YUBA COUNTY, CALIFORNIA
BOARD OF SUPERVISORS
AUGUST 16, 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 Clerk of the Board of Supervisors Donna Stottlemyer. Chairman Griego presided.

CONSENT AGENDA

Madam Chair Griego advised the agreement regarding Calpo, Horn and Don Architects Inc. had been moved to County Departments under Sheriff-Coroner for discussion.

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

A. Administrative Services/Airport

1) Approved an amendment to the lease between Yuba County Airport and the Yuba County Sheriff's Reserve, Inc. as it relates to Miller Day Hall facility and Sheriff's pistol range and authorized the Chair to execute same.

2) Approved an amendment to the lease between Yuba County Airport and County of Yuba as it relates to Yuba County Animal Control facility and authorized the Chair to execute same.

3) Approved an amendment to the lease between the County of Yuba and the United States Government, Lease No. DTFA08-00-L-20628 and authorized the Chair to execute same.

B. Auditor-Controller

1) Adopted Resolution No. 2005-220, which is on file in Yuba County Resolution Book No. 36, which is entitled: "RESOLUTION FIXING GENERAL COUNT WIDE TAX RATE."

ADOPT RESOLUTION NO. 2005-220
2) Adopted Resolution No. 2005-221, which is on file in Yuba County Resolution Book No. 36, which is entitled: "RESOLUTION ADOPTING BUDGET FOR FISCAL YEAR 2005-06."

C. Clerk of the Board of Supervisors

1) Reappointed Mimi Mathews to the Yuba County Assessment Appeals Board No. II for a term to expire September 1, 2008.

2) Approved the minutes of the regular meeting of August 2, 2005, as written.

D. Community Development

1) Appointed Jeremy Strang to the Community Development Building Grant Loan Committee.

E. Health and Human Services

1) Approved an agreement between Yuba County and Yuba Community College for learning disability assessment and counseling services for the CalWORKs program in the amount of $103,703 and authorized the Chair to execute same.

2) Approved a Memorandum of Understanding between County of Yuba and City of Marysville for funding of services under the Senior Nutrition Access Card Program and authorized the Chair to execute same.

3) Approved the Children's Medical Services Plan Guidelines for Fiscal Year 2005/2006 and authorized the Chair to execute same.

4) Approved an agreement with Glenn County for Child Welfare Services/Case Management System Staff Training and authorized the Chair to execute same.

5) Authorized Inventory Adjustment Requests for removal of missing/stolen fixed assets.

F. Public Works

1) Approved plans and specifications for Johnson Park and Peoria Road pavement chip sealing project, authorized solicit of bids, and set tentative bid opening date of September 9, 2005.
2) Awarded contract to Teichert Construction, apparent low bidder, for Powerline Road Safe Routes to School Project; authorized the Chair to execute upon submittal and review and approval of County Counsel; authorized change order reducing proposed scope of work; and authorized Budget Transfer in the total amount of $438,390 to various line items for increased funding.

G. Risk Management/Personnel: Adopted Resolution No. 2005-222, which is on file in Yuba County Resolution Book No. 36, which is entitled: "RESOLUTION ADOPTING THE DEPARTMENTAL POSITION ALLOCATION SCHEDULE," as it relates to the 2005/2006 Fiscal Year Budget.

SPECIAL PRESENTATION

Economic Development Business Attraction Program: Economic Development Coordinator John Fleming and Airport Manager Mary Hansen gave a Power Presentation recapping challenges, barriers, and marketing opportunities for attracting business to the County and responded to Board inquiries.

PUBLIC COMMUNICATIONS

Ms. Marilyn King, Browns Valley, urged delaying the Penny Way paving project until after October 1, 2005.

Madam Chair Griego advised a contract to perform has been executed.

Mr. Ed Fleming, Marysville, stressed the importance of building a positive relationship with the City of Marysville.

Mr. John Simpson, Browns Valley, disagreed with Board and Public Works recommendation regarding the Penny Way project and County Service Area 21.

