YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

FEBRUARY 22, 2005

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 9:30 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

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

A. Administrative Services

1) Approved plans, authorized the Purchasing Agent to solicit bids for construction of expanded space in the Government Center, and authorized a Budget Transfer in the amount of $925,000 increasing Account No. 101-0000-331-1200 (Construction Permits) and Account No. 101-3500-426-1800 (Maintenance and Building Improvements).

2) Approved Substitution of Trustee and Deed of Full Reconveyance as it relates to SMC Cabinets Land Sale involving Steven Michael Long, Bonnie J. Long, and Cynthia Jeanne Long, and authorized the Chair to execute same.

3) Adopted Resolution No. 2005-25, which is on file in Yuba County Resolution Book No. 36, and which is entitled: “RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO FILE AN APPLICATION WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR A STATE MATCHING GRANT FOR FAA AIRPORT IMPROVEMENT PROGRAM GRANT IDENTIFIED AS AIP 3-06-0149-11.”

B. Agricultural Commissioner: Approved the spending recommendation for the HR 2389 Title III funds for Roadside Clearing, Development of Fire Prevention Website, and Fire Safe Council Education and Outreach.

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C. **Auditor-Controller:** Adopted Resolution No. 2005-26, which is on file in Yuba County Resolution Book No. 36, and which is entitled: “RESOLUTION AUTHORIZING AUDITOR TO EXECUTE REIMBURSEMENT AGREEMENTS TO RECOUP WAGE OVERPAYMENTS.”

D. **Clerk of the Board of Supervisors**

1) Approved minutes for the regular meeting of February 8, 2005 as written.


E. **Probation:** Approved an agreement with Marysville Joint Unified School District for services of a PASS Officer, authorized the Chair to execute same, and authorized an appropriation of funds in the amount of $24,621 increasing various line items.

**SPECIAL PRESENTATION**

**Yuba County Family Resource Centers:** Following a Power Point presentation, Harmony Health Executive Officer Rachel Farrell, Camptonville Resource Center Executive Director Shirley DiKard, Leave of Learning Director Bob Ashmore, Grace Source, Inc. Manager John Floe, and Brenda Odesha of the Yuba County Office of Education Family Resource Center responded to Board inquiries.

**INFO ONLY**

**PUBLIC COMMUNICATIONS**

Greg Crompton, Dobbins, voiced concerns regarding inaccuracies in a Yuba Highlands environmental impact report being considered by the Planning Commission.

Robert DeValentine, Rio Oso, read a brief statement concerning planned development of his family owned property.

**COUNTY ADMINISTRATOR**

**Fiscal Year 2004/05 Midyear Adjustments:** Assistant County Administrator Randy Margo recapped the need for additional midyear adjustments for Fiscal Year 2004/05 and responded to Board inquiries.
Upon motion of Supervisor Logue, seconded by Supervisor Schrader, and unanimously carried, the Board approved the additional mid-year adjustments for Fiscal Year 2004/05 and authorized various Budget Transfers in the total amount of $1,613,631 including $63,992 from the Contingency Fund.

HEALTH AND HUMAN SERVICES

1) **Hub Mini Storage Rental**: Health and Human Services Director Suzanne Nobles recapped the need for storage space and responded to Board inquiries. Upon motion of Supervisor Schrader, seconded by Supervisor Stocker, and unanimously carried, the Board approved an agreement with Hub Mini Storage for storage space rental and authorized the Chair to execute same.

2) **Medical Marijuana Identification Card Pilot Project**: Health and Human Services Director Suzanne Nobles recapped County participation in the project and responded to Board inquiries. Madam Chair Griego opened the item for public comment and inquired if anyone wished to address this issue.

Ms. Dia Lortz, Brownsville, supported the project and suggested it be extended to include caregivers.

Mr. John Fick, Brownsville, opposed the project as an invasion of the doctor-patient relationship.

Mr. Alan McAfee, Brownsville, Mr. Jeffrey Girard, Brownsville, and Mr. Corey Watson, Marysville, supported the project and more convenient access to medicinal marijuana.

Madam Chair Griego closed the public comment period. Following Board discussion, Madam Chair Griego directed the District Attorney, Sheriff, and Probation departments to provide opinions regarding participation in the Medical Marijuana Identification Card Pilot Project. With no Board support forthcoming, the matter died and no action was taken.

**RECESS**

The Board recessed at 11:03 a.m. and reconvened at 11:15 a.m. with all Board and staff members present as indicated above.

**ORDINANCES AND PUBLIC HEARINGS**

The Clerk read the disclaimer.
A. **Ordinance Amending Section 9.20.010(f)/Parking Restrictions/North Beale Road**

Madam Chair Griego opened the public hearing and inquired if anyone wished to address this issue. No one came forward. Upon motion of Supervisor Schrader, seconded by Supervisor Stocker, and unanimously carried, the public hearing was closed, the second reading was waived, and the Board adopted Ordinance No. 1339, which is on file in Yuba County Ordinance Book No. 18, and which is entitled: "AN ORDINANCE AMENDING SECTION 9.20.010(f) OF CHAPTER 9.20 OF THE YUBA COUNTY ORDINANCE CODE RELATING TO PARKING RESTRICTIONS ON NORTH BEALE ROAD."

