YUBA COUNTY, CALIFORNIA
BOARD OF SUPERVISORS
NOVEMBER 6, 2007

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 6:00 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 Stottlemyer. Chairman Stocker presided.

CONSENT AGENDA

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

A. Administrative Services

1) Approved a request for reconveyance to Century Cedar Log Home, Parcel 1 of Parcel Map 2000-10, Yuba County Airport, Industrial Park No. 3, and authorized the Chairman to execute same.

2) Approved a lease agreement between Yuba County and Gary Guilliat relating to Site No. 5 of Airport terminal area and authorized the Chairman to execute same.

B. Clerk of the Board of Supervisors

1) Approved the minutes of the regular meeting of October 16, 2007 as written.

2) Appointed Bob Swift to the Community Services Commission as the District Five representative for a term to expire December 31, 2010.

3) Reappointed Dan Lucero to the Keystone Cemetery District for a term to expire November 6, 2011.

4) Reappointed Margery Hubbard to the Substance Abuse Advisory Board for a term to expire November 6, 2011.
5) Reappointed Patricia Stute to the Sutter-Yuba Mental Health Advisory Board as a Consumer Representative for a term to expire November 6, 2010.

C. Clerk-Recorder/Elections

1) Adopted Resolution No. 2007-139, which is on file in Yuba County Resolution Book No. 38, which is entitled: "APPOINT MEMBERS IN LIEU OF ELECTION TO THE BOARD OF DIRECTORS OF THE RIVER HIGHLANDS COMMUNITY SERVICES DISTRICT"; and

   - Adopted Resolution No. 2007-140, which is on file in Yuba County Resolution Book No. 38, which is entitled: "APPOINT MEMBERS IN LIEU OF ELECTION TO THE BOARD OF DIRECTORS OF THE DOBBINS-OREGON HOUSE FIRE PROTECTION DISTRICT"; and

   - Adopted Resolution No. 2007-141, which is on file in Yuba County Resolution Book No. 38, which is entitled: "APPOINT MEMBERS IN LIEU OF ELECTION TO THE BOARD OF DIRECTORS OF THE SMARTVILLE FIRE PROTECTION DISTRICT"; and

   - Adopted Resolution No. 2007-142, which is on file in Yuba County Resolution Book No. 38, which is entitled: "APPOINT MEMBERS IN LIEU OF ELECTION TO THE BOARD OF DIRECTORS OF THE CAMPTONVILLE COMMUNITY SERVICES DISTRICT"; and

   - Adopted Resolution No. 2007-143, which is on file in Yuba County Resolution Book No. 38, which is entitled: "APPOINT MEMBERS IN LIEU OF ELECTION TO THE BOARD OF DIRECTORS OF THE DISTRICT 10/HALLWOOD COMMUNITY SERVICES DISTRICT."

2) Adopted Resolution No. 2007-144, which is on file in Yuba County Resolution Book No. 38, which is entitled: "AUTHORIZE THE YUBA COUNTY CLERK-RECORDER-REGISTRAR OF VOTERS TO ENTER INTO AGREEMENT WITH THE CALIFORNIA SECRETARY OF STATE FOR "HAVE ELECTIONS ASSISTANCE FOR INDIVIDUALS WITH DISABILITIES (EAD) SECTION 261 PROGRAM" AND AUTHORIZE CLERK-RECORDER-REGISTRAR OF VOTERS TO EXECUTE DOCUMENT AS REQUIRED BY THE GRANT AND ANY PERTINENT DOCUMENTS RELATED TO THIS PROGRAM AND AUTHORIZE ACCEPTANCE OF FUNDS."

D. Community Development and Services

1) Approved funding recommendations for 2008 Community Services Block Grant Proposals for distribution as follows:
• The Salvation Army Depot Crisis Center $33,630
• Marysville Joint Unified School District $16,370
• Yuba Sutter Legal Center $12,914
• NorCal Center on Deafness $ 7,385
• Casa de Esperanza $10,663
• FREED for Independent Living $ 4,664
• QUEST – Transportation $ 3,876
• QUEST – Nutrition $11,250
• Yuba Feather Community Services $ 5,250
• Butchie’s Pool: Pool for Handicapped $10,154

2) Authorized an appropriation of funds in the amount of $25,000 for 2005 Community Development Block Grant Planning and Technical Assistance Grant #05-PTAA-1721 for anticipated payments and program administration costs through December 2007.

E. County Administrator: Adopted Resolution No. 2007-145, which is on file in Yuba County Resolution Book No. 38, which is entitled: “RESOLUTION PERTAINING TO TAX REVENUE EXCHANGE – LAFCO FILE NUMBER 2007-003 (ROMAN CATHOLIC CHURCH).”

F. County Counsel: Approved a Memorandum of Understanding among CEMEX Inc., (formerly Patterson Sand and Gravel) and Placer and Yuba Counties regarding lead agency status and authorized the Chairman to execute same.

