

**STATE OF CALIFORNIA, COUNTY OF SIERRA**

**BOARD OF SUPERVISORS**

**SPECIAL TELECONFERENCE MEETING**

**AGENDA**

The Sierra County Board of Supervisors will meet in a special teleconference meeting commencing at 2:30 p.m. on Wednesday, June 30, 2010. Locations available to the public to attend the teleconference meeting will be in the Board of Supervisors Chambers, Courthouse, Downieville and the Sheriff's Substation, 61050 State Route 49, Loyalton, CA.

**2:30 P.M. – Call to Order, Roll Call.**

**SOLID WASTE – Laura Marshall**

1. Resolution pertaining to Solid Waste Fees for the 2010/2011 Fiscal Year.

**PUBLIC WORKS – Tim Beals**

2. Resolution authorizing a grant application under Proposition 84 for the Nature Education Facilities Program for a proposed nature interpretive trail and support facility at the San Francisco State Field Campus.

**ADJOURN**

**SIERRA COUNTY  
AGENDA  
TRANSMITTAL  
AND RECORD OF  
PROCEEDINGS**

1. MEETING DATE: <i>June 30, 2010</i>	2. DATE/TIME REC'D (for Clerk's use only)	3. AGENDA ITEM # AGENDIZING DEPARTMENT: <input checked="" type="checkbox"/> REGULAR <input type="checkbox"/> CONSENT
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4. CONTACT FOR INFORMATION  
DEPARTMENT: *SOLID WASTE*  
NAME: *Laura Marshall* PHONE NO. *289-3283*

5. AGENDA ITEM: *Resolution pertaining to Solid Waste Fees for the 2010/2011 Fiscal Year.*

6. SUPPORTIVE DOCUMENTS RELATIVE TO THIS ITEM:  
IF CONTRACT OR AGREEMENT ATTACH:  RESOLUTION  
 COPY OF CONTRACT

7. BACKGROUND INFORMATION: PREVIOUS RELEVANT BOARD ACTIONS  NONE  
(see attached sheet, if more space required)

8. FUNDING SOURCE(S)	9. CURRENT YEAR COST	10. ANNUAL COST	11. IS THIS ITEM ALLOCATED IN THE BUDGET? <input type="checkbox"/> YES <input type="checkbox"/> NO IS A BUDGET TRANSFER REQUIRED? <input type="checkbox"/> YES <input type="checkbox"/> NO
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12. WILL PROPOSAL REQUIRE ADDITIONAL PERSONNEL?  
 YES  NO IF YES, STATE NUMBER  
\_\_\_\_\_ PERMANENT \_\_\_\_\_ LIMITED TERM

13. PRIORITY  
 ROUTINE OPERATION  
 SPECIAL PROJECT  
PRIORITY  A  B  C  NONE

14. RECOMMENDED ACTION OR MOTION:  
AUTHORIZED SIGNATORY: Chairman, Board of Supervisors or Responsible Administrator  
The Clerk is hereby authorized to issue a separate resolution or minute order in conformance with the Board's action as may be required.  
 Other:  (See Attached)

15.  
/s/ Laura Marshall June 29, 2010  
SIGNATURE OF AGENCY OR DEPARTMENT AUTHORIZED REPRESENTATIVE DATE

16. APPROVED AS TO FORM: APPROVED AS TO FUNDING SOURCES:  
\_\_\_\_\_  
COUNTY COUNSEL/AUDITOR/RISK MANAGER  
COMMENTS:

17. BOARD ACTION  
 APPROVED  
 APPROVED AS AMENDED  
 SET PUBLIC HEARING FOR \_\_\_\_\_  
 NO ACTION TAKEN  
 DENIED  ADOPTED AS AMENDED  
 ADOPTED  
 RESOLUTION NO. 2010-\_\_\_\_\_  
 AGREEMENT NO. 2010-\_\_\_\_\_  
 ORDINANCE NO. \_\_\_\_\_  
 VOTE AYES : \_\_\_\_\_  
NOES : \_\_\_\_\_  
ABSTAIN: \_\_\_\_\_  
ABSENT : \_\_\_\_\_  
 DIRECTION TO \_\_\_\_\_  
 REFERRED TO \_\_\_\_\_  
 CONTINUED TO \_\_\_\_\_  
 OTHER \_\_\_\_\_  
 NO RESPONSE REQUESTED FROM CLERK

