YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

DECEMBER 19, 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 Clerk of the Board of Supervisors Donna Stottlemeyer. Chairman Schrader presided.

CONSENT AGENDA

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

A. Administrative Services

1) Authorized participation in the 2007 California State Fair Counties Exhibit, authorized the award of any premium monies to exhibit builder, Marysville, FFA, and appointed the Airport Manager as the official County Representative.

2) Adopted Resolution No. 2006-156, which is on file in Yuba County Resolution Book No. 36, which is entitled: "RESOLUTION AUTHORIZING SALE OF REAL PROPERTY IN INDUSTRIAL PARK NO. 3, LOT 17."

B. Board of Supervisors: Appointed Mrs. Pamela Selvidge to the Yuba County Library Advisory Commission as the District Two representative for a term to expire December 31, 2008.

C. Health and Human Services

1) Adopted Resolution No. 2006-157, which is on file in Yuba County Resolution Book No. 36, which is entitled: "AUTHORIZE THE YUBA COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT TO ENTER INTO AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF HEALTH SERVICES, FOR PUBLIC HEALTH EMERGENCY PREPAREDNESS AND HEALTH RESOURCES AND SERVICES ADMINISTRATION (HRSA) FUNDS FOR THE PERIOD OF AUGUST 31, 2006 - AUGUST 31, 2007, AND AUTHORIZE THE CHAIRMAN TO EXECUTE
2) Approved a tenant rental agreement between Hub Mini Storage and Health and Human Services Department for storage space and authorized the Chairman to execute same.

D. Public Works

1) Approved an agreement with Dokken Engineering for professional services for the Honcot Creek Bridge replacement Project and authorized the Chairman to execute same.

2) Adopted Resolution No. 2006-158, which is on file in Resolution Book NO. 36, which is entitled: "RESOLUTION AUTHORIZING THE PUBLIC WORKS DIRECTOR TO SIGN THE MASTER AGREEMENT AND PROGRAM SUPPLEMENTS TO ADMINISTERING AGENCY-STATE AGREEMENT FOR FEDERAL-AID PROJECTS NO. 03-5916R."

3) Approved the first amendment to a reimbursement agreement with Reysen and Bards Communities and an agreement with David Evans and Associates, Inc. and authorized the Chairman to execute same.

E. Risk Management/Personnel: Adopted Resolution No. 2006-159, which is on file in Resolution Book No. 36, which is entitled: "RESOLUTION AMENDING THE CLASSIFICATION SYSTEM - BASIC SALARY SCHEDULE NO. 2006-124," as it relates to the Director of Environmental Health.

F. Sutter-Yuba Mental Health: Approved an agreement between Sutter County and North Valley Behavioral Health for involuntary hold status and authorized the Chairman to execute same.

G. Treasurer-Tax Collector: Adopted Resolution No. 2006-160, which is on file in Resolution Book No. 36, which is entitled: "RESOLUTION DELEGATING INVESTMENT AUTHORITY TO YUBA COUNTY TREASURER."

PUBLIC COMMUNICATIONS

Supervisor Nicoletti read and presented a proclamation to Mr. Jerry Crippen for dedicated service to the citizens of Yuba County.
Ms. Daisy Shelton, Olivehurst, addressed issues regarding senior citizens and the local senior center and urged support of Board member representation on the Commission of Aging.

Ms. Freda Calvert, Marysville, urged Board support for the present route of upper Hammonton Road.

Ms. Joyce Thomas, In Home Supportive Services (IHSS) consumer, urged Board support for IHSS providers.

Mr. Tony Santini, IHSS Member, addressed the importance of availability of home-care workers.

**ADMINISTRATIVE SERVICES**

Pre-disaster Hazard Mitigation Grant/Multi-Hazard Mitigation Plan: Emergency Services Coordinator Pat Beccham provided a PowerPoint presentation regarding the plan, risk assessment process, and identification of hazard mitigation projects.

**COMMUNITY DEVELOPMENT**

Abatement Costs/5969 Albrecht Avenue (Stillwell Block et. al): Code Enforcement Officer John Rohrbach recapped the abatement costs and process and responded to Board inquiries.

Upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and unanimously carried, the Board adopted findings of fact, conclusions of law, and orders determining the costs of abatement to be assessed against property located on 5969 Albrecht Avenue, Marysville.

**LIBRARY**

Bill and Melinda Gates Foundation Grant: Following a brief recap from Library Director Loren McRory, upon motion of Supervisor Nicoletti, seconded by Supervisor Griego, and unanimously carried, the Board adopted Resolution No. 2006-161, which is on file in Resolution Book No. 36, which is entitled: "RESOLUTION AUTHORIZING THE YUBA COUNTY LIBRARY TO APPLY TO THE BILL & MELINDA GATES FOUNDATION FOR THE FUNDING OF UPGRADES TO THE PUBLIC ACCESS COMPUTERS IN THE YUBA COUNTY LIBRARY, AND AUTHORIZING THE CHAIRMAN OF THE BOARD TO EXECUTE DOCUMENTS AS REQUIRED BY THE RESULTANT GRANT AND TO ACCEPT FUNDS."

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ORDINANCES AND PUBLIC HEARINGS

Chairman Schrader read the disclaimer.

A. Public Hearing – County Service Area (CSA) 79/Impose Assessment $141 Per Parcel/Ross Ranch Subdivision-Extended Law Enforcement: Chairman Schrader opened the public hearing. No one came forward.

