YUBA COUNTY, CALIFORNIA
BOARD OF SUPERVISORS
AUGUST 22, 2006

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 Robert Bendorf, County Counsel Daniel Montgomery, and Deputy Clerk of the Board of Supervisors Ellen DeLemos. Chairman Schrader presided.

CONSENT AGENDA

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

A. Auditor-Controller

1) Adopted Resolution No. 2006-105, which is on file in Yuba County Resolution Book No. 37, which is entitled: “RESOLUTION ADOPTING BUDGET FOR FISCAL YEAR 2006-07.”

ADOPT RESOLUTION NO. 2006-105

2) Adopted Resolution No. 2006-106, which is on file in Yuba County Resolution Book No. 37, which is entitled: “RESOLUTION FIXING GENERAL COUNTY WIDE TAX RATE.”

ADOPT RESOLUTION NO. 2006-106

3) Adopted Resolution No. 2006-107, which is on file in Yuba County Resolution Book No. 37, which is entitled: “RESOLUTION FIXING SPECIAL TAX RATES FOR COUNTY, SCHOOL DISTRICT INDEBTEDNESS.”

ADOPT RESOLUTION NO. 2006-107

B. Board of Supervisors: Appointed Mr. Floyd Young to the Community Services Commission as the District Five Representative for a term to expire December 31, 2006.

APPOINT REP.

C. Clerk of the Board of Supervisors: Approved the minutes of the regular meetings of August 8 and 15, 2006 as written.

APPROVE MINUTES
D. County Counsel: Adopted Resolution No. 2006-108, which is on file in Yuba County Resolution Book No. 37, which is entitled: "RESOLUTION CONFIRMING EXISTENCE OF A LOCAL EMERGENCY BY BOARD OF SUPERVISORS," and adopted Resolution No. 2006-109 which is on file in Yuba County Resolution Book No. 37, which is entitled: "RESOLUTION PROCLAIMING TERMINATION OF A LOCAL EMERGENCY."

E. Health and Human Services: Approved the first amendment to the agreement with Yuba College for services for Independent Living Program and authorized the Chairman to execute same.

F. Treasurer-Tax Collector: Adopted Resolution No. 2006-110, which is on file in Yuba County Resolution Book No. 37, which is entitled: "RESOLUTION AND ORDER AUTHORIZING THE ISSUANCE AND SALE OF THE MARYSVILLE JOINT UNIFIED SCHOOL DISTRICT, YUBA COUNTY, CALIFORNIA, GENERAL OBLIGATION BONDS, ELECTION OF 2006, SERIES 2006; PRESCRIBING THE TERMS OF THE BONDS AND THEIR SALE; APPROVING FORMS OF INDENTURE AND BOND PURCHASE AGREEMENT; APPOINTING PAYING AGENT; AND AUTHORIZING EXECUTION OF NECESSARY CERTIFICATES."

SPECIAL PRESENTATION

Workforce Planning Initiative: County Administrator Robert Bendorf, Personnel Director Beverly Barnes, and Consultant Mary Egan provided a Power Point Presentation regarding the Workforce Planning Initiative to develop and enhance training, which will provide higher employee retention and better employee recruitment for Yuba County.

PUBLIC COMMUNICATIONS

California Department of Forestry Battalion Chief Gary Kavanagh and Captain Frank Quadro provided an update on the Marysville Fire which was reported by Oregon Lookout on August 16, 2006 and contained on August 18, 2006, burning a total of 388 acres and destroying one residence.

ADMINISTRATIVE SERVICES

A/C Industrial Services Corporation: Following a brief recap by Administrative Services Director Steve Androvich, upon motion of Supervisor Logue, seconded by Supervisor Griego, and unanimously carried, the Board approved an agreement with A/C Industrial Services Corporation for mitigation of lead contamination at the foothill firing range and authorized the Chairman to execute same.
Yuba-Sutter Enterprise Zone: Airport Manager Mary Hansen recapped a second designation of an Enterprise Zone in Yuba and Sutter Counties and responded to Board inquiries.

Upon motion of Supervisor Griego, seconded by Supervisor Nicoletti, and unanimously carried, the Board adopted Resolution No. 2006-111, which is on file in Yuba County Resolution Book No. 37, which is entitled: "RESOLUTION ENDORSING THE JOINT APPLICATION FOR DESIGNATION OF AN ENTERPRISE ZONE IN YUBA AND SUTTER COUNTIES."

ORDINANCES AND PUBLIC HEARINGS

Chairman Schrader read the disclaimer.

A. Public Hearing/Adopt Resolution/HOME Investment Partnerships Program: Community Development Housing Manager Debra Phillips continued the matter to August 22, 2006 to allow review by the Affordable Housing Task Force.

