YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

JULY 24, 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, Donald Schrader, and Hal Stocker. Supervisor Mary Jane Griego was absent. Also present were County Administrator Robert Bendorf, County Counsel Daniel Montgomery, and Deputy Clerk of the Board of Supervisors Ellen DeLemos. Chairman Stocker presided.

Chairman Stocker pulled for discussion the two Consent Agenda items regarding Marysville Joint Unified School District under Probation Department.

CONSENT AGENDA

Upon motion of Supervisor Schrader, seconded by Supervisor Logue, and carried with Supervisor Griego being absent, the Board took the following actions:

A. Auditor-Controller

1) Adopted Resolution No. 2007-99, which is on file in Yuba County Resolution Book No. 38, which is entitled: "RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF YUBA TO DETERMINE THE APPROPRIATIONS OF TAX PROCEEDS FOR 2007-08."

ADOPT RESOLUTION NO. 2007-99

2) Adopted Resolution No. 2007-100, which is on file in Yuba County Resolution Book No. 38, which is entitled: "RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF YUBA TO DETERMINE THE APPROPRIATIONS FOR SPECIAL DISTRICTS UNDER THE COUNTY."

ADOPT RESOLUTION NO. 2007-100

B. Board of Supervisors: Appointed Mr. Dan Sullivan to the General Plan Update Advisory Committee as the District Three representative for a term to expire upon approval of the General Plan Update.

APPOINT REP.
C. **Clerk of the Board of Supervisors**

1) Approved the minutes of the regular meeting of July 10, 2007 as written.  

2) Appointed Mr. Paul Shlegren to the Fish and Game Advisory Commission for a term to expire July 24, 2011.

D. **County Administrator**: Authorized out-of-state travel for the Economic Development Coordinator to attend an annual conference September 16 through 19, 2007 in Phoenix, Arizona.

E. **Emergency Services**: Adopted Resolution No. 2007-101, which is on file in Yuba County Resolution Book No. 38, which is entitled: "SIGNATURE RESOLUTION AUTHORIZING THE COUNTY DIRECTOR OF EMERGENCY SERVICES OR ITS DESIGNEE TO SUBMIT A GRANT APPLICATION FOR THE FY07 HOMELAND SECURITY GRANT AND FOLLOW THROUGH THEREON."

F. **Health and Human Services**

1) Approved an agreement with Yuba Community College for learning disability assessment/counseling services for CalWORKS program and authorized the Chairman to execute same.

2) Authorized the closure of most Health and Human Services Department August 16, 17, and 20, 2007 to allow move from Feather River Center to new facility located at 5730 Packard Avenue.

G. **Public Guardian**: Approved an agreement with Hub Mini Storage for file storage and authorized the Chairman to execute same.

H. **Public Works**

1) Awarded a contract to the apparent low bidder, Baldwin Contracting for the Ramirez Road Rehabilitation project and authorized the Chairman to execute upon submittal and review of County Counsel.

2) Awarded a contract to apparent low bidder, Baldwin Contracting for Feather River Boulevard Pavement Rehabilitation Project located between Grand and Ella Avenue and authorized the Chairman to execute upon submittal and review and approval of County Counsel.
3) Approved a reimbursement agreement with Reynen and Bardis Communities for
Riverbank Drive Crossing Project and authorized the Chairman to execute same.

I. Sheriff-Coroner: Approved an agreement between Contract Pharmacy Services
and County of Yuba to provide pharmacy services for Yuba County Jail and Juvenile Hall
facilities and authorized Chairman to execute same.

CONSENT DISCUSSION

Probation

Upon motion of Supervisor Nicoletti, seconded by Supervisor Logue, and carried with
Supervisor Griego being absent, and Supervisor Schrader recusing himself due to a family
member employed in Probation, the Board took the following actions:

1) Approved an agreement with Marysville Joint Unified School District for
continuation of the Truancy Program and authorized the Chairman to execute same.

2) Approved agreements with Marysville Joint Unified School District for Probation
and Schools Success Program and authorized the Chairman to execute same.

SPECIAL PRESENTATION

Cyberspace Command Headquarters/Beale Military Liaison Committee: Mr. Ron Bartoli
and Mr. Bill Simmons, committee representatives, recapped the proposed Cyberspace
Command headquarters and economic impact within the County, urged Board support, and
responded to Board inquiries.

Following Board discussion, through Board consensus, the matter was referred to the
County Administrator to prepare correspondence to the Governor requesting support to
locate the Cyberspace Command headquarters at Beale Air Force Base.

