YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

AUGUST 7, 2007

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 6:32 p.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 Stotlemeyer. Chairman Stocker presided.

CONSENT AGENDA

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

A. Clerk of the Board of Supervisors

1) Appointed Mr. William Baldner to the Fish and Game Advisory Commission as the at-large representative for a term to expire November 7, 2008.

2) Reappointed Ms. Claudia Hollis to the In-Home Supportive Services Advisory Committee for a term to expire August 7, 2009.

3) Approved the minutes of the regular meetings of July 17 and 24, 2007, as written.

B. Community Development and Services

1) Authorized the establishment of the Revolving Cash Fund and Petty Cash Fund to $100 for Community Development and Services Agency.

2) Authorized the Woodruff Lane Pavement Rehabilitation Project between State Highway 20 and Jack Slough Road for advertisement of bids with a tentative bid opening date of August 29, 2007.

3) Approved plans and specification for paving work in County Service Area 14 and solicitation of bids.

5) Authorized the Brophy Road Pavement Rehabilitation Project for advertisement of bids with a tentative bid opening date of August 29, 2007.

6) Approved an amendment to the agreement with Mercy Housing California for professional services and authorized the Chairman to execute same.

7) Adopted Resolution No. 2007-104, which is on file in Yuba County Resolution Book No. 38, which is entitled: "APPROVE AN APPLICATION TO THE CALIFORNIA STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR FUNDING UNDER THE HOME INVESTMENT PARTNERSHIPS PROGRAM; AND IF SELECTED, THE EXECUTION OF A STANDARD AGREEMENT, ANY AMENDMENTS THERETO, AND OF ANY RELATED DOCUMENTS NECESSARY TO PARTICIPATE IN THE HOME INVESTMENT PARTNERSHIPS PROGRAM," and authorizing Community Development Director to execute all related documents.

C. Health and Human Services: Adopted Resolution No. 2007-105, which is on file in Yuba County Resolution Book No. 38, which is entitled: "AUTHORIZE THE PUBLIC HEALTH DIVISION OF THE HEALTH AND HUMAN SERVICES DEPARTMENT TO APPLY TO THE STATE OF CALIFORNIA FOR THE MATERNAL, CHILD, ADOLESCENT HEALTH (MCAH) GRANT FOR THE PERIOD OF JULY 1, 2007 – JUNE 30, 2010, AND AUTHORIZE THE CHAIRMAN TO EXECUTE DOCUMENTS AS REQUIRED BY THE APPLICATION, THE RESULTANT GRANT AND ANY PERTINENT DOCUMENTS RELATED TO THIS PROGRAM, AND THE ACCEPTANCE OF FUNDS."

D. Personnel/Risk Management: Adopted Resolution No. 2007-106, which is on file in Yuba County Resolution Book No. 38, which is entitled: "RESOLUTION AMENDING THE DEPARTMENTAL POSITION ALLOCATION SCHEDULE NO. 2007-86, as it relates to the Sheriff’s Department effective July 1, 2007."

E. Sheriff-Coroner

1) Adopted Resolution No. 2007-107, which is on file in Yuba County Resolution Book No. 38, which is entitled: "RESOLUTION AUTHORIZING THE SHERIFF OR DESIGNEE, TO SUBMIT AN APPLICATION FOR FISCAL YEAR 2007 JUSTICE ASSISTANCE GRANT (JAG) FUNDS, AND AUTHORIZE THE CHAIRMAN TO EXECUTE DOCUMENTS, AS REQUIRED BY THE APPLICATION, THE
RESULTANT GRANT AND ANY PERTINENT DOCUMENTS RELATED TO THE
GRANT AND THE ACCEPTANCE OF FUNDS."

2) Received the Inmate Welfare Expenditure Summary for Fiscal Year 2006/07
pursuant to Penal Code §4025(e).

PUBLIC COMMUNICATIONS

Ms. Barbara Escovedo, Personnel Department, announced an employee recognition lunch
to be held August 20 and invited Board members.

Ms. Peggy Reichardt, on behalf of Monarch Trail property owners, recapped conditions
and requested Board assistance with code enforcement issues on property located at 3891
Monarch Trail.

