YUBA COUNTY, CALIFORNIA
BOARD OF SUPERVISORS
JULY 11, 2006

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 9:45 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 Robert Bendorf, County Counsel Dan Montgomery, and Deputy Clerk of the Board of Supervisors Ellen DeLemos. Chairman Schrader presided.

CONSENT AGENDA

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

A. **Clerk of the Board of Supervisors**: Approved the minutes of the regular meetings of June 20 and 27, Joint Workshop of June 20, and Budget Hearings of June 20 and 27, 2006 as written.

    APPROVE MINUTES

B. **County Counsel**: Approved continuing consideration of amending Card Room Regulations and Conditions of the Yuba County Ordinance Code to the meeting of July 25, 2006.

    CONT.
    TO 7/25/06

C. **District Attorney**: Adopted Resolution No. 2006-93, which is on file in Yuba County Resolution Book No. 37, which is entitled: "RESOLUTION AUTHORIZING THE DISTRICT ATTORNEY OF YUBA COUNTY, AS THE DESIGNATED PROJECT DIRECTOR, TO MAKE APPLICATION FOR FUNDS TO THE OFFICE OF THE ATTORNEY GENERAL, ON BEHALF OF THE COUNTY OF YUBA, PURSUANT TO THE CALIFORNIA SPOUSAL ABUSER PROSECUTION PROGRAM GRANT OF 1994."

    ADOPT
    RESOLUTION
    NO. 2006-93

D. **Emergency Services**: Adopted Resolution No. 2006-94, which is on file in Yuba County Resolution Book No. 37, which is entitled: "RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE SCHEDULE A DISPATCH SERVICES AMENDMENTS."

    ADOPT
    RESOLUTION
    NO. 2006-94
E. Health and Human Services: Approved an agreement between Children's Home Society and County of Yuba for CalWORKs Child Care Services and authorized the Chairman to execute same.

F. Linda Fire Protection District: Authorized an advance of tax funds in the amount of $400,000 to Linda Fire Protection District through December 2006.

G. Public Works

1) Accepted notice of process of final review of Tract Map No. 95-570, River Oaks East Village 1.

2) Approved an agreement with Lennar Renaissance, Inc for parkland dedication deferment for River Oaks East and authorized the Chairman to execute same.

SPECIAL PRESENTATION

Master Gardeners: Chairman Schrader presented proclamations to Master Gardeners Ms. Pamela Lowe, Ms. Jo Hilling, Ms. Gillian Davidson, Ms. Pat Bremmer, and Mr. Roland Ellsworth for their service to the community.

PUBLIC COMMUNICATION

Mr. Clyde Welker, Moon Avenue, expressed concerns regarding on-going flooding issues on Moon Avenue and Brophy Road.

BICOUNTY MENTAL HEALTH SERVICES

1) Mental Health Services Act Community Services/Plan: Director of Mental Health Joan Hoss recapped the Community Services and Support Plan and responded to Board inquiries. Upon motion of Supervisor Logue, seconded by Supervisor Stocker, and unanimously carried, the Board approved the Mental Health Services Act Community Services and Support Plan for Fiscal Years 2005-2008.

2) Mental Health Services Act Community Services/Budget: Director of Mental Health Joan Hoss recapped the budgets and responded to Board inquiries. Upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and unanimously carried, the Board accepted the Mental Health Services Act Community Services and Support Budget for Fiscal Years 2005/2006 and 2006/2007.
PUBLIC WORKS

Baldwin Contracting Company/Hammonton-Smartsville Road: Assistant Public Works Director Mike Lee recapped the contract with Baldwin Contracting Company and budget transfer and responded to Board inquiries. Upon motion of Supervisor Logue, seconded by Supervisor Stocker, and carried with Supervisor Nicoletti abstaining, the Board awarded a contract to Baldwin Contracting Company for the Hammonton-Smartsville Road rehabilitation project, authorized the Chairman to execute upon submittal and review of County Counsel, and authorized a Budget Transfer in the amount of $420,000 from Trust Fund 188 (Impact Fees) to Road Fund 102.

ORDINANCES AND PUBLIC HEARINGS

Chairman Schrader read the disclaimer.

A. Public Hearing/Dispute of Arrearages/Yuba Sutter Disposal Incorporated: Assistant County Administrator Randy Margo recapped the resolution and responded to Board inquiries. Mr. Dave Vaughn, Yuba Sutter Disposal, recapped report of mandatory pick up areas in Olivehurst and Linda and responded to Board inquiries. Chairman Schrader opened the public hearing.