Regional Park Master Plan: Assistant County Administrator Randy Margo recapped the
development and participants of the Master Plan. Mr. Ryan Mettau, MIG provided a
Power Point presentation regarding Yuba County Regional Parks Master Plan to provide
parks and recreation for the community and responded to Board inquiries.
PUBLIC COMMUNICATIONS

In response to an inquiry from Ms. Freda Calvert, and following Board discussion, Assistant County Administrator Randy Margo advised no response had been received from Bureau of Land Management to assist with Hammonton Road improvements.

Ms. Pat Beecham, Emergency Services Coordinator, provided an update regarding the Yuba County Hazard Mitigation Project and responded to Board inquiries.

ITEM OF PUBLIC INTEREST

Hofman Ranch/Feather Creek Specific Plan: Mr. Tom Eres, representing Hofman Ranch, urged Board support to remove all references of Hofman Ranch from Feather Creek Specific Plan.

Ms. Frances Hofman, recapped request to have all references of Hofman Ranch removed from the project, including all environmental studies, and evaluations; requested access to Feather Creek project documents and responded to Board inquiries.

Mr. Michael Durkee, representing Sage Communities, advised Hofman Ranch is being removed from all land and environmental documents.

Following Board discussion, upon motion of Supervisor Schrader, seconded by Supervisor Nicoletti, and carried with Supervisor Griego being absent, the Board approved removal of all references to Hofman Ranch from the Feather Creek Specific Plan project.

BOARD OF SUPERVISORS

General Plan Update Advisory Committee: Upon motion of Supervisor Stocker, seconded by Supervisor Schrader, and carried with Supervisor Griego being absent, the Board appointed Mr. Luther Hintz and Mr. Brian Williams to the General Plan Update Advisory Committee as District Five representatives with terms to expire upon approval of the General Plan Update.

COMMUNITY DEVELOPMENT

Conceptual Layout/Roadway Connection Highway 65 and 70: Interim Planning Director Wendy Hartman provided a Power Point presentation regarding roadway connection between Highway 65 and Highway 70 and access for the Feather Creek Project and responded to Board inquiries.
Community Development Director Kevin Mallen responded to specific Board inquiries regarding location of railroad crossing overpass.

Ms. Frances Hofman and Mr. Tom Eres, representing Hofman Ranch, opposed proposed connection and urged Board consideration of an alternative route during the General Plan Update.

Mr. Michael Durkee, SAGE Communities, supported the proposal.

Following Board discussion, upon motion of Supervisor Logue, seconded by Supervisor Stocker, and carried with Supervisor Schrader voting in opposition and Supervisor Griego being absent, the Board adopted Resolution No. 2007-102, which is on file in Yuba County Resolution Book No. 38, which is entitled: "RESOLUTION DETERMINING THAT THE CONCEPTUAL LAYOUT IDENTIFIED IN EXHIBIT B IS CONSISTENT WITH THE INTENT OF THE GENERAL PLAN CIRCULATION ELEMENT, CIRCULATION DIAGRAM, AND MEASURE R WITH REGARD TO THE ROADWAY CONNECTION BETWEEN HIGHWAY 65 AND HIGHWAY 70."

COUNTY ADMINISTRATOR

1) Luis Mendoza/Agricultural Commissioner: County Administrator Robert Bendorf introduced Mr. Luis Mendoza as the new Agricultural Commissioner/Sealer of Weights and Measures.

Upon motion of Supervisor Schrader, seconded by Supervisor Logue, and carried with Supervisor Griego being absent, the Board approved appointment of Mr. Mendoza at step four of the Salary Schedule; approved an appointment for a four year term as required by State law; approved an employment agreement for Mr. Mendoza, and authorized the County Administrator to execute said agreement.

2) Nordic Industries: County Administrator Robert Bendorf recapped loan proposal from Nordic Industries for levee projects identified as Segments One, Three and Site Seven.

Mr. Ron Emery, landowner of Rio Del Oro Project and representing interests of Nordic Industries, recappeled proposal from Nordic Industries to advanced funds for levee construction for the segments one, three, and site seven Feather River project and responded to specific Board inquiries regarding funding revenue and repayment by February 2008.

7/24/07
Mr. Paul Brunner, Executive Director Three Rivers Levee Improvement Authority, responded to specific inquiries regarding Propositions 1E and 84 funding.

Mr. Axel Karlshoej, Nordic Industries, responded to specific inquiries regarding guarantee repayment and expressed the need to complete the project.

Supervisor Schrader left the meeting at 12:14 p.m. and returned at 12:15 p.m.

Following Board Discussion, Supervisor Schrader moved to direct staff to resolve outstanding issues by next Tuesday, and direct staff of Reclamation District 784 and Three Rivers Levee Improvement Authority to begin process of a benefit assessment for RD784 to help offset costs of the levee repairs. Supervisor Logue seconded the motion.