COMMUNITY DEVELOPMENT

1) Housing Element: Community Development Director Tim Snellings gave a Power Point presentation regarding the Affordable Housing Task Force recommendations for priorities and responded to Board inquiries.

Supervisor Stocker left the meeting at 10:30 a.m. and returned at 10:36 a.m.
Following Board discussion, upon motion of Supervisor Logue, seconded by Supervisor Schrader, and unanimously carried, the Board approved the following priorities and use of existing resources regarding the Housing Element:

- Action Item 2.1.5 Housing for Farm works
- Action Item 4.1.1 Maintenance of Housing Condition Data Base
- Vacant Lands Inventory follow-up
- Continue Task Force meeting throughout the planning period of Housing Element

With completion of above priority, county will commit resources to accomplish:

- Action Item 1.3.2 Revisions to County Zoning and Development Standards
- Action Item 3.1.1 Promote Alternative Housing Types
- Action Item 3.1.3 Housing Authority Programs
- Action Item 4.2.1 Code Enforcement and Abatement

2 Pacific Municipal Consultants: Community Development Director Tim Snellings recapped the proposed contract to assist with the backlog of Planning Division projects and responded to Board inquiries.

Following Board discussion, upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and unanimously carried, the Board approved contract amendment No. 2 with Pacific Municipal Consultants for a term to expire December 31, 2006 in an amount not to exceed $600,000.

SHERIFF-CORONER

1) Calpo, Hom and Don Architects, Inc. and Des Cor Builders/Courthouse Remodel: Administrative Services Director Bob Meneni and President Alan C. Hom recapped the proposed project and responded to Board inquiries.

Upon motion of Supervisor Schrader, seconded by Supervisor Logue, and unanimously carried, the Board approved an agreement with Calpo, Hom and Don Architects, Inc. for architectural services; approved an agreement with DesCor Builders for engineering and pre-construction services; authorized the Chair to execute same; and authorized a Budget Transfer in the amount of $2,500,000 for Sheriff Division courthouse remodel.

2) Schindler Elevator Corporation/Jail Elevators: Upon motion of Supervisor Schrader, seconded by Supervisor Logue, and unanimously carried, the Board approved an agreement with Schindler Elevator Corp. authorizing repair of the jail elevators; authorized

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the Chair to execute same; and approved a Budget Transfer in the amount of $19,221 from Account No. 108-0000-372-99-03 (Operating Transfers) to Account No. 108-2900-423-18-00 (Jail Maintenance).

COUNTY COUNSEL

Placer County and Patterson Sand and Gravel: County Counsel Daniel Montgomery recapped the proposed agreement delegating mining permit authority to Placer County and responded to Board inquiries.

Mr. Jim Wilson, Gridley, expressed concern regarding enforcement and indemnification of the County and urged County conditions of approval be added to the agreement.

Mr. Pat Mitchell, Patterson Sand and Gravel Counsel, recapped the expansion of the mining permit to extract in Yuba County.

Following Board discussion, upon motion of Supervisor Schrader, seconded by Supervisor Stocker, and unanimously carried, the Board referred the agreement to the Land Use and Public Works Committee for further review of terms and conditions.

TREASURER-TAX COLLECTOR

1) Marysville Joint Unified School District: Upon motion of Supervisor Schrader, seconded by Supervisor Stocker, and unanimously carried, the Board adopted Resolution No. 2005-223, which is on file in Yuba County Resolution Book No. 36, which is entitled: "RESOLUTION OF THE BOARD OF SUPERVISORS OF YUBA COUNTY AUTHORIZING THE ISSUANCE OF 2005-2006 TAX AND REVENUE ANTICIPATION NOTES FOR MARYSVILLE JOINT UNIFIED SCHOOL DISTRICT."

