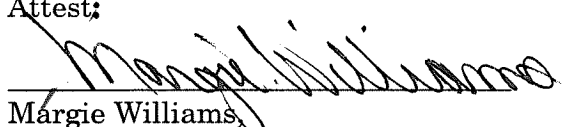
Nays: NONE

Absent: NONE

Abstain: NONE

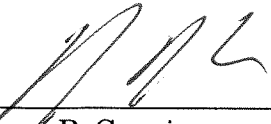


Bob Pickard, Chairman
Board of Supervisors

Attest:


Margie Williams,
Clerk of the Board of Supervisors

Approved as to form:

A handwritten signature in black ink, appearing to read 'T. Guarino', written over a horizontal line.

Thomas P. Guarino,
County Counsel