YUBA COUNTY, CALIFORNIA
BOARD OF SUPERVISORS
AUGUST 14, 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, Chief Deputy Counsel Angil Morris-Jones, and Deputy Clerk of the Board of Supervisors Ellen DeLemos. Chairman Stocker presided.

CONSENT AGENDA

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

A. Board of Supervisors: Approved a letter of support to Governor Schwarzenegger regarding funding for the Williamson Act and authorized the Chairman to execute same.

B. Clerk of the Board of Supervisors

1) Appointed Mr. Steven Higgins to the Area 4 Agency on Aging Governing Board as the at-large representative for a term to expire August 14, 2010.

2) Reappointed Ms. Sheri Alongi to the In-Home Supportive Services Advisory Committee for a term to expire August 14, 2009.

C. Community Development and Services

1) Authorized the removal of county assets from the Road Fund and Surveyor inventories.

2) Approved a first amendment to agreement between Willdan and Yuba County Planning Department for professional services and authorized the Chairman to execute same.

3) Awarded contract to the apparent low bidder Escheman Construction for County Service Area 15 paving project and authorized the Chairman to execute same.

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4) Adopted Resolution No. 2007-112, which is on file in Yuba County Resolution Book No. 38, which is entitled: "APPROVE GRANT AGREEMENT WITH THE OFFICE OF TRAFFIC SAFETY FOR A TRAFFIC COLLISION DATABASE," and authorized the Chairman to execute same.

5) Authorized a Budget Transfer in the total amount of $372,541.68 from Planning Division Trust Fund 255 to General Fund for recognition of work performed and revenue earned for the period of April through June 2007.

6) Approved an agreement with University Enterprises Inc. for cultural resources research for the General Plan Update and authorized the Chairman to execute same.

D) Health and Human Services

1) Approved the Children's Medical Services Plan Guidelines for Fiscal Year 2007/2008 and authorized the Chairman to execute certification statement.

2) Adopted Resolution No. 2007-113, which is on file in Yuba County Resolution Book No. 38, which is entitled: "AUTHORIZE THE YUBA COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT TO ENTER INTO AGREEMENT WITH THE STATE OF CALIFORNIA, DEPARTMENT OF HEALTH SERVICES, FOR THE AIDS BLOCK GRANT FOR THE PERIOD OF JULY 1, 2007 – JUNE 30, 2010. AND AUTHORIZE THE CHAIRMAN TO EXECUTE DOCUMENTS AS REQUIRED BY THE GRANT AND ANY PERTINENT DOCUMENTS RELATED TO THIS PROGRAM, AND AUTHORIZE THE ACCEPTANCE OF FUNDS."

E) Personnel/Risk Management: Authorized catastrophic leave request for employee in the Sheriff's Department.

CONSENT DISCUSSION

Board of Supervisors/Senate Bill 375/Transportation and Land Use regarding Greenhouse Gas Emissions: Following Board discussion, upon Board consensus the matter was continued to August 28, 2007.

Community Development and Services/Pacific Municipal Consultants Agreement: Interim Planning Director Wendy Hartman recapped the agreement and responded to specific inquiries regarding outstanding projects.
Following Board discussion, upon motion of Supervisor Griego, seconded by Supervisor Schrader, and unanimously carried, the Board approved a fifth amendment to agreement with Pacific Municipal Consultants and authorized the Chairman to execute same.

SPECIAL PRESENTATION

Sutter Yuba Economic Development Corporation: Mr. Steve Brammer recapped grant and loan programs provided to assist new and existing businesses in Yuba County and responded to Board inquiries.

Supervisor Schrader left the meeting at 9:56 a.m. and returned at 9:58 a.m.

PUBLIC COMMUNICATIONS

No one came forward.

COMMUNITY DEVELOPMENT AND SERVICES

HOME Investment Partnership Program: Interim Planning Director Wendy Hartman recapped the HOME program application regarding funds for affordable low income housing and responded to Board inquiries.

