YUBA COUNTY, CALIFORNIA
BOARD OF SUPERVISORS
OCTOBER 23, 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 Tracy Graham. Chairman Stocker presided.

CONSENT AGENDA

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

A. Administrative Services: Authorized Budget Transfer in the amount of $1,700 from Account No. 101-0900-417-2300 (Professional Services) to Account No. 101-0900-417-6200 (Fixed Assets) for the purchase of two new lawn mowers.

B. Board of Supervisors: Adopted Resolution No. 2007-135, which is on file in Yuba County Resolution Book No. 38, which is entitled: "RESOLUTION AUTHORIZING COUNTY CLERK TO PROVIDE ELECTION SERVICES FOR LOMA RICA/BROWNS VALLEY COMMUNITY SERVICES DISTRICT."

C. Clerk of the Board of Supervisors:

1) Reappointed Mr. Robert Storm to the Assessment Appeals Board No. II as Director for a term to expire the first Monday of September 2010.

2) Appointed Ms. Carolee Catterall to the Sutter-Yuba Local Child Care Planning Council as the Community Representative for a term to expire September 30, 2010.

3) Approved minutes of the regular meeting of October 9, 2007, as written.
D. **Health and Human Services:** Adopted Resolution No. 2007-136, which is on file in Yuba County Resolution Book No. 38, which is entitled: "AUTHORIZE THE YUBA COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT TO APPLY TO THE CALIFORNIA DEPARTMENT OF ALCOHOL AND DRUG PROGRAMS FOR SUBSTANCE ABUSE OFFENDER TREATMENT PROGRAMS FUNDS FOR THE PERIOD OF JULY 1, 2007 THROUGH JUNE 30, 2008, AND AUTHORIZE 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.”

SPECIAL PRESENTATION

Hood, Judith/County Service: Chairman Stocker advised the proclamation would be presented at a later date and location.

PUBLIC COMMUNICATIONS

Mr. Peter Sanchez, representing West Linda citizens, provided a petition opposing new development of any two story dwelling units in the area of Arboga Road and Grand Avenue.

Mr. Tom Eres, Attorney for Hofman Ranch, felt Sheriff’s Department response to a matter on Forty Mile Road involving cattle at large was not timely and advised of “staking” in the area of the Amphitheatre and Motorplex.

ADMINISTRATIVE SERVICES

1) **2010 Decennial Census Local Update:** Assistant Administrative Services Director Tara Flores recapped participation in the census to update the address lists of Yuba County for accuracy.

Upon motion of Supervisor Schrader, seconded by Supervisor Griego, and unanimously carried, the Board approved participation in the 2010 Decennial Census Local Update of Census Addresses (LUCA) Program and authorized Chairman to execute authorization.

BOARD OF SUPERVISORS

1) **Cancel November 27, 2007 Meeting:** Upon motion of Supervisor Legue, seconded by Supervisor Griego, and unanimously carried, the Board cancelled the meeting of November 27, 2007 to allow Board members to attend the Association of California Water Agencies 2007 Fall Conference and Exhibition.
COMMUNITY DEVELOPMENT AND SERVICES

1) Budget Transfer/12,848,000/Road Projects: Public Works Director Mike Lee recapped changes in the road projects and budget oversight, and responded to Board inquiries. 

Upon motion of Supervisor Schnader, seconded by Supervisor Logue, and unanimously carried, the Board authorized budget transfer in the amount of $12,848,000 from various line items to Account No. 102-9100-431-2301 (Special Projects) for road projects. 

2) Roadway Connection Between Highway 65 and Highway 70: Following County Counsel Daniel Montgomery advising closed session discussion was needed regarding correspondence threatening litigation, the Board retired into closed session at 9:59 a.m. to discuss the matter. 

The Board returned from closed session at 10:32 a.m. with all Board and staff members present as indicated above. There was no announcement. 

Upon motion of Supervisor Logue, seconded by Supervisor Griego, and unanimously carried, the Board adopted, as amended, Resolution No. 2007-138, which is on file in Yuba County Resolution Book No. 38, which is entitled: "RESOLUTION RESCINDING RESOLUTION NO. 2007-102," regarding the roadway connection between Highway 65 and Highway 70 and the exact location further refined through participation in future processes. 

The following individuals spoke in support: 
- Mr. Tom Eres, Attorney for Hofman Ranch 
- Mr. Michael Durkee, Attorney for Sage Community Group 

COUNTY ADMINISTRATOR

1) Election procedures/Community Facilities District/Orchard-Montrose Public Improvements: Assistant County Administrator Randy Margo clarified election procedures for the Community Facilities District and responded to Board inquiries.
Upon motion of Supervisor Logue, seconded by Supervisor Schrader, and unanimously carried the Board adopted Resolution No. 2007-137, which is on file in Yuba County Resolution Book No. 38, which is entitled “RESOLUTION CLARIFYING ELECTION PROCEDURES WITH RESPECT TO THE COUNTY OF YUBA COMMUNITY FACILITIES DISTRICT ORCHARD/MONTROSE PUBLIC IMPROVEMENTS.”

ORDINANCES AND PUBLIChearings

Chairman Stocker read the disclaimer.

Ordinance/Amending Chapter 6.35 as it relates to secondhand dealers and pawn brokers/Ordinance Adding Chapter 6.36 as it relates to junk dealers and scrap metal recyclers: Sheriff Steve Durfor recapped the proposed amendments and responded to board inquiries. Chairman Stocker opened the public hearing.

Ms. Patricia Pace, Marysville felt proposed changes would significantly impact her business.

Following Board discussion, upon motion of by Supervisor Logue, seconded by Supervisor Griego, and following a roll call vote with Supervisors Logue, Griego, and Stocker voting in support and Supervisors Schrader and Nicoletti voting in opposition, the Board postponed the first reading to November 6, 2007.

CORRESPONDENCE

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

A. Notice of Intent to Appear from Cordua Irrigation District regarding Yuba County Water Agency Petition to Modify Water Right Permits hearing scheduled for December 5, 2007.


Referred to Community Development/Planning

D. **Letter from Child Care Planning Council** regarding public hearing on community needs for early childcare and education scheduled November 8, 2007.

E. **Letter from California Department of Fish and Game** regarding the Draft Environmental Document dealing with Method(s) of Take for Big Game, Nongame Mammals, and Nongame Birds’ recirculation for additional public comment.

Referred to Fish and Game Advisory Commission.

**BOARD AND STAFF REPORTS**

Reports were received on the following:

**Supervisor Nicoletti:**
- Sacramento Bee Article regarding the housing and mortgage industry
- Meeting with Beale Air Force Base and Wheatland representatives regarding base development, land use, industrial services, and local impacts
- Building permits issued for new construction

**Supervisor Griego:**
- Childhood Obesity Summit held October 18 and 19, 2007 in Washington D.C.

**Supervisor Schrader:**
- Article from the Sacramento Bee regarding growth and development of Yuba County
- Memorial adjournment in memory of Ms. Aldine Mirassou

**Supervisor Stocker:**
- Article from the Sacramento Bee regarding growth and development of Yuba County
- Obesity and the risk factors relating to heart disease
- Memorial adjournment in memory of Mr. Eugene Adams

County Administrator Robert Bendorf advised closed session discussion was not needed on pending litigation regarding People vs. Imler.
ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, the
meeting was adjourned at 11:42 a.m. in memory of Ms. Aldine Mirassou and Mr. Eugene
Adams by Chairman Stocker.

[Signature]
Chairman

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

[Signature]
Tracy Graham, Deputy Clerk

Approved: 12/4/07