BY: \_\_\_\_\_ DEPUTY CLERK OF THE BOARD \_\_\_\_\_ DATE

**BOARD OF SUPERVISORS  
COUNTY OF SIERRA  
STATE OF CALIFORNIA**

**RESOLUTION NO. 2010-**

**RESOLUTION PERTAINING TO SOLID WASTE FEES  
FOR THE 2010-2011 FISCAL YEAR**

**WHEREAS**, pursuant to the provisions of California Government Code Section 25820 to 25830, and Chapter 8.05 of the Sierra County Code, the Board of Supervisors is authorized to annually establish a schedule of fees, which may to be imposed on real property, businesses and persons who benefit from the use or ability to use the County's solid waste system, the revenue from which is used for the acquisition, operation, and maintenance of county waste disposal sites and for financing waste collection, processing, reclamation, and disposal services, where those services are provided; and

**WHEREAS**, in June and July of 2008, the Board of Supervisors adopted Resolution Numbers 2008-088 and 2008-113 establishing Solid Waste Fees at rates set forth herein, subject to the County's compliance with the provisions of Section 6 of Article XIII D of the California Constitution (Proposition 218) pertaining to providing notice to property owners of the increase in the Solid Waste fees and their right to file a majority protest pertaining to the fees; and

**WHEREAS**, following the notice and protest provisions of Article XIII D of the California Constitution (Proposition 218) and absent sufficient protest by property owners, the solid waste fees were established at 231.03 per year for residential use of the system with a per loose cubic yard rate of \$13.59 for non residential users in order to maintain the services for the benefit of the residents and businesses within the County; and

**WHEREAS**, the Board of Supervisors has determined that it is necessary and appropriate to continue to impose and to collect said solid waste fees from properties that use, or as to which the solid waste system is immediately available for their use, in proportion to their respective estimated use of the solid waste system during the 2010-2011 fiscal year; and

**WHEREAS**, the amount of the fees have been calculated for each of the 2,271 individual properties within Sierra County that benefit from the use, or the immediate availability for use of the County solid waste system, based upon the nature of the uses occurring thereon and the volume of waste generated from the uses and other factors that reasonably relate the waste disposal fee to the property or business or person upon which it would be imposed;

**NOW THEREFORE, BE IT HEREBY RESOLVED BY THE SIERRA COUNTY BOARD OF SUPERVISORS that:**

Section 1. Solid Waste Fee Increases to be Effective July 1, 2010

A. For the 2010-2011 fiscal year (commencing on July 1, 2010) all developed properties, businesses, entities or persons (collectively hereinafter referred to as "properties") that use the County solid waste system, or for which the solid waste disposal system is immediately available for their use, shall pay a solid waste fee as follows:

Single Family Residential (including equivalent uses)	\$231.03 per year
Multi-Family Residential (i.e., apartments, duplexes, granny houses and guest houses)	\$231.03 per year per residential unit
Mobile Homes Spaces (in mobile home parks)	\$231.03 per year per mobile home space

B. All other developed parcels, businesses, entities or persons occupying property (including but not limited to mining claims) – collectively the "non-residential properties" shall pay a fee at the rate of \$13.59 per (uncompacted) cubic yard based upon the estimated volume of the refuse generated on the property (excluding material that is recycled) during the 2010-2011 fiscal year, which volumes are shown on Exhibit "A" (consisting of waste generation for non-residential properties during 2009 and 2010). The waste generation information is based upon the waste generation information compiled from the records obtained by the waste haulers serving the property showing the waste disposal for the property during all or portions of the preceding fiscal year, or such other information as may reasonably establish or provide the basis for an estimate of the amount of refuse generated from the property, enterprise or business. Non-residential property(s) not included in Exhibit "A" (and which are not properties otherwise exempt from the fee due to non-use) shall pay the fee established by the Solid Waste Fee Administrator based on the reasonable use or estimated use of the solid waste system for the 2010-2011 fiscal year.