Supervisor Schrader advised he would meet with Code Enforcement on the matter.

Mr. Ted Lowe, Marysville, urged an increase for tonnage of aggregate fees to twenty cents
per ton.

Ms. Freda Calvert, Hammonton Road, urged funding availability for Hammonton Road
improvements and recreation within the Goldfields.

County Administrator Robert Bendorff advised no response from Bureau of Land
Management has been received to date.

ADMINISTRATIVE SERVICES

Contingency Fund Transfer/$70,000/Courthouse Boiler: Upon motion of Supervisor
Logue, seconded by Supervisor Griego, and unanimously carried, the Board authorized a
Budget Transfer in the amount of $70,000 from Account No. 101-6900-410-71.01
(General Contingency Fund) to Account No. 101-0900-417-23.00 (Buildings and Grounds
Professional Services) for replacement of boiler at County Courthouse and Jail.

COUNTY ADMINISTRATOR

Multi Hazard Mitigation Plan Update: Project Coordinator Pat Beecham recapped current
project status, advised the County Draft Plan was submitted on August 1 for an expedited
review process for forwarding to the Federal Emergency Management Agency, and
responded to Board inquiries.
PERSONNEL/RISK MANAGEMENT

Memoranda of Understandings/Deputy Sheriff's Association/Law Enforcement Management Supervisory Association: County Administrator Robert Bendorf and Assistant Personnel Director Teri Smith recapped the proposed agreements and responded to Board inquiries.

Mr. Rex Archer, Linda, concurred with wage increase and commended Sheriff Durfor for placing patrol deputies “on the street.”

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

a) Approved Memoranda of Understandings with the Deputy Sheriff’s Association, and Law Enforcement Management Supervisory Association effective July 1, 2007 and authorized the Chairman to execute same.

b) Adopted Resolution No. 2007-108, which is on file in Yuba County Resolution Book No. 38, which is entitled: "RESOLUTION AMENDING THE CLASSIFICATION SYSTEM BASIC SALARY/HOURLY SCHEDULE 2007-37," as it relates to the Sheriff’s Department effective July 1, 2007.

b) Adopt Resolution No. 2007-109, which is on file in Yuba County Resolution Book No. 38, which is entitled: "RESOLUTION FOR EMPLOYER PAID MEMBER CONTRIBUTIONS," as it relates to Non-Sworn Deputy Sheriff Association classifications effective August 1, 2007.

d) Adopt Resolution No. 2007-110, which is on file in Yuba County Resolution Book No. 38, which is entitled: "RESOLUTION FOR EMPLOYER PAID MEMBER CONTRIBUTIONS," as it relates to sworn classifications in the CalPERS Safety Retirement Plan effective August 1, 2007.

TREASURER TAX COLLECTOR

Yuba Community College District/Tax and Revenue Anticipation Notes: Upon motion of Supervisor Logue, seconded by Supervisor Griego, and unanimously carried, the Board adopted Resolution No. 2007-111, which is on file in Yuba County Resolution Book No. 38, which is entitled: "RESOLUTION OF THE YUBA COUNTY BOARD OF SUPERVISORS AUTHORIZING THE ISSUANCE OF 2007-2008 TAX AND REVENUE ANTICIPATION NOTES FOR THE YUBA COMMUNITY COLLEGE DISTRICT," in an amount not to exceed $10,000,000.
BOARD OF SUPERVISORS

Nordic Industries Finance Proposal: Following a brief recap from County Administrator Robert Bendorf of previous discussion on July 24, 2007, Mr. Ron Erny, Axel Properties and Nordic Industries, recapped a proposal to finance levee construction of segments one and three and site seven with a payback guarantee from the County in February of 2008. Mr. Bendorf and Mr. Erny responded to inquiries regarding funding, proposal options, and construction schedule.

Treasurer James Kennedy advised of Financial Committee Review, however, recommended against a $10 million guarantee and felt there were more cost efficient ways to proceed.

Mr. Rex Archer, Linda, suggested a slurry wall and a sand berm, opposed citizen finance for levee repairs and felt other funding sources were available for costs.