Upon motion of Supervisor Logue, seconded by Supervisor Griego, and unanimously carried, the public hearing was closed and the Board adopted Resolution No. 2006-162, which is on file in Yuba County Resolution Book No. 37, which is entitled: “RESOLUTION IMPOSING AN ASSESSMENT FOR ROSS RANCH SUBDIVISION FOR CSA 70 - EXTENDED LAW ENFORCEMENT.”

B. Public Hearing – Three Rivers Levee Improvement Authority Amended Conflict of Interest Code: 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 approved the Three Rivers Levee Improvement Authority Amended Conflict of Interest Code.

C. Public Hearing – Yuba County Conflict of Interest Code: Chairman Schrader opened the public hearing. No one came forward.

Upon motion of Supervisor Nicoletti, seconded by Supervisor Logue, and unanimously carried, the public hearing was closed and the Board adopted the Amended Yuba County Conflict of Interest Code.

D. Public Hearing – Zone of Benefit “E” – County Service Area (CSA) 66/Impose Assessment of $532.71: 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. 2006-163, which is on file in Yuba County Resolution Book No. 37, which is entitled: “RESOLUTION CREATING ZONE OF BENEFIT “E” IN CSA 66 FOR RIVER OAKS EAST SUBDIVISION AND IMPOSING AN ASSESSMENT OF $532.71 BEGINNING FISCAL YEAR 2007/2008.”
E. Ordinance – Amend Chapter 12.25 and 12.80/Clustered Residential Development/Foothill Areas: Assistant Planning Director Wendy Hartman recapped the proposed amendments to implement cluster residential development provision of the General Plan within the foothill agriculture designation and protect open space. Ms. Hartman and Community Development Director Kevin Mallen responded to Board inquiries. Paul Donoho responded to inquiries regarding septic and water systems.

Chairman Schrader opened the public hearing.

The following individuals spoke:

- Mr. Dale Whitmore, Dept. of Fish and Game
- Mr. Dan Sullivan, Olivehurst
- Mr. Kari Kambanis, Lincoln
- Mr. Greg Crompton, Dobbins
- Mr. Dick Dahms, Oregon House

Following Board discussion, the Board recessed at 12:00 p.m. and reconvened at 12:05 p.m. with all Board and staff members present as indicated above.

Upon motion of Supervisor Griego, seconded by Supervisor Logue, and unanimously carried, the Board accepted the Planning Commission recommendation, waived reading, and adopted Ordinance No. 1395, which is on file in Yuba County Ordinance Book No. 19, which is entitled: “AMENDING CERTAIN SECTIONS TO CHAPTERS 12.25 AND 12.80 OF TITLE XII OF THE COUNTY ZONING ORDINANCE CODE AS IT RELATES TO CLUSTERED RESIDENTIAL DEVELOPMENT IN THE FOOTHILL AREAS AND PLANED UNIT DEVELOPMENT REQUIREMENT,” with an amendment to Section 12.80.066a as follows:

Parcels between 1 acre and 2.5 acres in size shall provide either a public sewer service or public water supply as determined by the Environmental Health Director. Setback requirements equivalent to those that would be required on a 5 acre parcel shall apply to any parcel between 1 acre and 2.5 acres in size that has either a well or septic system. Parcels smaller than 1 acre in size shall provide both a public sewer service and public water supply. A private purveyor of sewer services and water supply may be approved by the Board of Supervisors.

CORRESPONDENCE

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

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B. Letter from Area 4 Agency on Aging dated November 30, 2006, advising of Focal Point designation process.

C. Letter from California Department of Health Services regarding the Local Primacy Agency Annual evaluation report for Yuba County Environmental Health.

**BOARD AND STAFF MEMBERS’ REPORTS**

Reports were received on the following:

Supervisor Stocker:
- Memorial adjournment in memory of Ms. Loretta J. Deen and Mr. Joe Melton
- District Five correspondence to The Acting Company and letterhead for individual Board members

Supervisor Logue:
- Assessing abatement costs and use of Administrative Law Judge
- Urged Board consideration of amending the Joint Powers Agreement regarding Bi-County Transportation Committee to address traffic flow issue between the cities and Counties

Supervisor Nicoletti:
- Senior Center issues
- Water system approach within the foothill communities

Supervisor Schrader:
- Meeting with FEMA regarding remapping process and Reclamation Board hearing regarding Yuba River Levee

Assistant Administrator Randy Margo
- Sewage issues within Gold Village of River Highlands Community Service District

County Administrator Robert Bendorf:
- Employee tuition reimbursement program
- Mobile Incident Command Vehicle and potential for grant funding
- Meeting with Assembly member Lois Wolk regarding flood control bill
- Flood control information card
CLOSED SESSION

At the request of County Counsel Daniel Montgomery and upon motion of Supervisor Stocker, seconded by Supervisor Nicoletti, and unanimously carried, the Board added to closed session the matter of Vega versus the County as the need to take action arose subsequent to the agenda being posted.

The Board retired into closed session 12:54 to discuss the following:

A. Personnel pursuant to Government Code §54957 - Public Employment/Personnel-Risk Management Director

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

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

The Board returned from closed session at 1:34 p.m. with all Board and staff members present except Supervisor Logue.

There was no announcement.

ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 1:34 p.m. by Chairman Schrader in memory of Ms. Loretta J. Deen and Mr. Joe Melton.

Chairman

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

Approved: January 11, 2007