YUBA COUNTY, CALIFORNIA
BOARD OF SUPERVISORS
JANUARY 25, 2005

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 9:37 a.m., within the Government Center, Marysville, California, with a quorum being present as follows: Supervisors Dan Logue, John Nicoletti, Mary Jane Griego, Donald Schrader, and Hal Stocker. Also present were County Administrator Kent McClain, County Counsel Daniel Montgomery, and Deputy Clerk of the Board of Supervisors Cynthia Slayton. Chairman Griego presided.

CONSENT AGENDA

Chairman Griego pulled for discussion the County Administrator item regarding the 2005 Yuba County Economic Development Strategic Plan.

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

A. Administrative Services: Approved an Airport Lease Agreement with Richard Clinton and authorized the Chair to execute same. APPROVE LEASE

B. Board of Supervisors: Appointed Laura Brimmer to the Commission on Aging as the District Two representative with a term to expire December 31, 2008. APPOINT REP

C. Clerk of the Board of Supervisors: Approved minutes for the regular and special meetings of January 11, 2005 as written. APPROVE MINUTES

D. County Administrator

1) Accepted the Community Economic Adjustment Assistance for Advanced Planning grant and authorized allocating funds in the amount of $70,000 increasing Account No. 127-0000-361-4650 (Estimated Revenue) and Account No. 127-9503-419-2300 (Professional Act. Del.). ACCEPT GRANT & AUTHORIZE B/T

2) Adopted Resolution No. 2005-14, which is on file in Yuba County Resolution Book No. 36, and which is entitled: “RESOLUTION IN SUPPORT OF THE RETENTION OF BEALE AIR FORCE BASE.” ADOPT RESOLUTION NO. 2005-14
E. **Emergency Services:** Approved the Fiscal Year 2004 Homeland Security Grant Project amendment and authorized the Chair to execute same.

F. **Public Works**

1) Authorized the transfer of one vehicle from the Automotive Services Fund to the Sheriff's Department.

 authorize transfer

2) Adopted Resolution No. 2005-15, which is on file in Yuba County Resolution Book No. 36, and which is entitled: “RESOLUTION APPROVING FINAL MAP OF TRACT MAP NO. 2004-34.”

 adopt resolution no. 2005-15

3) Adopted Resolution No. 2005-16, which is on file in Yuba County Resolution Book No. 36, and which is entitled: “RESOLUTION APPROVING FINAL MAP OF TRACT MAP NO. 2004-21, WHEELER RANCH PHASE 1, UNIT 2; TRACT MAP NO. 2004-33, WHEELER RANCH PHASE 1, UNIT 3; TRACT MAP NO. 2004-31, WHEELER RANCH PHASE 1, UNIT 6; TRACT MAP NO. 2004-32, WHEELER RANCH PHASE 1, UNIT 7, AND ASSOCIATED SUBDIVISION IMPROVEMENT AGREEMENTS,” and adopted Resolution No. 2005-17, which is also on file in Yuba County Resolution Book No. 36, and which is entitled: “OLIVEHURST PUBLIC UTILITY DISTRICT PARK DEVELOPMENT AGREEMENT FOR WHEELER RANCH, PHASE I, TM 2003-0012 PLUMAS LAKE SPECIFIC PLAN WHEELER LAND LLC.”

 adopt resolution no. 2005-16

and

adopt resolution no. 2005-17

G. **Risk Management/Personnel:** Adopted Resolution No. 2005-18, which is on file in Yuba County Resolution Book No. 36, and which is entitled: “RESOLUTION ADOPTING A REVISED EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT.”

 adopt resolution no. 2005-18

**CONSENT DISCUSSION**

**County Administrator/2005 Yuba County Economic Development Strategic Plan:** Following a presentation by Economic Development Coordinator John Fleming and Airport Manager and Enterprise Zone Director Mary Hansen and Board discussion, upon motion of Supervisor Stocker, seconded by Supervisor Schrader, and unanimously carried, the Board adopted Resolution No. 2005-19, which is on file in Yuba County Resolution Book No. 36, and which is entitled: “RESOLUTION APPROVING THE 2005 YUBA COUNTY ECONOMIC DEVELOPMENT STRATEGIC PLAN.”

 adopt resolution no. 2004-19

**PUBLIC COMMUNICATION**

No one came forward.

01/25/05
CORRESPONDENCE

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

A. Letter from Charles H. Wright supporting Fellowship of Friends Conditional Use Permit CUP 2004-0011. No action

BOARD AND STAFF MEMBERS’ REPORTS

Reports were received on the following:

Supervisor Stocker:
- Complimented Health and Human Services department on the well organization of "Just for the Health of It" seminars
- Requested County Administrator provide a quarterly report on resource depletion surcharge resources

Supervisor Schrader:
- Requested County Counsel provide a legal statement regarding California’s ability to impose a building moratorium
- Requested a Yuba County Water Agency map indicating work accomplished on Yuba County levees since 1996 be displayed at the Government Center

Supervisor Logue:
- Linda Town Hall meeting January 27, 2005, 6:30 p.m., 6000 Lindhurst Avenue

Supervisor Givigo:
- Deferred request from Resource Conservation District for a loan of monies for discussion during mid-year review
- Community mitigation plan meeting at Rio Del Oro elementary school January 19, 2005
- Olivehurst Avenue Plan Committee completing draft booklet of work completed in 2004

County Counsel Dan Montgomery:
- Provided an update of Andina Village court settlements
CLOSED SESSION

At the request of County Counsel and upon motion of Supervisor Schrader, seconded by Supervisor Logue, and unanimously carried, the Board added to closed session one item of pending litigation, Pacific Gas & Electric (PG&E) vs. County of Yuba, et al., as the need to take action arose subsequent to the agenda being posted.

The Board retired into closed session at 10:32 a.m. to discuss the following:

A. Pending litigation pursuant to Government Code §54956.9(a) - Siggins vs. County of Yuba

B. Pending litigation pursuant to Government Code §54956.9(a) - Stacy Jones vs. County of Yuba

C. Pending litigation pursuant to Government Code §54956.9(a) - PG&E vs. County of Yuba, et al.

Supervisor Schrader left closed session at 10:35 a.m. and returned into closed session at 10:55 a.m.

The Board returned from closed session at 11:27 a.m. with all Board and staff members present as indicated above.

County Counsel made the following announcement:

"In the case of Siggins vs. Yuba County, Supervisor Schrader did not participate in any fashion, having declared a possible conflict.

"In the matter of PG&E versus Yuba County, other counties, and the State Board of Equalization, the Board has authorized defense in the action and the retention of Rutan and Tucker to represent the County's interests in the case and in association with the other involved counties."

RECESS

The Board recessed at 11:28 a.m. and reconvened at 2:00 p.m. with all Board and staff members present as indicated above.
CLOSED SESSION

The Board retired into closed session at 2:01 p.m. to discuss threatened litigation pursuant to Government Code §54956.9(b) – One Case and reconvened in open session at 4:25 p.m. with all Board and staff members present as indicated above. There was no announcement.

ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 4:25 p.m. by Chairman Grego.

[signature]
Chairman

ATTEST: DONNA STOTTLEMeyer
CLERK OF THE BOARD OF SUPERVISORS

[signature] Approval
Cynthia Shayton, Deputy Clerk

[signature]
February 15, 2005