YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

AUGUST 26, 2003

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 10:00 a.m., within the Courthouse, Marysville, California, with a quorum being present as follows: Supervisors Dan Logue, Bill Simmons, Mary Jane Griego, Donald Schrader, and Hal Stocker. Also present were County Administrator Kent McClain, Deputy County Counsel Martha Wilson, and Clerk of the Board of Supervisors Donna Stottlemeyer. Chairman Schrader presided.

CONSENT AGENDA

Upon motion of Supervisor Griego, seconded by Supervisor Stocker, and carried with Supervisor Simmons being absent, the Board approved minutes of the regular meeting of August 12, 2003, as written.

Supervisor Simmons joined the meeting at 10:04 a.m.

SPECIAL PRESENTATION

Placer County Legacy Program: Mr. Loren Clark, Placer County Planning Department Assistant Director, gave a power point presentation on the Placer Legacy Open Space and Agricultural Conservation Program which was developed to protect and conserve open space and agricultural lands in Placer County. Mr. Clark responded to Board inquiries.

PUBLIC COMMUNICATIONS

No one came forward.

COUNTY ADMINISTRATOR

Yuba Sutter Disposal Inc. (YSDI)/Franchise Agreement Amendment: Assistant County Administrator Randy Margo recapped the proposed amendment which provides a two-tier rate structure providing a 9.80 percent revenue increase and a 10.81 percent revenue increase for YSDI respectively. Mr. Margo recapped the methodology adopted in 2000 for setting rates and responded to Board inquiries.
Mr. Keith Martin, Regional Waste Management Authority Administrative Director, responded to Board inquiries regarding rate methodology advising the Franchise Agreement would be renegotiated in 2011.

Upon motion of Supervisor Griego, seconded by Supervisor Stocker, and following a roll call vote with Supervisors Logue, Griego, Schrader, and Stocker voting in the affirmative and Supervisor Simmons voting in opposition, the Board adopted Resolution No. 2003-127, which is on file in Yuba County Resolution Book No. 34, and which is entitled: “ADOPTING THE AMENDMENT TO THE YSDI FRANCHISE AGREEMENT AND APPROVING A TIER (1) RATE STRUCTURE TO PROVIDE A 9.80% REVENUE INCREASE AND TIER (2) RATE STRUCTURE TO PROVIDE A 10.81% REVENUE INCREASE FOR YUBA-SUTTER DISPOSAL, INC. (YSDI).”

(End of Tape No. 1652 Side B)

AGRICULTURAL COMMISSIONER

Crop Damage: Agricultural Commissioner Dennis Pooler recapped potential damage to crops caused by the rain storms on August 21 and 22, 2003 and requested Board authorization to submit correspondence to the State Office of Emergency Services in the event the County would qualify for disaster assistance.

Upon motion of Supervisor Simmons, seconded by Supervisor Stocker, and unanimously carried, the Board authorized the Agricultural Commissioner to submit correspondence in the event the County qualifies for disaster assistance.

BOARD OF SUPERVISORS

Assembly Bill 1426 (Steinberg/Affordable Housing): Advisory Committee members Supervisors Logue and Stocker recommended withdrawing opposition to AB1426 after meeting with Assemblyman Steinberg who indicated his intent to add language redefining income brackets in Yuba County to be those used for Sacramento County with respect to low income.

Upon motion of Supervisor Simmons, seconded by Supervisor Logue, and unanimously carried the Board withdrew opposition to AB1426 upon addition of language redefining income brackets for Yuba County.
Chairman Schrader read the disclaimer.

1. **Public Hearing – Consider Planning Commission appeal regarding adopting a negative declaration and mitigation monitoring plan for Tentative Subdivision Tract Map 2002-608 (Crossroad/Laughlin):** Clerk of the Board Donna Stottlemyer administered the oath of testimony to those individuals wishing to make statements. Supervisors Logue, Simmons, and Griego disclosed dialog with the contractor and Community Development staff prior to the filing of this appeal.

   Assistant Community Development Director Peter Calarco advised the Planning Commission voted two/two on the subdivision map, which constituted denial of the project, and the applicant filed an appeal. Mr. Calarco advised new information exists regarding this project which suggest there is insufficiency in the Bear River Levee system and not information the Planning Commission considered when decision was rendered and recommended the issue be returned to the Planning Commission for further consideration.

   Following Board discussion, Supervisor Simmons moved to set aside the appeal and return the issue to the Planning Commission with an amendment to refund the applicant the $350 filing fee. Supervisor Stocker seconded the motion.

   (End of Tape No. 1653 Side A)

   Mr. Kyri Kambanis, 7858 Cook Riolo Road, and Mr. Dan Sullivan, 1481 Broadway Road, spoke in support of the project and willingness to mitigate flood issues.

   Following Board discussion, Supervisor Simmons rescinded the motion and the second concurred.

   Following Board discussion regarding mitigation issues, and upon motion of Supervisor Griego, seconded by Supervisor Logue, and carried with Supervisor Schrader voting in opposition, the Board adopted Resolution No. 2003-128, which is on file in Yuba County Resolution Book No. 34, and which is entitled: “RESOLUTION ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PLAN AND APPROVING TENTATIVE SUBDIVISION TRACT MAP 2002-608 SUBJECT TO CONDITIONS.”
The Board recessed at 12:20 p.m. and reconvened at 12:25 p.m. with all Board and staff members present as listed above, except Supervisor Simmons.

2. Ordinance – Hold public hearing, waive first reading, and introduce ordinance amending Chapter 8.57 of the Yuba County Ordinance Code regarding the special use area at the Daguerre Point Diversion Dam: Deputy County Counsel Martha Wilson recapped the proposed ordinance to ban combustion gasoline or diesel engines water craft above the Daguerre Point Diversion Dam and responded to Board inquiries.

Following Board discussion, Chairman Schrader continued the issue to allow additional wording be added to include watercraft for scientific purposes.

3. Ordinance – Hold public hearing, waive first reading, and introduce ordinance amending Chapter 2.25 of the Yuba County Ordinance Code relating to Board of Supervisors meetings: Deputy County Counsel Martha Wilson advised the proposed ordinance would change time of the third meeting of the month to 6:00 p.m. Chairman Schrader opened the public hearing and inquired if anyone wished to address this issue. No one came forward.

Upon motion of Supervisor Griego, seconded by Supervisor Logue, and carried with Supervisor Simmons being absent, the public hearing was closed, and the Board waived first reading of an ordinance amending Chapter 2.25 of the Yuba County Ordinance Code relating to Board of Supervisors meetings.

CORRESPONDENCE


B. Letter from California Director of Emergency Services dated August 12, 2003 regarding the Livestock Assistance Program signup period. No action.

BOARD AND STAFF MEMBERS’ REPORTS

Reports were received on the following:

Supervisor Logue:
  • Wal-Mart Grand Opening on August 20, 2003
Supervisor Stocker:
  • Regional Council of Rural Counties Board of Directors meeting of August 20, 2003

County Administrator Kent McClain:
  • Community Development Director recruitment

Chairman Schrader advised closed session regarding pending litigation Calvert vs. County of Yuba has been pulled from discussion and the Public Facilities Committee meeting scheduled for 11:00 a.m. has been cancelled.

ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 12:43 p.m. by Chairman Schrader.

/s/Donald Schrader, Chairman

ATTEST: DONNA STOTTLEMeyer
CLERK OF THE BOARD OF SUPERVISORS

/s/Donna Stottlemeyer

Approved: September 9, 2003