C. Any non-residential parcel which exceeds the amount of refuse that is established for the property as the basis for the calculation of the parcel charge shall be subject to the imposition of an additional charge at the rate of \$13.59 per (uncompacted) cubic yard for any additional refuse that is generated on the property. The Solid Waste Fee Administrator is authorized to perform random reviews of the waste generation of property in order to insure that the amount of the refuse has been appropriately and fairly determined for the property. An additional charge shall be imposed at the rate of \$13.59 per (uncompacted) cubic yard for any additional refuse generated on the property that is over the amount which was used as the basis for establishing the fee for the property, enterprise or person.

D. For the purpose of this Section, a residence shall be deemed to exist and a fee shall be imposed as to real property upon which a structure considered to be a single-family residence or its equivalent is located.

E. Any real property containing a single family residential unit as a separate structure or unit and one or more other residential units (such as a "granny" or handicapped unit, or any other structure or shelter in which people live on the property) shall pay a fee for the single family unit as established herein and an additional amount of \$231.03 for each additional unit.

Section 2. Appeal Provisions

Fees established by this Resolution shall be subject to the appeal/adjustment procedures as set out in Chapter 5 of Part 8 of the Sierra County Code. It is the intent of the Board of Supervisors that these appeal or administrative adjustment procedures shall constitute an administrative procedure that allows property owners to appeal the solid waste fee as to their respective properties.

Section 3. Collection of Fees

The solid waste fees may be billed and collected by the County Tax Collector as part of the regular county tax billing system (on the property tax bill). Notice of the appeal/adjustment procedures shall be included as part of the property tax bill if the fees are collected on the bill. Any separate bill sent for collection of the fees shall also include a notice of the right to seek an administrative appeal or adjustment of the fees following the procedures set out in Chapter 5 of Part 8 of the Sierra County Code.

Section 4. Application of Code of Civil Procedure Sections 860-870 to Actions Contesting Fees

Pursuant to the Provisions of Section 8.05.110 of the Sierra County Code, the provisions contained in California Code of Civil Procedure Sections 860-870 shall be applicable to the adoption of solid waste adopted by the Board of Supervisors and any legal action contesting the validity of this Resolution or contesting the validity of any fee or charge shall be filed within sixty (60) days from the date of the adoption of this Resolution if contesting the validity of the County's authority to or procedures used in adopting the solid waste fees. Any person or entity contesting the application of the fees to their individual property shall be entitled to contest the decision made by the Board as a result of an administrative appeal hearing (see Section 2, above) within the time requirements set out Section 8.05.025 (b)(10) of the Sierra County Code, and shall do so by way of an action under Code of Civil Procedure Section 1094.5.

**PASSED AND ADOPTED** by the Sierra County Board of Supervisors on June 30, 2010 by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

COUNTY OF SIERRA

\_\_\_\_\_  
DAVID GOICOECHEA, CHAIRMAN  
BOARD OF SUPERVISORS

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
HEATHER FOSTER  
Clerk of the Board