The following individuals spoke opposing assessments:

- Mr. Lee McCallum, 5597 Alicia Ave.
- Mr. Jimmy Williams, 1639 5th Avenue
- Evelyn Cordelia on behalf of Ms. Diane Fleury Seaman, 6190 McLaughlin Way

Following Board discussion, upon motion of Supervisor Logue and seconded by Supervisor Stocker, and unanimously carried, the public hearing was closed, and the Board adopted Resolution No. 2006-95, which is on file in Yuba County Resolution Book No. 37, which is entitled: "RESOLUTION CONFIRMING REPORT OF DELINQUENT SOLID WASTE COLLECTION CHARGES AND ORDER OF ASSESSMENT."

B. Ordinance-Amending Chapter 13/Raising Certain Fees (Second Reading): Assistant County Administrator Randy Margo recapped proposed fee increases and responded to Board inquiries. Chairman Schrader opened the public hearing. No one came forward.
Upon motion of Supervisor Logue, seconded by Supervisor Stocker, and unanimously carried, the public hearing was closed, the second reading was waived, and the Board adopted Ordinance No. 1380, which is on file in Yuba County Ordinance Book No. 19, which is entitled: "ORDINANCE AMENDING TITLE 13, RAISING CERTAIN FEES."

CORRESPONDENCE

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

A. Letter from Olivehurst Public Utility District advising an in-house Treasurer position and in-house banking functions have been established effective July 1, 2006. No action.

B. Letter from Nevada Joint Union High School District advising of increased school facilities fees and school district certification requirement. No action.


D. Letter from Federal Emergency Management Agency regarding Flood Insurance Rate Map and Flood Insurance Study report in accordance with the National Flood Insurance Program which includes Yuba County. No action.

E. Letter from Santa Cruz County Board of Supervisors advising of establishment of a moratorium prohibiting planting and production of genetically engineered crops. No action.

F. Letter from Mr. Stephen Kiss regarding computer usage at Yuba County Library. Referred to Library Director

G. Resolution from Marysville Joint Unified School District requesting a tax rate be established for general obligation bonds of the district expected to be sold during Fiscal Year 2006/2007.

H. Letter from City of Marysville enclosing resolution requesting consolidation of city election with November 7, 2006 statewide election.
I. **Resolutions from City of Wheatland** requesting consolidation of city election with November 7, 2006 statewide election, and ballot measures regarding appointing city officials and imposing a transient occupancy tax.

**BOARD AND STAFF MEMBERS’ REPORTS**

Reports were received from the following:

**Supervisor Stocker:**
- Memorial adjournment in memory of Mr. Lyle Richardson

**Supervisor Griego:**
- Memorial adjournment in memory of Ms. Margie Hildreth
- Greenprint resolution to go before Protective Inspection Committee on July 25, 2006
- Requested Land Use and Public Works Committee address road funding issues with Caltrans

**Supervisor Logue:**
- Requested Land Use and Public Works Committee to address graffiti issues
- Urged presentation from developers regarding modular homes for use as affordable housing

**Supervisor Schrader:**
- Attended Sacramento Area Council of Governments meeting on July 10, 2006 to discuss bill regarding 100 year levee protection
- Attended Mr. Kent McClain’s retirement dinner on Saturday, July 8, 2006
- Urged support to form Advisory Committee to address Yuba Community College bond measures and facility relocation plans

Chairman Schrader formed an Advisory Committee appointing Supervisor Logue and himself to address Yuba Community College bond measures and facility relocation plan for a duration of four months.

**Assistant County Administrator Randy Margo:**
- Advised of Joint meeting on July 18, 2006 with Board of Supervisors, Reclamation District 784 and Three Rivers Levee Improvement Authority to discuss funding and implementation agreement
County Counsel:
  • Advised closed session item A regarding one case of threatened litigation was not needed for discussion

CLOSED SESSION

The Board retired into closed session at 11:20 a.m. to discuss the following:

A. Labor negotiation pursuant to Government Code §54957.6(a) - Yuba County Employees Association and County of Yuba/Beverly Barnes

B. Pending litigation pursuant to Government Code §54956.9(a) – Hudson vs. County of Yuba

The Board returned from closed session at 12:05 p.m. with all Board and staff members present as indicated above.

County Counsel Daniel Montgomery made the following announcement:

"In the matter of Hudson versus County of Yuba, your Board by unanimous vote authorized retaining services of Porter, Scott, Weiberg, and Delehant to defend that matter. No further announcements."

ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 12:05 p.m. in memory of Mrs. Margie Hildreth and Mr. Lyle Richardson by Chairman Schrader.

[Signature]
Chairman

ATTEST: DONNA STOTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

[Signature]
By: Ellen DeLemos, Deputy Clerk

07/11/06

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