YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

JANUARY 9, 2007

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 Stocker presided.

Upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and unanimously carried, the Board pulled for discussion the Consent Agenda item regarding appointment to Plumas Lake Specific Plan Design Review Commission under Clerk of the Board of Supervisors.

CONSENT AGENDA

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

A. Board of Supervisors

1) Reappointed Mr. Billy Yang as the District One representative and Mr. Floyd Young as the District Five representative to the Community Services Commission for terms to expire December 31, 2010.

2) Reappointed Mr. Virgil Zimmerman as the District One representative and Mr. Terry Flanagan as the District Five representative to the Yuba County Planning Commission for terms to expire December 31, 2010.

3) Reappointed Mr. Robert Winchester to the Fish and Game Advisory Commission as the District Five representative for a term to expire December 31, 2010.

4) Reappointed Mr. Charles Carver as the District One representative and Ms. Sue Cegner as the District Five representative to the Yuba County Library Advisory Commission for terms to expire December 31, 2010.
5) Reappointed Mrs. Gertrude Hinojosa to the Yuba County Commission on Aging as the District One representative for a term to expire December 31, 2010.

6) Adopted Resolution No. 2007-001, which is on file in Yuba County Resolution Book No. 38, which is entitled: “RESOLUTION AFFIRMING JANUARY 2, 2007, A COUNTY HOLIDAY AS AN OBSERVANCE OF A NATIONAL DAY OF MOURNING IN HONOR OF FORMER PRESIDENT GERALD R. FORD.”

R. Clerk of the Board of Supervisors

1) Adopted Local Appointment List of ongoing boards, commissions, and committees appointed by the Board of Supervisors.

2) Approved the minutes of the regular meeting of December 12, 2006 as written.

C. Health and Human Services: Approved an amendment to the agreement with The Regents of the University of California for eligibility services and authorized the Chairman to execute same.


E. Sutter Yuba Local Child Care Planning Council: Approved the Certification Statement regarding composition of the Local Child Care Planning Council membership and authorized the Chairman to execute same.

F. Treasurer-Tax Collector: Received annual review of Investment Policy 2007.

CONSENT DISCUSSION

Clerk of the Board of Supervisors: Following Board discussion, upon motion of Supervisor Griego, seconded by Supervisor Schrader, and unanimously carried, the Board appointed Mr. Donald Rae as the resident representative to the Plumas Lake Specific Plan Design Review Committee for a term to expire January 9, 2008.
PUBLIC COMMUNICATIONS

Mr. Douglas Kirkman, Mather, expressed concerns over letters written by a Supervisor to non profit organizations and provided staff with copies which are identified as Exhibit A and attached to and made a part of the minutes.

Mr. Steve Strunk, Marysville, expressed concerns regarding local coroner case contracts with the Yuba County Sheriff's Department. County Counsel Dan Montgomery advised the matter has been referred to his office for further investigation.

Mr. Ted Lowe, Marysville, expressed concerns regarding possible relocation of upper Hammonton Road.

Ms. Freda Calvert, Smartsville, urged Board support to oppose relocation of upper Hammonton Road.

Public Works Director Mike Lee advised of no projects to relocate upper Hammonton Road.

Supervisor Don Schrader left the meeting at 9:50 a.m.

COUNTY ADMINISTRATOR

River Highlands Community Services District: County Counsel Dan Montgomery requested the matter regarding River Highlands Community Services District be referred to Closed Session under threatened litigation following public comment.

Assistant County Administrator Randy Margo recapped the financial and technical assistance for the emergency sewage system within the River Highlands Community Service District.

The following individuals from River Highlands Community spoke in support for assistance:

- Mr. Larry Simms
- Mr. Brett Malech
- Ms. Kris Painter
- Ms. Janet Fullmer
- Mr. Tim Mienar
- Mr. Scott Browne
- Mr. Tom Fossum
• Ms. Jessica Burton
• Mr. Richard Francis

Upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and carried with Supervisor Schrader being absent, the Board recessed into closed session at 10:26 a.m.

