YUBA COUNTY, CALIFORNIA
BOARD OF SUPERVISORS
DECEMBER 12, 2006

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 9:44 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.

SPECIAL PRESENTATION

A) Mobile Incident Command Vehicle: County Administrator Robert Bendorf and State Deputy Director of Homeland Security Chris Bertolli provided a Power Point presentation regarding the assembly of the Mobile Incident Command Vehicle. The meeting recessed at 9:54 a.m. to the front lawn of the Government Center for a tour of the vehicle.

The meeting reconvened at 10:02 a.m. with all Board and Staff members present as indicated above.

B) Camp Beale Military Munitions Cleanup Project: Army Corps of Engineers Project Manager Peter Broderick provided a Power Point presentation regarding the former Camp Beale Military Munitions Cleanup Project for the recovery of military munitions, unexploded and energized items, and responded to Board inquiries.

At the request of County Counsel and upon motion of Supervisor Stocker, seconded by Supervisor Logue, and unanimously carried, the Board added to the consent agenda a resolution to increase the County Law Library fees and added to closed session one case of threatened litigation as the need to take action arose subsequent to the agenda being posted.

CONSENT AGENDA

Upon motion of Supervisor Nicoletti, seconded by Supervisor Logue, and unanimously carried, the Board took the following actions:
A) Clerk of the Board of Supervisors: Approved the minutes of the regular meeting of November 28, 2006 as written.

B) Clerk-Recorder/Elections: Accepted a Statement of Vote for the November 7, 2006 Gubernatorial Election, declared winners for each office, appointed members to particular district offices pursuant to Elections Code §15400.

C) County Counsel: Adopted Resolution No. 2006-153, which is on file in Yuba County Resolution Book No. 37, which is entitled: “RESOLUTION INCREASING COUNTY LAW LIBRARY FEE.”

D) Health and Human Services: Approved the first amendment with Coolidge Public Relations for professional services and authorized the Chairman to execute same.

E) Sheriff-Coroner

1) Approved a Memorandum and Letter of Understanding with Live Nation to provide supplemental law enforcement services at Sleep Train Amphitheatre and authorized the Chairman to execute same.

2) Adopted Resolution No. 2006-154, which is on file in Yuba County Resolution Book No. 37, which is entitled: “RESOLUTION AUTHORIZING THE YUBA COUNTY SHERIFF TO EXECUTE MEMORANDUM OF UNDERSTANDING FOR THE PROVISION OF SPECIAL SERVICES PURSUANT TO GOVERNMENT CODE SECTION 53069.8.”

PUBLIC COMMUNICATIONS

The following individuals expressed concerns regarding negotiations for In Home Supportive Services providers:

- Ms. Karen Marotta, Marysville
- Ms. Randalene Franklin, Marysville
- Ms. Diana Wilkinson, Marysville

ADMINISTRATIVE SERVICES

Three Rivers Levee Improvement Authority/Memorandum of Agreement: Following a brief recap from Information Technology Manager David McBride, upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and unanimously carried, the Board approved a Memorandum of Agreement with Three Rivers Levee Improvement Authority for County support services and authorized the Chairman to execute same.

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COMMUNITY DEVELOPMENT

1) **Abatement Lien/5124 Wolf Trail, Marysville**: Code Enforcement Officer John Rohrbach recapped the administrative penalties and history of property and responded to Board inquiries. Treasurer Jim Kennedy explained the lien and payment process and responded to Board inquiries.

Mr. Edward Garbarino, 12473 Pony Express Drive, urged support for reducing fees.

Following Board discussion, upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and carried with Supervisors Griego and Stocker voting in opposition, the Board adopted Findings of Fact, Conclusions of Law, orders determining costs of abatement in the amount of $30,347.00 to be assessed against property and authorized recording of the lien on 5124 Wolf Trail, Marysville, (Charles Logsdon et al, Pamela Flack, Herb Powell and Peter Frank).

2) **Reimbursement Agreement/Gerry N. Kamilos, LLC**: Following a brief recap Community Development Director Kevin Mallen, upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and unanimously carried, the Board approved an amendment to the Environmental Impact Report and project Reimbursement Agreement with Gerry N. Kamilos, L.L.C for the Bear River project and authorized the Chairman to execute same.

COUNTY ADMINISTRATOR

**Levee Fees for Single Family Residence**: Assistant County Administrator Randy Margo recapped proposed options for an impact fee program to provide funding for levee improvements, and responded to specific Board inquiries.

The following individuals spoke:

- Mr. Seth Merowitz, Plumas Lake Landowners
- Mr. Dan Sullivan, Arboga

Following Board discussion, upon motion of Supervisor Logue, seconded by Supervisor Stocker, and unanimously carried, the Board referred the matter back to committee for further recommendation.

The Board recessed at 11:52 a.m. and reconvened at 12:00 p.m.
ORDINANCES AND PUBLIC HEARINGS

Chairman Schrader read the disclaimer.

A) Ordinance Amending Chapter 6.20 relating to Regulation of Card Rooms (Second Reading): Chairman Schrader opened public hearing. No one came forward.