B. **Ordinance Amending Chapter 13/Treasurer-Tax Collector Fees**

Treasurer-Tax Collector Jim Kennedy recapped the need to raise fees to cover costs for providing services and responded to Board inquiries. Madam Chair Griego opened the public hearing and inquired if anyone wished to address this issue. No one came forward. Upon motion of Supervisor Logue, seconded by Supervisor Stocker, and unanimously carried, the public hearing was closed, the first reading was waived, and the Board introduced an ordinance amending Chapter 13 of the Yuba County Ordinance Code relating to Treasurer-Tax Collector fees.

C. **Program Income Funds/First Time Homebuyers Program**

Community Development Executive Secretary Sandy Williams read the public notice into the record. Community Development Director Tim Snellings recapped the purpose of the Community Development Block Grant (CDBG) program income funds and their use for a First Time Homebuyers program and responded to Board inquiries. Madam Chair Griego opened the public hearing and inquired if anyone wished to address this issue. No one came forward.

Upon motion of Supervisor Stocker, seconded by Supervisor Schrader, and unanimously carried, the public hearing was closed, and the Board adopted Resolution No. 2005-27, which is on file in Yuba County Resolution Book No. 36, and which is entitled: "COMMITTMENT OF CDBG PROGRAM INCOME FUNDS TO THE 2005/2006/2007 GENERAL ALLOCATION OF THE STATE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM," as it relates to the First Time Homebuyers program.

**CLOSED SESSION**

At the request of County Counsel, and upon motion of Supervisor Stocker, seconded by Supervisor Schrader, and unanimously carried, the Board moved to add the matter of threatened litigation **One Claim**, to closed session as the need to take action arose subsequent to the agenda being posted.

The Board retired into closed session at 11:27 a.m. to discuss the following:

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A. Pending litigation pursuant to Government Code §54956.9(a) – Younger vs. Cobb

B. Threatened litigation pursuant to Government Code §54956.9(b) – One Claim

The Board returned from closed session at 12:11 p.m. with all Board and staff members present as indicated above. There was no announcement from closed session.

ORDINANCE AND PUBLIC HEARINGS CONTINUED

D. Ordinance/Building Permits/Reclamation Board Permit No. 17782: County Administrator Kent McClain advised Reclamation Board Permit No. 17782 was approved February 18, 2005 with conditions limiting the number of building permits issued for new residential single dwelling units and approval of final maps within the Plumas Lake Specific Plan Area and North Arboga Study Area for the calendar years 2005 and 2006. Mr. McClain and County Counsel Dan Montgomery summarized the urgency ordinance and responded to Board inquiries.

Madam Chair Griego opened the public hearing and inquired if anyone wished to address this issue:

Mr. Ron Ernie, Crestleigh Homes, Mr. Richard Floch, Feather River Estates, and Mr. Steve DeVantie, Rio Oso, thanked the Board for their efforts in obtaining the permit, and expressed reservations for the approval process of tentative maps and building permits.

Upon motion of Supervisor Schrader, seconded by Supervisor Stocker, and unanimously carried, the Board closed the public hearing. Following Board discussion, and upon motion of Supervisor Schrader, seconded by Supervisor Stocker, and unanimously carried, the Board adopted Ordinance No. 1340, which is on file in Yuba County Resolution Book No. 18, and which is entitled: "INTERIM URGENCY ORDINANCE OF THE COUNTY OF YUBA CONTROLLING ISSUANCE OF BUILDING PERMITS IN THE PLUMAS LAKE SPECIFIC PLAN AREA AND NORTH ARBOGA STUDY AREA AND DIRECTING CONDITIONING OF ALL NEW TENTATIVE MAPS IN THE PLUMAS LAKE SPECIFIC PLAN AREA AND NORTH ARBOGA STUDY AREA."

CORRESPONDENCE

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

Referred to Community Development to respond to Mr. Appleby addressing his concerns and recommendations.

B. Letter from Federal Emergency Management Agency enclosing Letter of Map Revision based on Fill Determination Document regarding River Glen Unit No. 2. Refer to Community Development.

BOARD AND STAFF MEMBERS’ REPORTS

Reports were received on the following:

Supervisor Stocker:
- Memorial adjournments in memory of Mr. Samuel L. Shintaffer and Mrs. Louise L. Stone

Supervisor Schrader:
- Proclamation presentation to Maude Estelle Bills on the occasion of her 100th birthday

Supervisor Nicoletti:
- Methods of informing the public of community events

Supervisor Logue:
- Requested a Board presentation by an insurance representative regarding flood insurance issues
- A compact disc for Yuba County tourism is being produced for distribution

Madam Chair Griego directed the flood insurance presentation to the County Administrator

County Administrator Kent McClain:
- Satisfaction of being involved in significant public policy regarding levees

ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 12:50 p.m. in memory of Mr. Samuel L. Shintaffer and Mrs. Louise L. Stone, by Chairman Griego.