The Board returned from closed session at 11:07 a.m. with all Board and staff members presented as indicated above.

County Administrator Robert Bendorf made the following announcement:

"The report out of closed session is that the Board has directed staff to pursue the County Administration of a loan from the State of California and also to pursue the $50,000 loan from the County of Yuba to the River Highlands Community Service District based upon certain conditions that staff will follow up with River Highlands Community Service District staff in the upcoming few days."

PUBLIC WORKS

1) Yuba River Parkway Project Study: Public Works Director Mike Lee recapped the proposed Yuba River Parkway project which would offer an alternative travel corridor for South Yuba County and urged Board support for a public workshop on February 7, 2007 to gather information to determine a preferred alignment for the roadway and a permanent name for the project and responded to Board inquiries.

2) Proposition 1B Funding/Plumas Lake Boulevard Interchange: Public Works Director Mike Lee recapped the Proposition 1B funding, financing of the Plumas Lake Boulevard Interchange, and use of State Transportation Improvement Program (STIP) Funds and responded to Board inquiries.

Don Schrader rejoined the meeting at 11:37 a.m.

Following Board discussion, upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and carried with Supervisor Schrader abstaining due to being absent during presentation, the Board approved delaying bidding the Plumas Lake Boulevard Interchange until STIP funds are programmed.

Following Board discussion, upon motion of Supervisor Logue, seconded by Supervisor Giporto, and carried with Supervisor Schrader abstaining, the Board approved changing the Fiscal Year of STIP funds for Plumas Lake Boulevard Interchange from Fiscal Year 2010/2011 to Fiscal Year 2007/2008.
Following Board discussion, upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and unanimously carried, the Board approved allocating the State Route 70 widening project $6.5 million of unprogrammed County STIP funds and $2.36 million of STIP augmentation funds.

Upon motion of Supervisor Griego, seconded by Supervisor Logue, and unanimously carried the Board approved funding under the Regional Surface Transportation Program (RSTP) the following projects:

- Forty Mile Road from Plumas Arboga Road to the Sutter County line;
- Challenge Cutoff Road from La Porte Road to Butte County line; and
- Loma Rica Road from Scott Grant Road to Marysville Road.

ORDINANCES AND PUBLIC HEARINGS

Chairman Stocker read the disclaimer.

A. Ordinance Amending Chapter 9.25 relating to Commercial Vehicle Parking Restrictions (First Reading): Public Works Director Mike Lee recapped proposed ordinance and responded to Board inquiries. Chairman Stocker opened the public hearing.

The following individuals spoke in support:

- Ms. Joanna Storm, Loma Rica
- Mr. Eric Larson, Loma Rica

Upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and unanimously carried, the public hearing was closed, the first reading was waived, and the Board introduced an ordinance amending Chapter 9.25 of the Yuba County Ordinance Code relating to commercial vehicle parking restrictions.

B. Ordinance/Public Hearing/Adopt Resolution Approving Mitigated Negative Declaration, Planned Unit Development 2005-0005, and Tentative Subdivision Tract Map TSTM 2005-0046 (Vanice) Adopt Ordinance Rezoning Assessor’s Parcel No. 013-290-066 to Medium Density Residential (R-2) PUD: Associate Planner Daniel Lucchi provided a Power Point presentation recapping the proposed project and amendments to the Conditions of Approval and responded to Board inquiries.

