YUBA COUNTY, CALIFORNIA
BOARD OF SUPERVISORS
NOVEMBER 14, 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 Daniel Montgomery, and Deputy Clerk of the Board of Supervisors Ellen DeLemos. Chairman Schrader presided.

CONSENT AGENDA

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

A. Administrative Services: Approved the request from Frank Faehner/American Wood Fibers to exercise option to purchase Yuba County Airport Lot 17, Industrial Park 3, and authorized the Chairman to execute same.

B. Clerk of the Board of Supervisors

1) Approved the minutes of the regular meeting of October 17 and 24, 2006 and joint workshop of October 25, 2006 as written.

2) Approved the removal of Mr. Drew Skaggs from Fish and Game Advisory Commissioner due to lack of attendance.

3) Appointed Mr. Thomas MacPherson to the Fish and Game Advisory Commission as the Youth Representative for a term to expire March 21, 2007.


C. Community Development

1) Appointed Community Development Director Kevin Mallen to the Community Development Block Grant Loan Committee.
2) Authorized appropriation of funds for 2004 Community Development Block Grant in the amount of $236,300 to various line items for anticipated payments and program administration costs through June 2007.

D. County Administrator: Adopted Resolution No. 2006-136, which is on file in Yuba County Resolution Book No. 37, which is entitled: “RESOLUTION IN SUPPORT OF THE SACRAMENTO VALLEY INTEGRATED REGIONAL WATER MANAGEMENT PLAN.”

E. Health and Human Services

1) Approved an agreement with California Department of Health Services to enter death certificate data into Automated Vital Statistics System and authorized the Chairman to execute same.

2) Adopted Resolution No. 2006-137, which is on file in Yuba County Resolution Book No. 37, which is entitled: “AUTHORIZE THE YUBA COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT TO APPLY TO THE CALIFORNIA DEPARTMENT OF HEALTH SERVICES FOR THE CHILDREN’S DENTAL DISEASE PREVENTION PROGRAM FUNDS FOR THE PERIOD OF JULY 1, 2007.”

3) Approved Subvention and Medi-Cal Certificate of Compliance for Fiscal Year 2006/2007 (California Department of Veteran Affairs) and authorized the Chairman to execute same.

4) Authorized adding one Project Manager limited term position in the Health and Human Services Department.

F. Local Agency Formation Commission: Approved the Local Agency Formation Commission 2006 Amended Conflict of Interest Code.

G. Public Works

1) Authorized transfer of two vehicles from the Automotive Services Fund (ASF) to the Road Fund.

2) Received final maps pending approval by the County Surveyor:
   • Tract Map No. 2003-16, The Orchard, Phase 1, 93 Lots
   • Tract Map No. 2005-02, The Orchard, Phase 3, 89 Lots
   • Tract Map No. 2004-56, The Orchard, Phase 4, 1 Lot

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3) Approved a reimbursement agreement with the City of Marysville for design and construction of a traffic signal at 10th and Ramirez Streets and authorized the Chairman to execute same.

H. Risk Management/Personnel

1) Adopted Resolution No. 2006-138, which is on file in Yuba County Resolution Book No. 37, which is entitled: "RESOLUTION AMENDING THE DEPARTMENTAL POSITION ALLOCATION SCHEDULE NO. 2006-114," as it relates to Project Manager in the Health and Human Services Department.

2) Adopted Resolution No. 2006-139, which is on file in Yuba County Resolution Book No. 37, which is entitled: "RESOLUTION AMENDING THE CLASSIFICATION SYSTEM -BASIC SALARY SCHEDULE NO. 2006-124," as it relates to Project Manager in the Health and Human Services Department.

SPECIAL PRESENTATION

National Hunger and Homelessness Awareness Week: Chairman Schrader presented a proclamation to Debbie Phillips representing Sutter Yuba Homeless Consortium in honor of National Hunger and Homelessness Awareness Week, November 12 through 18, 2006.

PUBLIC COMMUNICATIONS

Mr. Ray Warren, Wichita Way, expressed concerns regarding maintenance and service of roads within his County Service Area.

ADMINISTRATIVE SERVICES

Carothers Investments/Lease Agreement: Administrative Services Director Steve Androvich recapped building leases located at 925 9th Street and responded to Board inquiries.

Upon motion of Supervisor Logue, and seconded by Supervisor Stocker, and unanimously carried, the Board approved two leases with Carothers Investment for office space located at 925 9th Street and authorized the Chairman to execute same.
COMMUNITY DEVELOPMENT

1) Abatement Lien/5124 Wolf Trail, Marysville: Code Enforcement Officer John Rohrbach recapped Findings of Fact, assessment of administrative and abatement costs, penalties and recording of lien against property and responded to Board inquiries.

The following individuals spoke in support of waiving fees:
- Mr. Gary Macario, 5445 Wolf Trail
- Mr. Edward Giacarino, 12473 Pony Express Drive

Following Board discussion, upon motion of Supervisor Logue, seconded by Supervisor Griego, and unanimously carried, the matter was continued to December 12 in order for the property owner and the Treasurer to discuss payment options.