B. Public Hearing/Adopt Resolution Approving Amendment to Plumas Lake Specific Plan and Adopt Mitigated Negative Declaration for Specific Plan Amendment 2005-0004 (Westmark Partners): Contract Planner Audrey Anderson provided a Power Point presentation recapping Plumas Lake Specific Plan Amendment 2005-0004 (Westmark Partners LP) located at 3459 Arboga Road changing the zoning to Community Shopping Center and responded to Board inquiries.

Assistant Planning Director Wendy Hartman and Mr. Dennis Nelson, Valley Development responded to specific inquires related to bicycle parking and working with the Yuba County Trails Commission.

Chairman opened the public hearing. No one came forward.

Upon motion of Supervisor Logue, seconded by Supervisor Stocker, and unanimously carried, the Board adopted Resolution No. 2006-112, which is on file in Yuba County Resolution Book No. 37, which is entitled "RESOLUTION APPROVING AN AMENDMENT TO THE PLUMAS LAKE SPECIFIC PLAN AND ADOPTING THE MITIGATED NEGATIVE DECLARATION (SPECIFIC PLAN AMENDMENT 2005-0004)."
B. Ordinance/Public Hearing/Adopt Resolution Approving Planned Unit Development 2005-0002 and Tentative Subdivision Tract Map TSTM2005-0038 (Bellecci & Associates, Inc. and White Cedar, LLC)/Waive Reading/Adopt Ordinance Rezoning Assessor’s Parcel No. 020-030-048 to Single Family Residential (R-1) zone – Planned Unit Development

Contract Associate Planner Zach Thomas provided a Power Point presentation recapping the project located on Avondale Avenue in East Linda and change of zone and responded to Board inquiries. Bellecci and Associates, Inc. Engineer Mike Spencer responded to specific inquiries related to setback requirements.

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 Board adopted Resolution No. 2006-113, which is on file in Yuba County Resolution Book No. 37, which is entitled: “RESOLUTION APPROVING PLANNED UNIT DEVELOPMENT PUD 2005-0002; AND TENTATIVE SUBDIVISION TRACT MAP TSTM2005-0038 SUBJECT TO CONDITIONS,” with the contingency to include a 50 foot setback requirement.

Upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and unanimously carried, the reading was waived, and the Board adopted Ordinance No. 1384, which is on file in Yuba County Ordinance Book No. 19, which is entitled: “AN ORDINANCE REZONING CERTAIN PROPERTY IN THE COUNTY OF YUBA,” identified as Assessor Parcel No. 020-030-048.

Adopt Resolution No. 2006-113
Adopt Ordinance No. 1384

CORRESPONDENCE

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

A. Environmental Impact Report for Yuba Highlands Specific Plan.

B. Water Availability Report for River Highlands Community Services District

BOARD AND STAFF MEMBERS’ REPORTS

Reports were received from the following:

Supervisor Stocker:
• Vandalism occurring in various Brownsville parks
August 20, 2006 Appeal Democrat article regarding public pensions for government employees

Supervisor Griego:
- Memorial adjournment in memory of Mr. Frank Canonica, Jr.

Supervisor Logue:
- Positive progress on Proposition 142 related to Levee funding

Supervisor Nicoletti:
- Memorial adjournment in memory Mr. Harland Ott
- Out-of-state from August 23 – 26, 2006
- Requested an update on the training school in the goldfields

County Administrator Robert Bendorf:
- Provided update regarding FEMA preliminary map comment period
- Possible special meeting with Board of Supervisors and Three Rivers Levee Improvement Authority the week of August 28, 2006

CLOSED SESSION

The Board retired into closed session at 11:17 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. Labor negotiation pursuant to Government Code §54957.6(a) – Deputy District Attorneys Association and County of Yuba/Beverly Barnes

C. Threatened litigation pursuant to Government Code §54956.9(b) – Five Cases

The Board returned from closed session at 12:39 p.m. with all Board and staff members present as indicated above.

County Counsel Daniel Montgomery made the following announcement:

“Mr. Chairman, announcement from closed session, in the matter of Eric Day, Eric Rayshon Day, III, Rayshon Tyese, Anthony Day, Damon Antonio Malik Day, and Letty Day also known as Leticia, have all been by a 5/0 vote denied and the matter referred to Porter, Scott, Weiberg, and Delehant for defense.”
ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 12:40 p.m. in memory of Mr. Frank Canonica, Jr., and Mr. Harland Ott by Chairman Schrader.

[Signature]
Chairman

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

[Signature]
By: Ellen DeLemos, Deputy Clerk

Approved: Sept. 5, 2001