\_\_\_\_\_  
JAMES A. CURTIS  
County Counsel

## EXHIBIT A

### NON-RESIDENTIAL PROPERTIES

APN	2010 LCY
0021500180	103.2500
0021600090	4.0000
0021600580	128.1000
0021700040	107.2500
0021800300	15.7500
0030220120	9.7240
0030810110	180.4000
0030810120	34.0000
0030820110	66.0000
0030910010	4.9500
0030910160	92.0000
0030920120	12.7500
0030930010	124.0500
0030940020	90.7000
0030950010	13.9200
0030950050	26.0000
0031010030	39.3200
0031010040	17.0000
0031010060	21.0000
0031010070	88.5000
0031020010	36.0800
0031020020	82.8000
0031020080	11.0000
0031020110	35.7450
0031030020	71.8000
0031030030	12.3600
0031030070	96.7500
0031030080	3.6000
0031030090	38.0000
0031100130	3.8700
0031220120	154.5000
0031220210	90.9500
0031230030	107.5000
0031240040	17.0000
0031300270	72.0000
0031410160	78.7500
0040600149	51.7000
0041000470	7.7250
0041200070	0.0000
0041300130	8.0000
0041900550	96.0000
0042100169	0.0000
0042300200	7.5000
0042400230	30.0000
0042400260	64.0000
0042500040	0.0000
0042500110	26.0000
0042500250	54.0000
0042500400	17.0000
0042500470	53.0000
0042700060	45.0000

## EXHIBIT A

### NON-RESIDENTIAL PROPERTIES

0042700070	26.0000
0060600050	45.0000
0060700020	17.0000
0060800100	45.0000
0061300490	23.0000
0061400130	0.0000
0070400040	34.0000
0070900110	139.7500
0070900140	33.4500
0071400019	40.2500
0080500130	67.5000
0080500280	73.0460
0080500359	24.0000
0080700159	85.0000
0080700169	141.5000
0080700189	33.0000
0080900339	15.7500
0080900349	10.2500
0080900379	75.5000
0081100220	41.0000
0081200249	32.7500
0082000020	35.2500
0082000080	128.2500
0090200760	13.4100
0090310050	30.0000
0090320090	0.0000
0090320100	30.5000
0090800020	43.0000
0090800130	11.4350
0091010070	14.4750
0091010110	96.2500
0091010120	30.0000
0091010140	21.3000
0091020040	6.6000
0091020080	51.7500
0091120200	52.0000
0091120220	62.0000
0091210050	0.0000
0091500310	91.2500
0091700090	83.0000
0091800050	17.0000
0091800060	54.0000
0091900040	8.0000
0091900050	60.7500
0091900080	49.0000
0121030080	17.0000
0121200020	33.2250
0121220010	20.2500
0121400380	17.0000
0121800070	85.5000
0130100109	93.0000
0130800140	8.0000

## EXHIBIT A

### NON-RESIDENTIAL PROPERTIES

0130800160	17.0000
0130900350	26.0000
0131100300	103.5000
0131101173	0.0000
0141100030	129.0000
0150100120	79.7500
0150220040	0.0000
0150320040	0.0000
0150320050	206.5000
0150330030	45.0000
0150510010	26.0000
0150510020	44.0000
0150520010	39.5000
0150520020	188.2500
0150520080	26.2500
0150520090	126.5500
0150520100	8.0000
0150720020	97.5000
0150800050	15.1250
0150800060	70.5000
0150800140	140.5000
0150900010	393.0000
0151000040	0.7500
0151300110	25.5800
0160200420	60.2500
0160200510	6.0000
0160400790	758.9000
0160400800	770.0000
0160400820	26.0000
0160400850	26.0000
0160400960	0.0000
0160700090	34.0000
0160700190	8.0000
0160900240	560.0000
0160900430	1.0000
0161100270	35.0000
0161100310	17.2500
0161800410	26.0000
0162000120	10.0000
0162200200	181.6000
0170210110	223.0800
0170210480	30.0000
0170240170	19.0000
0170240240	17.0000
0170300010	198.5000
0170300020	1248.0000
0170410010	95.0000
0170450010	4.1000
0170630060	15.0000
0170630070	17.0000
0170650060	21.2500
0170650070	63.0000