Public Works Director Mike Lee, Project Engineer Ralph Newman, and Project Designer Mike Sroka responded to specific Board inquiries related to drainage and roads.
Chairman Stocker opened the public hearing. The following individual spoke in opposition:

- Mr. Paul Johnson, Powerline Road

Following Board discussion, upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, the public hearing was closed, and the Board adopted Resolution No. 2007-002, which is on file in Yuba County Resolution Book No. 38, which is entitled: “APPROVE A RESOLUTION ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PLAN FOR THE PROJECT, AND APPROVING PLANNED UNIT DEVELOPMENT PUD2005-0005 AND TENTATIVE SUBDIVISION TRACT MAP TSTM2005-0045; AND ADOPT AN ORDINANCE APPROVING PLANNED UNIT DEVELOPMENT PUD2005-0005,” waived reading, and adopted Ordinance No. 1396, which is on file in Yuba County Ordinance Book No. 19, which is entitled: “AN ORDINANCE REZONING CERTAIN PROPERTY IN THE COUNTY OF YUBA,” from Medium Density Resident (R-2) to Medium Density Residential (R-2) Planned Unit Development identified as Assessor’s Parcel No. 013-290-066.

C. Ordinance/Public Hearing/Adopt Resolution Approving Mitigated Negative Declaration, Planned Unit Development 2006-0002, and Tentative Subdivision Tract Map TSTM 2006-0001 (Maples/Welch)/Adopt Ordinance Rezoning Assessor’s Parcel Nos. 013-290-059 and 013-290-060 to Medium Density Residential (R-2) PUD: Associate Planner Daniel Cuttica provided a Power Point presentation recapping the proposed project and amendments to the Conditions of Approval and responded to Board inquires.

Project Designer Mike Sroka and Mr. Byron Maples, landowner responded to specific inquiries related to sidewalks, school and public safety.

Supervisor Nicoletti left the meeting at 1:03 p.m. and returned at 1:09 p.m.

Following Board discussion, upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and unanimously carried, the public hearing was closed, and the matter was continued to January 16, 2007.

CORRESPONDENCE

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

A. Letter from Alpine County Board of Supervisors enclosing resolution acknowledging January as National Glaucoma Awareness Month.
B. Letter from California Department of Fish and Game regarding 2007-2008 deer
hunt scheduled for Yuba County.

Referred to Fish and Game Advisory Commission

BOARD AND STAFF MEMBERS' REPORTS

Reports were received from the following:

Supervisor Logue:
- Letter from constituent concerning Sheriff's Department

Supervisor Nicoletti:
- Urged presentation from Quest on Senior Center
- Congratulated Supervisors Logue and Stocker on re-election
- Memorial adjournment in memory of former President Gerald Ford

Supervisor Stocker:
- Disaster Council meeting February 6, 2007

County Administrator Robert Bendorf:
- Technical responses on FEMA remapping delivered

ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors,
the meeting was adjourned at 1:26 p.m. in memory of President Gerald Ford by Chairman

Stockert.

Chairman

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

Approved: 1-23-07

By: Ellen DeLemos, Deputy Clerk

01/09/07

MINUTE BOOK 63 PAGE 9
Janet Siller  
Friday Night Live  
301 4th St.  
Marysville, CA 95901  

Dear Ms. Siller  

At the Planning Commission meeting the other night,  
I believe you mentioned Mr. Gallelli had given Friday Night Live money.  
Could you tell me how much money Mr. Gallelli has given Friday Night Live? Please include money he has given you under any other name, such as Yuba Highlands, Yuba Poothill Associates, etc.  
Somebody said he has given you $50,000. Is this correct?  

Thank you very much.  

Sincerely,  

Hal Stocker  
Box 366  
Challenger, CA 95925
From the desk of Hal Stocker

Dec. 5, 2006

Debbie Collier  
The Acting Company  
815 B St.  
Yuba City CA 95991

Dear Ms. Collier:

At the Yuba County Planning Commission meeting the other night, someone from the Acting Company mentioned Mr. Gallelli had given the Acting Company money.

Could you tell me how much money Mr. Gallelli has given the Acting Company? Please include any other names, such as Yuba Highlands, Yuba Pothill Associates, etc.

Thank you very much.

Sincerely,

Hal Stocker  
Box 386  
Challenger, CA 95925