CONTINUED TO DEC. 12

RECESS

The Board recessed at 10:33 a.m. and reconvened at 10:34 a.m. with all Board and staff members present as indicated above.

ORDINANCES AND PUBLIC HEARINGS

Chairman Schrader read the disclaimer.

A) Public Hearing/Approve amendment to Browns Valley Irrigation District’s Conflict of Interest Code: Chairman Schrader opened the public hearing. No one came forward. Upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and unanimously carried, the public hearing was closed, and the Board approved the amendment to Browns Valley Irrigation District’s Conflict of Interest Code.

APPROVE AMENDMENT

B) Public Hearing/Approve amendment to Yuba County Water Agency’s Conflict of Interest Code: Chairman Schrader opened the public hearing. No one came forward. Upon motion of Supervisor Griego, seconded by Supervisor Nicoletti, and unanimously carried, the public hearing was closed, and the Board approved the amendment to Yuba County Water Agency’s Conflict of Interest Code.

APPROVE AMENDMENT

C) Public Hearing/Hold public hearing/Adopt resolution annexing territory into County Service Area 66 – Zone of Benefit C (Plumas Lakes, Phase Two Subdivision) and imposing an assessment of $472.76 per parcel per year: Following a brief recap from Community Development Director Kevin Mallen regarding proposed assessment, Chairman Schrader opened the public hearing. No one came forward.
Upon motion of Supervisor Stocker, seconded by Supervisor Griego, and unanimously carried, the public hearing was closed, and the Board adopted Resolution No. 2006-140, which is on file in Yuba County Resolution Book No. 37, which is entitled: "RESOLUTION ANNEXING TERRITORY (PLUMAS LAKES, PHASE II SUBDIVISION) TO COUNTY SERVICE AREA (CSA) 66, ZONE OF BENEFIT C, AND IMPOSING AN ASSESSMENT."

D) Ordinance/Public Hearing/Adopt Resolution Approving General Plan Amendment GPA 2005-0010 and Negative Declaration/Waive Reading/Adopt Ordinance Approving Change of Zone CA 2005-0009 (Marilyn Waltz): Associate Planner Daniel Cucci provided a Power Point presentation recapping the proposed project and responded to Board inquiries. Chairman Schrader opened the public hearing. No one came forward.

Upon motion of Supervisor Griego, seconded by Supervisor Nicoletti, and unanimously carried, the public hearing was closed, and the Board adopted Resolution No. 2006-141, which is on file in Yuba County Resolution Book No. 37, which is entitled: "RESOLUTION APPROVING AN AMENDMENT TO THE GENERAL PLAN AND ADOPTING A NEGATIVE DECLARATION (GPA 2005-0010);" waived reading, and adopted Ordinance No. 1389, 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's Parcel Nos. 014-280-060 and 014-280-064.

E) Ordinance/Public Hearing/Adopt Resolution Approving General Plan Amendment GPA 2005-0005 and Negative Declaration/Waive Reading/Adopt Ordinance Approving Change of Zone CZ 2005-0005 (Lanza): Associate Planner Daniel Cucci provided a Power Point presentation recapping the proposed project and responded to Board inquiries. Chairman Schrader opened the public hearing.

The following individuals spoke regarding the proposed project:

- Mr. Wayne Arterburn, 4132 George Avenue
- Ms. Lorna Duck, 4204 George Avenue
- Ms. Vicki Journagan, 4205 George Avenue
- Mr. David Lanza, Yuba Sutter Ventures

Upon motion of Supervisor Griego, seconded by Supervisor Nicoletti, and unanimously carried, the public hearing was closed, and the Board adopted Resolution No. 2006-142, which is on file in Yuba County Resolution Book No. 37, which is entitled: "RESOLUTION APPROVING AN AMENDMENT TO THE GENERAL PLAN AND ADOPTING A NEGATIVE DECLARATION (GPA2005-0005);" waived reading, and adopted Ordinance No. 1390, which is on file in Yuba County Ordinance Book No. 19.
which is entitled: “AN ORDINANCE REZONING CERTAIN PROPERTY IN THE COUNTY OF YUBA,” to Commercial designation which is identified as Assessor’s Parcel Nos. 014-190-045 and 014-220-036.

F) Ordinance/Public Hearing/Adopt Resolution Approving General Plan Amendment GPA 2006-0003 and Negative Declaration/Waive Reading/Adopt Ordinance Approving Change of Zone CZ 2005-0008 (Lanza): Associate Planner Daniel Cucchi provided a Power Point presentation recapping the proposed project 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, and the Board adopted Resolution No. 2006-143, which is on file in Yuba County Resolution Book No. 37, which is entitled: “RESOLUTION APPROVING AN AMENDMENT TO THE GENERAL PLAN AND ADOPTING A MITIGATED NEGATIVE DECLARATION (GPA2005-0008);” waived reading and adopted Ordinance No. 1391, which is on file in Yuba County Ordinance Book No. 19, which is entitled: “AN ORDINANCE REZONING CERTAIN PROPERTY IN THE COUNTY OF YUBA,” to General Use-Permit designation which is identified as Assessor’s Parcel Nos. 013-590-006, 007, 008, 009.

