YUBA COUNTY, CALIFORNIA
BOARD OF SUPERVISORS
JANUARY 20, 2004

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 6:00 p.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, County Counsel Daniel Montgomery, and Clerk of the Board of Supervisors Donna Stottlemeyer. Chairman Simmons presided.

CONSENT AGENDA

Upon motion of Supervisor Griego, seconded by Supervisor Schrader, and unanimously carried, the Board took the following actions:

A. Clerk of the Board of Supervisors: Approved minutes of the regular meeting of January 6, 2004, as written.

B. Community Development: Approved agreement with Wildan for plan check services and authorized Chairman to execute same.

C. Health and Human Services: Adopted Resolution No. 2004-06, which is on file in Yuba County Resolution Book No. 35, which is entitled: "RESOLUTION AUTHORIZING THE DIRECTOR OF THE HEALTH AND HUMAN SERVICES DEPARTMENT TO EXECUTE THE AGREEMENT FOR EDUCATIONAL INTERNSHIP WITH YUBA COMMUNITY COLLEGE."

D. Library: Adopted Resolution No. 2004-07, which is on file in Yuba County Resolution Book No. 35, which is entitled: "RESOLUTION APPROVING INTERAGENCY AGREEMENT BETWEEN HEAD START AND THE COUNTY OF YUBA FOR LIBRARY SERVICES AND AUTHORIZING THE YUBA COUNTY LIBRARY DIRECTOR TO EXECUTE THE AGREEMENT AND SUBSEQUENT SIMILAR AGREEMENTS WITH HEAD START."
E. Risk Management/Personnel

(1) Adopted Resolution No. 2004-08, which is on file in Yuba County Resolution Book No. 35, which is entitled: RESOLUTION AMENDING THE CLASSIFICATION SYSTEM – BASIC SALARY SCHEDULE NO. 2003-121," in its entirety effective January 1, 2004.

(2) Approved catastrophic leave for Sheriff's Department employee.

No one came forward.

ORDINANCES AND PUBLIC HEARINGS

Chairman Simmons read the disclaimer.

Ordinance/Daguerre Point Diversion Dam Special Use Area/Chapter 8.57/First Reading: County Counsel Daniel Montgomery recapped the proposed ordinance recommending amending language as submitted by Yuba County Water Agency which would not constitute a substantial change.

Upon motion of Supervisor Schrader, seconded by Supervisor Logue, and unanimously carried the Board amended the first sentence of section 8.57.021 to read "Except for fire, law enforcement, federal, state, local government entities scientific research, facility maintenance or emergency water craft..."

Chairman Simmons 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 Schrader, and unanimously carried, the public hearing was closed.

Chairman Simmons advised of phone conversation with Mr. David Wang, Truckee, who expressed opposition to the ordinance as proposed and recommended a "no wake" rule.

Upon motion of Supervisor Griego, seconded by Supervisor Schrader, and unanimously carried, the Board waived first reading of an ordinance amending Chapter 8.57 of the Yuba Count Ordinance Code as it relates to the special use area at the Daguerre Point Diversion Dam.
CORRESPONDENCE

Upon motion of Supervisor Schrader, seconded by Supervisor Stocker, and unanimously carried the Board accepted the following correspondence:


B. Letter from Bartkiewicz, Kronick and Shanahan dated January 6, 2004 enclosing copy of petition for temporary water transfer from Yuba County Water Agency to Department of Water Resources and Contra Costa Water District. No action.

C. Letter from County of Yuba Superior Court dated January 9, 2004 expressing support of a modification of the existing CalPERS contract. REFER TO STAFF

Referred to Personnel.

BOARD AND STAFF MEMBERS' REPORTS

Reports were received on the following:

Supervisor Griego:
- Memorial Adjournment in memory of Mr. Mike Bluett and Mr. Juan Rodriguez
- Attending Smart Growth Conference January 21-25, 2004 in Portland, Oregon

Supervisor Logue:
- Concept of toter advisement through Yuba Sutter Disposal Inc.
- Adult Business ordinance

Supervisor Simmons:
- State Senate Select Committee on Defense and Aerospace Industry hearing, Tuesday January 22, 2004, regarding 2005 Base Closure and Realignment process
- Memorial Adjournment in memory of Miss Roberta "Bobbi" MacKinnon

CLOSED SESSION

County Counsel Daniel Montgomery advised closed session items regarding pending litigation Calvert v. County of Yuba and Noda v. County of Yuba are not needed for discussion.
The Board retired into closed session at 6:23 p.m. to discuss pending litigation pursuant to Government Code §54956.9(a) – *Tull v. County of Yuba*.

The Board returned from closed session at 6:38 p.m. with all Board and staff members present as indicated above.

There was no announcement from closed session.

**ADJOURNMENT**

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 6:38 p.m. in memory of Miss Roberta “Bobbi” McKinnon, Mr. Mike Bluett, and Mr. Juan Rodriguez by Chairman Simmons.

/s/Bill Simmons, Chairman

**ATTEST: DONNA STOTTLEMEYER**
**CLERK OF THE BOARD OF SUPERVISORS**

/s/Donna Stottlemeyer    Approved: February 3, 2004