Following Board discussion, Supervisor Schrader withdrew his motion and moved to continue the matter to July 31, 2007. Motion failed due to lack of a second.

Following Board discussion, upon motion of Supervisor Logue, seconded by Supervisor Stocker, and carried with Supervisor Griego being absent, the Board agreed in concept to the proposal contingent upon staff resolving particulars and bring agreement back to the Board on Tuesday July 31, 2007.

HEALTH AND HUMAN SERVICES

Memorandum of Understanding/Dobbins/Oregon House Improvement Foundation: Health and Human Services Director Suzanne Nobles recap the non-financial agreement with Dobbins/Oregon House and responded to Board inquiries.

Upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and carried with Supervisor Griego being absent, the Board approved a Memorandum of Understanding between Dobbins/Oregon House Improvement Foundation and Health and Human Services to provide health and social services at Dobbins/Oregon House Community Center and authorized the Chairman to execute same.

ORDINANCES AND PUBLIC HEARINGS

Chairman Stocker read the disclaimer.

Interim Planning Director Wendy Hartman provided a Power Point presentation recapping the project and responded to Board inquiries.

Chairman Stocker opened the public hearing. No one came forward.

Upon motion of Supervisor Schrader, seconded by Supervisor Nicoletti, and carried with Supervisor Griego being absent, the public hearing was closed and the Board adopted Resolution No. 2007-103, which is on file in Yuba County Resolution Book No. 38, which is entitled: “RESOLUTION ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PLAN, AND APPROVING SPECIFIC PLAN AMENDMENT SPA2004-0005 AND TENTATIVE SUBDIVISION TRACT MAP TSTM2004-0048 FOR LENNAR COMMUNITIES (NORTHPOINT SUBDIVISION), SUBJECT TO CONDITIONS OF APPROVAL”; waived reading, and adopted Ordinance No. 1415, 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 Public Use to Medium Density Residential, Park and Open Space, identified as Assessor Parcel Nos. 022-050-006 and 022-060-005.

B. Ordinance/Introduce Ordinance. Renumbering Chapters 13.15.000 through 13.15.160 relating to Public Facilities Fees and Chapters 13.20.000 through 13.20.070 relating to Levee Fees (First Reading): County Counsel Daniel Montgomery recapped proposed ordinance. Chairman Stocker opened the public hearing. No one came forward.

Upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and carried with Supervisor Griego being absent, the public hearing was closed, the reading was waived, and the Board introduced an ordinance renumbering Chapters 13.15.000 through 13.15.160 relating to Public Facilities Fees and Chapters 13.20.000 through 13.20.070 relating to Levee Fees.

CORRESPONDENCE

Upon motion of Supervisor Schrader, seconded by Supervisor Nicoletti, and carried with Supervisor Griego being absent, the Board received the following correspondence:

A. News release from United States Forest Service/Plumas National Forest regarding remaining monitoring tours for Herger Feinstein Quincy Library Group Pilot Project for summer and fall of 2007.

B. Letter from United States Department of Agriculture/Forest Service regarding notification of fund allocation to Title III by September 30, 2007.
C. **Memo from Administrative Services** regarding Fourteen Street south annex subleases by QuEST to Triplett Motors and Milagro Media.

D. **Letter from Randall Harris** regarding leasing a section of Hammonton Road-West. 

Referred to County Counsel and Public Works.

**BOARD AND STAFF MEMBERS’ REPORTS**

Reports were received from the following:

**Supervisor Nicoletti:**
- Contributions to Dobbins Oregon House Community Center
- Urged committee regarding Lake Frances transient occupancy tax issues
- General Plan Update booth at Marysville Peach Festival
- Clean up held at Beale Air Force Base

**County Administrator Robert Bendorf:**
- Beale Air Force Base meeting regarding interest in enhanced use lease opportunities

**Assistant County Administrator Randy Margo:**
- Out of the office July 31 through August 7, 2007

At the request of Supervisor Logue, Chairman Stocker formed an advisory committee appointing Supervisor Logue and Schrader to address Proposition 1E funding with a duration through December 31, 2007.

**FORM AD HOC COMMITTEE**

**CLOSED SESSION**

The Board retired into closed session at 12:59 p.m. to discuss two cases of threatened litigation pursuant to Government Code §54956.9(b).

Supervisor Nicoletti joined closed session at 1:06 p.m.

Supervisor Nicoletti left closed session at 1:55 p.m. and rejoined at 1:56 p.m.

The Board returned from closed session at 2:14 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 2:14 p.m. by Chairman Stocker.

[Signature]
Chairman

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

[Signature]
By: Ellen DeLemos, Deputy Clerk

Approved: 8.7.07