## EXHIBIT A

### NON-RESIDENTIAL PROPERTIES

0170650080	7.4250
0170730110	0.0000
0170730130	50.2500
0170760050	12.3400
0170760070	2.4480
0170760080	3.0000
0170820040	94.0000
0170850050	116.5000
0170850090	171.0000
0170900030	31.5000
0171020030	26.0000
0171030040	0.0000
0171030160	37.5000
0171030180	65.0000
0171040010	17.0000
0171040030	17.7500
0171040040	198.7500
0171040090	32.0000
0171110010	102.2500
0171100030	19.2500
0171110020	17.0000
0171110040	17.0000
0171110070	17.2100
0171110220	180.2500
0171120050	12.7500
0171130020	208.0000
0171140010	30.0000
0171140080	38.0000
0171170040	31.5000
0171200060	0.0000
0171400010	42.5000
0171400020	297.5000
0180300270	259.5000
0180600200	9.3000
0180600210	73.7500
0181100080	17.0000
0190600060	6.0000
0210900079	<u>26.0000</u>
0500014000	5.0000
1300002500	8.0000
1300006000	134.2500
1300006100	89.5000
1300012600	4.0000
1320000100	15.0000
2700017900	24.0000
2700019400	15.0000
2700035100	19.0000
2700042900	53.9400
2700044400	2.0000
2700045600	30.2500
2700045700	0.0000
2700045800	0.0000

## EXHIBIT A

### NON-RESIDENTIAL PROPERTIES

2700045900	75.5000
2700046000	67.5000
2700046100	83.0000
2700046200	114.0000
2700046300	49.0000
2700046400	24.7500
2700046500	64.0000
2700046600	35.7500
2700046700	40.2500
2700046800	0.0000
2700046900	91.5000
2700047000	115.5000
2700047100	21.7500
2700047200	57.2500
2700047300	114.5000
2700047400	19.7500
2700047500	34.7500
2700047600	19.2500
2700047700	34.2500
2700047800	38.0000
2700047900	107.5000
2700048000	39.5000
2700048100	21.2500
2700048200	49.7500
2700048300	127.2500
2700048400	27.2500
2700048500	35.7500
2700048600	137.6500
2700048700	38.5000
2700048800	42.2500
2700048900	62.5000
2700049000	31.7500
2700049100	<u>48.7500</u>

<b>SIERRA COUNTY AGENDA TRANSMITTAL AND RECORD OF PROCEEDINGS</b>	1. MEETING DATE: <b>June 30, 2010</b>	2. DATE/TIME REC'D  (for Clerk's use only)	3. AGENDA ITEM # AGENDIZING DEPARTMENT: <input type="checkbox"/> REGULAR <input type="checkbox"/> CONSENT
	4. CONTACT FOR INFORMATION  DEPARTMENT: <i>Sierra County Department of Public Works</i> NAME: <i>Tim H. Beals</i> PHONE NO. <i>289-3201</i>		
5. AGENDA ITEM: <b>Resolution authorizing grant application under Proposition 84 for the Nature Education Facilities Program for a proposed nature interpretive trail and support facility at the San Francisco State Field Campus.</b>			
6. SUPPORTIVE DOCUMENTS RELATIVE TO THIS ITEM:  IF CONTRACT OR AGREEMENT ATTACH: <input type="checkbox"/> RESOLUTION <input type="checkbox"/> COPY OF CONTRACT			
7. BACKGROUND INFORMATION: PREVIOUS RELEVANT BOARD ACTIONS <input type="checkbox"/> NONE (see attached sheet, if more space required)			
8. FUNDING SOURCE(S)  <b>Proposition 84</b>	9. CURRENT YEAR COST	10. ANNUAL COST	11. IS THIS ITEM ALLOCATED IN THE BUDGET? <input type="checkbox"/> YES <input type="checkbox"/> NO  IS A BUDGET TRANSFER REQUIRED? <input type="checkbox"/> YES <input type="checkbox"/> NO
12. WILL PROPOSAL REQUIRE ADDITIONAL PERSONNEL? <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, STATE NUMBER ___PERMANENT ___LIMITED TERM		13. PRIORITY <input type="checkbox"/> ROUTINE OPERATION <input type="checkbox"/> SPECIAL PROJECT PRIORITY <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> NONE	
14. RECOMMENDED ACTION OR MOTION: <b>Adopt Resolution authorizing grant application.</b> AUTHORIZED SIGNATORY: Chairman, Board of Supervisors or Responsible Administrator The Clerk is hereby authorized to issue a separate resolution or minute order in conformance with the Board's action as may be required. <input type="checkbox"/> Other: <input type="checkbox"/> (See Attached)			
15. <i>/s/ Tim H. Beals</i>		<i>June 29, 2010</i>	
SIGNATURE OF AGENCY OR DEPARTMENT AUTHORIZED REPRESENTATIVE		DATE	
16. APPROVED AS TO FORM: APPROVED AS TO FUNDING SOURCES:  _____ COUNTY COUNSEL/AUDITOR/RISK MANAGER  COMMENTS:			