G) Ordinance/Public Hearing/Adopt Resolution Approving General Plan Amendment GPA 2008-0008 and Negative Declaration/Waive Reading/Adopt Ordinance Approving Change of Zone ZA 2005-0007 (Jinks): Contract Planner Nick Ferracane provided a Power Point presentation recapping the proposed project and responded to Board inquiries. Chairman Schrader opened the public hearing. No one came forward.

Upon motion of Supervisor Stocker, seconded by Supervisor Logue, and unanimously carried, the public hearing was closed, and the Board adopted Resolution No. 2006-144, which is on file in Yuba County Resolution Book No. 37, which is entitled: “RESOLUTION APPROVING AN AMENDMENT TO THE GENERAL PLAN AND ADOPTING A NEGATIVE DECLARATION (GPA2006-0003);” waived reading and adopted Ordinance No. 1392, which is on file in Yuba County Ordinance Book No. 19, which is entitled: “AN ORDINANCE REZONING CERTAIN PROPERTY IN THE COUNTY OF YUBA,” to General Commercial designation which is identified as Assessor’s Parcel Nos. 021-421-001 and 002; 021-423-001 and 003; 021-425-002, 021-427-003.

H) Public Hearing/Adopt Resolution/General Plan Amendments: Assistant Planning Director Wendy Hartman and Community Development Kevin Mallen recapped the process of applications for General Plan amendments, Specific Area Plans, and proposed projects and responded to Board inquiries.
Chairman Schrader opened the public hearing.

The following individuals spoke in support:

- Mr. Al Montna, Magnolia Ranch
- Mr. Sam Neasham, Gold River
- Mr. Michael Spencer, Bellecci and Associates

Upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and unanimously carried, the public hearing was closed, and the matter was continued to the meeting of November 28, 2006.

COMMUNITY DEVELOPMENT (CONTINUED)

2) Affordable Housing Task Force: Chairman Schrader continued the matter to November 28, 2006.

CONTINUED TO 11/28/06

COUNTY ADMINISTRATOR

1) Levee Fees for Single Family Residences: Assistant County Administrator Randy Margo recapped options for levee fees for single family residences requiring subdivision approval and responded to specific Board inquiries. Following Board discussion the matter was returned to the November 28, 2006, Land Use and Public Works Committee for recommendation, and returning to the Board on December 12, 2006.

RETURN TO COMMITTEE

ITEM OF PUBLIC INTEREST

A. Mr. Michael Nusink/Refund fees: Following a brief presentation by Mr. Michael Nusink and Chief Building Inspector Marty Griffin and Board inquiries, upon motion of Supervisor Logue, seconded by Supervisor Nicoletti and carried with Supervisors Griego and Stocker voting in opposition, the Board denied refund of Building Department fees in the amount of $453.82 and gas inspection fees in the amount of $65.

DENIED REFUND

B. The Branding Iron/Dance Permit: Upon motion of Supervisor Griego, seconded by Supervisor Schrader, and unanimously carried, the Board approved a dance permit for Mr. Ronald Garrison doing business as the Branding Iron located at 5861 Feather River Boulevard.

APPROVE PERMIT
C. Mr. Douglas Bryant/Doug's Needs and Such: Upon motion of Supervisor Griego, seconded by Supervisor Stocker, and unanimously carried, the Board approved a secondhand store business license for Mr. Douglas Bryant doing business as Doug's Needs and Such located at 5767B Lindhurst.

CORRESPONDENCE

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

A. Twelve notices from various local agencies advising no amendment is required to their conflict of interest codes.

B. Letter from Yamhill County, Oregon, Board of Commissioners requesting participation in an online survey regarding local government leadership positions.

Referred to County Administrator and Personnel

C. Letter from Stanley Coolidge, Attorney at Law acknowledging road improvements on Loma Rica Road at the intersection of Scott Grant Road to Highway 20.

Copy provided to Public Works

BOARD AND STAFF MEMBERS' REPORTS

Reports were received from the following:

Supervisor Griego:
- Tales of the Crypt held Saturday, October 28, 2006

Supervisor Nicoletti:
- Comstocks article entitled "The Brink" regarding levee funding

Assistant County Administrator Randy Margo:
- Meeting regarding assessment for operation and maintenance of levees following improvements

County Counsel Daniel Montgomery:
- Out of the Country November 20 through 24, 2006
ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 12:58 p.m. by Chairman Schrader.

[Signature]
Chairman

ATTEST: DONNA STOTTMFYEYER
CLERK OF THE BOARD OF SUPERVISORS

[Signature]
By: Ellen DeLemos, Deputy Clerk

Approved: 11-28-06