Upon motion of Supervisor Nicoletti, seconded by Supervisor Stocker, and unanimously carried, the public hearing was closed, the second reading was waived, and the Board adopted Ordinance No. 1393, which is on file in Yuba County Ordinance Book No. 19, which is entitled: “AN ORDINANCE AMENDING CHAPTER 6.20 TO THE YUBA COUNTY ORDINANCE CODE RELATING TO REGULATION OF CARD ROOMS.”

B) Ordinance Adding Section 2.25.050 relating to Appeals of the Board of Supervisors (Second Reading): Chairman Schrader opened public hearing. No one came forward.

Upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and unanimously carried, the public hearing was closed, the second reading was waived, and the Board adopted Ordinance No. 1394, which is on file in Yuba County Ordinance Book No. 19, which is entitled: “AN ORDINANCE ADDING SECTION 2.25.040 TO THE YUBA COUNTY ORDINANCE CODE RELATING TO APPEALS TO THE BOARD OF SUPERVISORS.”

C) Ordinance Amending Chapter 7.03 relating to Water Wells: Environmental Health Manager Tej Maan and Paul Donoho recapped the proposed ordinance and availability of water in the foothills and responded to specific Board inquiries.

Mr. Dan Sullivan, Arboga, spoke in opposition of the ordinance.

Following Board discussion, upon motion of Supervisor Logue, seconded by Supervisor Grego, and carried with Supervisor Nicoletti voting in opposition, the matter was referred back to committee for recommendations.

D) Public Hearing/Adept Resolution/General Plan Amendments: Assistant Planning Director Wendy Hartman recapped the General Plan Amendment modifications, applications in process, and responded to Board inquiries.

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 adopted Resolution No. 2006-155, which is on file in Yuba County Resolution Book No. 37, which is entitled “A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF YUBA DETERMINING THAT THE COUNTY WILL NOT ACCEPT OR PROCESS APPLICATIONS FOR GENERAL PLAN AMENDMENTS OR SPECIFIC/AREA PLANS (INCLUDING AMENDMENTS) WITH LIMITED EXCEPTIONS, UNTIL SUCH TIME AS THE GENERAL PLAN HAS BEEN UPDATED, AS MORE PARTICULARLY DESCRIBED HEREIN.”

CORRESPONDENCE

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

A. Letter from Governor’s Office of Emergency Services advising disaster designation for contiguous counties due to agriculture losses caused by a record-setting heat wave that occurred July 1-31, 2006 which included Yuba County.


C. Two letters from Mr. William Appleby regarding bicycle parking language in the Yuba County zoning ordinance.

Referral to Community Development

D. Letter from Dobbins/Oregon House Action Committee regarding the Final Environmental Impact report for the Yuba Highlands Project.

E. Letter from Reclamation District 2103/Wheatland supporting levee funding for Yuba County.

BOARD AND STAFF MEMBERS’ REPORTS

Reports were received from the following:

Supervisor Stocker:
- Proclamation for Area 4 Agency on Aging Governing Board representative Ms. Sally Lix
- Memorial adjournment in memory of Mrs. Mary B. Jensen, Mrs. Harriett May Kirk, and Mr. Michael Jeffords

Supervisor Griego:
- Attended California State Association of Counties Conference November 28 through December 1, 2006
- Proclamations to Lindhurst High School Varsity Football and Soccer teams

Supervisor Logue:
- Memorial adjournment in memory of Mrs. Beverly Speckert

Supervisor Nicoletti:
- Memorial adjournment in memory of Mr. Eufay R. Wood Sr.
- Recruitment for Agricultural Commissioner
- Board appointment for Area 4 Agency on Aging Governing Board
- Article from Appeal Democrat regarding B-52 that landed at Beale Air Force

Supervisor Schrader:
- Memorial adjournment in memory of Mr. Wally Graves and Mr. Robert Edmonston
- November 29, 2006 meeting with FEMA regarding remapping process
- Economic Development Strategy Plan for Yuba County

CLOSED SESSION

The Board retired into closed session at 12:56 p.m. to discuss the following:

A. Pending litigation pursuant to Government Code §54956.9(a) – Vega versus County of Yuba

B. Pending litigation pursuant to Government Code §54956.9(a) – Kibbe Road versus County of Yuba

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C. Pending litigation pursuant to Government Code §54956.9(a) – Jones versus County of Yuba

D. Pending litigation pursuant to Government Code §54956.9(a) – Calvert versus Western Aggregates

The Board returned from closed session at 1:52 p.m. with all Board and staff members present as indicated above. There was no announcement.

ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 1:52 p.m. in memory of Mrs. Mary B. Jensen, Mrs. Harriett May Kirk, Mrs. Beverly Speckert, Mr. Eufay R. Wood Sr., Mr. Wally Graves, Mr. Robert Edmondston and Mr. Michael Jeffords by Chairman Schrader.

[Signature]
Chairman

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

[Signature]  Approved: 1-9-07
By: Ellen DeLemos, Deputy Clerk