Following Board discussion, upon motion of Supervisor Schrader, seconded by Supervisor Griego, and carried with Supervisor Logue voting in opposition, the Board adopted Resolution No. 2007-114, 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.”

ORDINANCES AND PUBLIC HEARINGS

Chairman Stocker read the disclaimer.

A) Ordinance Repealing Chapter 8.76, 8.77 and 8.78, and Re-enacting Chapter 8.76 relating to County Parks and Recreation Areas: Public Works Director Mike Lee recapped the ordinance establishing curfews for county parks and recreation areas and responded to Board inquiries.

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Following Board discussion, 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 repealing Chapter 8.76, 8.77 and 8.78, and re-enacting Chapter 8.76 regarding county parks and recreation areas.

B) Ordinance Repealing and Re-enacting Chapter 8.79 and Amending Chapter 8.80 relating to Hammon Grove Park/Resolution relating to reservation process and establishing fees/Use of Caretaker Maintenance Agreement: Public Works Director Mike Lee recapped ordinance, resolution and use of caretaker maintenance agreement regarding establishment of fees and reservation process for Hammon Grove Park and responded to Board inquiries.

Following Board discussion, Chairman Stocker opened the public hearing.

Mr. Walt Whittendon, Linda, opposed reducing fees.

Following Board discussion, 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 repealing and re-enacting Chapter 8.79 and amending Chapter 8.80 of the Yuba County Ordinance Code relating to Hammon Grove Park; introduced and amended a resolution adopting reservation process and establishing fees; and introduced a Use of Caretaker Maintenance Agreement.

CORRESPONDENCE

Upon motion of Supervisor Nicoletti, seconded by Supervisor Griego, and unanimously carried, the Board received the following correspondence:

A. Letter from County of Alameda urging support to sign the United States Cool Counties Climate Stabilization Declaration.

B. Letter from Safe Access Now urging support to implement the medical marijuana identification card program maintained by the State of California.

Mr. Aaron Smith, Safe Access Now, recapped medical marijuana identification card program, urged support and responded to Board inquiries.

Following Board discussion, Chairman Stocker requested legal review from County Counsel.

D. Letter from Dobbins/Oregon House Action Committee expressing concern regarding public safety and speeding on County rural roads. REFER TO STAFF

Referred to County Administrator’s Office and Public Works.


F. Two letters from State of California/Fish and Game Commission advising of hearings regarding Notice of Proposed Changes in Regulations to be held August 10, 2007 in Santa Barbara, California and use of non-lead ammunition for big game and non-game birds and mammals to be held August 27, 2007 in Sacramento.

G. News Release from United States Department of Agriculture/Forest Service regarding public review of the Off-Highway Vehicle grant application.

H. Letter from Mr. Huang/Golden State Casino requesting a change to Yuba County Ordinance Section 6.20.160 related to Cardrooms. REFER TO STAFF

Referred to County Counsel.

BOARD AND STAFF MEMBERS’ REPORTS

Reports were received from the following:

Supervisor Schrader:
• Museum of Forgotten Warriors fundraiser
• Beale Military Liaison Committee meeting held August 13, 2007 regarding the Cyberspace Command Center and upcoming luncheon on September 21, 2007

Supervisor Nicoletti:
• Increased of theft due to price of recycled copper

Supervisor Logue:
• Received Board consensus for Chairman to execute letter requesting a post office in Linda

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Supervisor Stocker:

- Sheriff Durfor and California Highway Patrol meetings held in Loma Rica and Brownsville regarding traffic and law enforcements issues
- Articles in Sacramento Bee regarding preservation of farmlands and Americans having shorter life spans than citizens of some other countries.

CLOSED SESSION

The Board retired into closed session at 11:33 a.m. to discuss the following:

A. Personnel pursuant to Government Code §54957 – Public Appointment – Personnel Director
B. Threatened litigation pursuant to Government Code §54956.9(b) – Two Cases

The Board returned from closed session at 11:59 a.m. with all Board and staff members present as indicated above. There were no announcements.

ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 11:59 a.m. by Chairman Stocker.

[signature]

Chairman

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

[signature]

Approved Aug 26, 2007