2) County of Yuba: Upon motion of Supervisor Logue, seconded by Supervisor Schrader, and unanimously carried, the Board adopted Resolution No. 2005-224, which is on file in Yuba County Resolution Book No. 36, which is entitled: "RESOLUTION OF THE BOARD OF SUPERVISORS OF YUBA COUNTY AUTHORIZING THE ISSUANCE OF 2005-2006 TAX AND REVENUE ANTICIPATION NOTES."

3) Yuba Community College District: Upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and unanimously carried, the Board adopted Resolution No. 2005-225, which is on file in Yuba County Resolution Book No. 36, which is entitled: "RESOLUTION OF THE BOARD OF SUPERVISORS OF YUBA COUNTY AUTHORIZING THE ISSUANCE OF 2005-2006 TAX AND REVENUE ANTICIPATION NOTES FOR THE YUBA COMMUNITY COLLEGE DISTRICT."
ORDINANCES AND PUBLIC HEARINGS

The clerk read the disclaimer.

Public Hearing/County Service Area (CSA) 66/Thoroughbred Estates/Wheeler Ranch/Leal Property: Public Works Director Kevin Mallen recapped the proposed assessment of $380 for County Service Area 66. Madam Chair Griego opened the public hearing.

Upon motion of Supervisor Stocker, seconded by Supervisor Schrader, and unanimously carried, the public hearing was closed and the Board adopted Resolution No. 2005-226, which is on file in Yuba County Resolution Book No. 36, which is entitled: "RESOLUTION IMPOSING AN ASSESSMENT IN THOROUGHBRED ESTATES, WHEELER RANCH, AND LEAL PROPERTY INTO COUNTY SERVICE AREA CSA NUMBER 66."

CORRESPONDENCE

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


   Referred to Community Development.


   Referred to Community Development.

C. Notice from Department of Community Services and Development regarding Single Agency-Wide Audit Report.

   Referred to County Administrator and Community Development.

D. Letter from Governor's Office of Emergency Services enclosing a report from United States Department of Agriculture granting a disaster designation for Yuba County. No action.

E. Agenda from State of California Fish and Game Commission for meetings scheduled August 17, 18 and 19, 2005. No action.
BOARD AND STAFF MEMBERS' REPORTS

Reports were received on the following:

Supervisor Stocker:
- Scenic Route designation proposal for a portion of Highway 20 in Yuba County

Supervisor Nicoletti:
- Increase cost of County Fleet operation due to increase in fuel costs
- Yuba-Sutter Fair
- Requested update on senior community center and services offered
- Sierra Business Council Annual Conference scheduled October 21-22, 2005 and planned attendance

Supervisor Logue:
- Requested meeting with Beale Air Force Base regarding Land Use issues with Beale Air Force Base
- Suggested review by Public Facilities Committee regarding feasibility and cost of moving of Yuba County Airport to another area north of Marysville

Madam Chair Griego so directed the matter to committee for the meeting of September 27, 2005 with a report to the Board of Supervisors.

CLOSED SESSION

The Board retired into closed session at 12:20 p.m. to discuss the following:

A. Conference with Real Property negotiations pursuant to Government Code §54956.8 - Property: 1114 Yuba Street, Marysville; Negotiating parties: Office of Education and County of Yuba (Bob Feld and Suzanne Nobles) Negotiation: Price and Terms

B. Threatened litigation pursuant to Government Code §54956.9(b) - One Case

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

D. Pending litigation pursuant to Government Code §54956.9(a) - Wolfenbarger vs. Black
The Board returned from closed session at 1:30 with all Board and staff members presented as indicated above except County Counsel Daniel Montgomery.

Madam Chair Griego made the following announcement:

“There are two items to report on. By unanimous decision the Board of Supervisors has agreed to settle the Henderson versus Yuba for $59,500, and then the pending litigation of Wolfenbarger versus Black, we, by unanimous decision, decided to obtain counsel to defend.”

ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 1:34 p.m. by Madam Chair Griego.

Chairman

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

Approved: September 6, 2005