Following Board discussion, there was no action taken.

ORDINANCES AND PUBLIC HEARINGS

Chairman Stocker read the disclaimer.

Ordinance/Ordinance renumbering Chapters 13.15.000 to 13.15.160 relating to Public Facilities Fees to 13.50.000 to 13.50.160/Ordinance renumbering Chapters 13.20.000 to 13.20.070 relating to Levee Fees to 13.75.000 to 13.75.070 of the Yuba County Ordinance Code (Second Reading): Chairman Stocker opened the public hearing. No one came forward.

Upon motion of Supervisor Nicoletti, seconded by Supervisor Schrader, and unanimously carried, the public hearing was closed, the reading was waived and the Board adopted Ordinance Nos. 1416 and 1417 and which are on file in Yuba County Ordinance Book No. 19, which are entitled: "ORDINANCE RENUMBERING CHAPTERS 13.15.000 TO 13.15.160 OF THE YUBA COUNTY ORDINANCE CODE RELATING TO PUBLIC FACILITIES FEES TO NEW CHAPTERS 13.50.000 TO 13.50.160," and "ORDINANCE RENUMBERING CHAPTERS 13.20.000 TO 13.20.070 OF THE YUBA COUNTY ORDINANCE CODE RELATING TO LEVEE FEES TO NEW CHAPTERS 13.75.000 TO 13.75.070," respectively.

ADOPT
ORDINANCE
NO. 1416
AND
NO. 1417

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CORRESPONDENCE

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

A. Letter from California State Senator Sam Aanestad advising Senate Bill 670 regarding transfer fees will not be heard before the Senate Transportation and Housing Committee until 2008.

B. Two News Releases from United States Forest Service/Plumas National Forest advising woodcutting was suspended effective July 25, 2007 and beginning July 23 through August 7, 2007 Little Grass Valley Dam road would be closed for road repairs.


D. Letter from Mr. Ronald Rose acknowledging Building Department for their assistance.


F. Letter from Congressman Wally Herger advising of an informational forum for senior citizens regarding “Senior Scam – Don’t Be a Victim” to be held August 7, 2007 at the Yuba County One Stop.


BOARD AND STAFF MEMBERS REPORTS

Reports were received on the following:

Supervisor Griego:
- Issuance of will-serve permits by Olivehurst Public Utilities District
- Olivehurst Avenue renovations

Supervisor Nicoletti:
- Juvenile Hall Quarterly report
- Attended Senior Scam forum at Yuba County One Stop on August 7, 2007
- Commended Employee Recognition Lunch
- Cyber Command proposal to locate at Beale Air Force Base
Supervisor Stocker:
- Memorial adjournment in memory of Mr. Ival Stone
- Reinstatement of Williamson Act in State budget

Chairman Stocker formed an advisory committee to assist with an Interpretive Center at University of California at Davis regarding Yuba River appointing Supervisor Griego and himself to end December 31, 2007.

At the request of County Counsel Daniel Montgomery and upon motion of Supervisor Logue, seconded by Supervisor Schrader, and unanimously carried, the Board added to closed session one case of threatened litigation as the need to take action arose subsequent to the agenda being posted.

At the request of County Counsel Daniel Montgomery and upon motion of Supervisor Schrader, seconded by Supervisor Logue, and unanimously carried, the Board directed County Counsel to execute a waiver of conflict to McDonough Holland and Allen to allow review of documents related to Levee Repairs for Nordic Industries.

**CLOSED SESSION**

The Board retired into closed session at 8:32 p.m. to discuss the following:

A. Pending litigation pursuant to Government Code §54956.9(a) - People vs. Inmler

B. Pending litigation pursuant to Government Code §54956.9(a) - Linda Fire Protection District vs. Dean Sellers

C. Threatened litigation pursuant to Government Code §54956.9(b) - Three Cases

The Board returned from closed session at 10:27 p.m. with all Board and staff members present as indicated above.

There was no announcement from closed session.

**ADJOURNMENT**

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 10:27 p.m. in memory of Mr. Ival Stone by Chairman Stocker.
ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

Approved: August 28, 2007