17. BOARD ACTION

<input type="checkbox"/> APPROVED	<input type="checkbox"/> DENIED	<input type="checkbox"/> ADOPTED AS AMENDED	<input type="checkbox"/> DIRECTION TO _____
<input type="checkbox"/> APPROVED AS AMENDED	<input type="checkbox"/> ADOPTED	<input type="checkbox"/> RESOLUTION NO. _____	<input type="checkbox"/> REFERRED TO _____
<input type="checkbox"/> SET PUBLIC HEARING FOR _____	<input type="checkbox"/> AGREEMENT NO. _____	<input type="checkbox"/> ORDINANCE NO. _____	<input type="checkbox"/> CONTINUED TO _____
<input type="checkbox"/> NO ACTION TAKEN	<input type="checkbox"/> VOTE AYES :		<input type="checkbox"/> OTHER _____
		NOES :	<input type="checkbox"/> NO RESPONSE REQUESTED FROM CLERK
		ABSTAIN:	
		ABSENT :	

BY: \_\_\_\_\_ DEPUTY \_\_\_\_\_ DATE \_\_\_\_\_  
CLERK OF THE BOARD



Resolution No: 2010-\_\_\_\_\_

**RESOLUTION OF THE  
BOARD OF SUPERVISORS OF  
THE COUNTY OF SIERRA  
APPROVING THE APPLICATION FOR  
NATURE EDUCATION FACILITY PROGRAM FUNDS**

*Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006*

**WHEREAS**, the State Department of Parks and Recreation has been delegated the responsibility by the Legislature of the State of California for the administration of the Nature Education Facilities Program, setting up necessary procedures governing the Application; and

**WHEREAS**, said procedures established by the State Department of Parks and Recreation require the applicant to certify by resolution the approval of application(s) before submission of said application(s) to the State; and

**WHEREAS**, the applicant will enter into a contract with the State of California to complete the project.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of the County of Sierra hereby approves the filing of an application for the Nature Facilities Education Program Funding; and

1. Certifies that said applicant has or will have available, prior to commencement of any work on the project included in this application, the sufficient funds to complete the project should this grant be awarded; and
2. Certifies that the applicant has or will have sufficient funds to operate and maintain the project; and
3. Certifies that the applicant has reviewed, understands, and agrees to the General Provisions contained in the contract shown in the Grant Administration Guide; and
4. Certifies that this project is consistent with the applicable city or county, or appropriate planning document, as the case may be; and
5. Delegates the authority to Tim H. Beals, Director of Planning, to conduct all negotiations, sign and submit all documents, including, but not limited to applications, agreements, amendments, and payment requests, which may be necessary for the completion of the project; and,
6. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

**ADOPTED** by the Board of Supervisors of the County of Sierra, State of California on the 30th day of June, 2010 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

COUNTY OF SIERRA

\_\_\_\_\_  
DAVE GOICOECHEA  
CHAIRMAN, BOARD OF SUPERVISORS

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
HEATHER FOSTER  
CLERK OF THE BOARD

\_\_\_\_\_  
JAMES A. CURTIS  
COUNTY COUNSEL