G. Personnel/Risk Management

1) Approved classification changes for Code Enforcement Officer I/II and established Code Enforcement Officer III; adopted Resolution No. 2007-146, which is on file in Yuba County Resolution Book No. 38, which is entitled: “RESOLUTION AMENDING THE DEPARTMENTAL POSITION ALLOCATION SCHEDULE NO. 2007-86”; and adopted Resolution No. 2007-147, which is on file in Yuba County Resolution Book No. 38, which is entitled: “RESOLUTION AMENDING THE CLASSIFICATION SYSTEM – BASIC SALARY SCHEDULE NO. 2007-87,” as it relates to Code Enforcement Officer I/II/III effective November 1, 2007.

2) Approved re-title of Social Worker CPS and APS series to Social Worker Child Welfare Services (CWS) and Adult Services (AS); adopted Resolution No. 2007-148, which is on file in Yuba County Resolution Book No. 38, which is entitled: “RESOLUTION AMENDING THE DEPARTMENTAL POSITION ALLOCATION SCHEDULE NO. 2007-86”; and adopted Resolution No. 2007-149, which is on file in

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Yuba County Resolution Book No. 38, which is entitled: "RESOLUTION AMENDING THE CLASSIFICATION SYSTEM – BASIC SALARY SCHEDULE NO. 2007-87," as it relates to Social Worker CWS and AS effective November 1, 2007.

SPECIAL PRESENTATION

1) National Hunger and Homelessness Awareness Week November 11 - 17, 2007: Chairman Stocker presented a proclamation to Yuba Sutter Homeless Consortium Chair Grace Espendola proclaiming National Hunger and Homelessness Awareness Week.

2) In Home Supportive Services (IHSS) Caregiver Month/November 2007: Chairman Stocker presented a proclamation to IHSS Program Manager Shirley Baker proclaiming In Home Supportive Services Caregiver Month.

3) Impact Symposium: Received presentation from Superintendent of Schools Ric Teagarden regarding a symposium to be held November 19, 2007 at 6 p.m. at Plumas Lake Golf and Country Club addressing the impacts and connections between gangs, drugs, violence, and youth.

PUBLIC COMMUNICATIONS

Ms. Sue Cejner-Mogers, Fruitland Road, recapped future placement of a sign at the historical site of Arboga Colony.

BOARD OF SUPERVISORS

Wildlife Rehabilitation and Release: Director Jay Sheets recapped care and services provided for rescued raptors and funding for intermediate caging and responded to Board inquiries.

Following Board discussion, County Administrator Robert Bendorf advised $2,000 had been allocated within the 2007-2008 budget.

COMMUNITY DEVELOPMENT AND SERVICES

EDAW Professional Services Agreement/CEM Investments Reimbursement Agreement: Following a brief recap from Community Development Director Kevin Mallen, upon motion of Supervisor Logue, seconded by Supervisor Schrader, and unanimously carried, the Board approved an agreement with EDAW for professional services and a reimbursement agreement with CEM Investments, and authorized the Chairman to execute same.

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COUNTY ADMINISTRATOR

First Quarter Financial Report/Fiscal Year 2007-2008: Assistant County Administrator Randy Margo advised the overall budget was stable, recapped projected growth estimates and sales tax revenue, and further advised of a projected state budget deficit of $8.5 million. Mr. Margo responded to Board inquiries.

PERSONNEL-RISK MANAGEMENT

Employee Dental and Vision Insurance Programs: Personnel-Risk Management Director Martha Wilson recapped changes which would be effective January 1, 2008 and responded to Board inquiries.

Upon motion of Supervisor Nicoletti, seconded by Supervisor Schrader, and unanimously carried, the Board approved conversion of the Employee Dental and Vision Insurance Programs to a fully insured three-tier structure and authorized the Personnel Director/Risk Manger to implement changes and execute all necessary documents.

ORDINANCE AND PUBLIC HEARINGS

Chairman Stocker read the disclaimer.

1) Ordinance -Ordinances adding Chapter 6.36/Junk Dealers and Scrap Metal Recyclers and repealing and reenacting Chapter 6.35/Secondhand Dealers and Pawnbrokers to the Yuba County Ordinance Code, (First Reading) (Continued from October 23, 2007): Sheriff Durfor recapped proposed amendments, recent criminal activity, and responded to Board inquiries. Chairman Stocker opened the public hearing.

Ms. Patricia Pace, North Beale Road, opposed the ordinances as presented and a business license requirement and felt business could not be conducted as outlined.

Following Board discussion, upon motion of Supervisor Nicoletti, seconded by Supervisor Schrader, and unanimously carried, the reading was waived and the Board introduced ordinances adding Chapter 6.36 relating to junk dealers and scrap metal recyclers and repealing and reenacting Chapter 6.35 relating to secondhand dealers and pawnbrokers to the Yuba County Ordinance Code.

2) Ordinance - Ordinance adding Chapter 12.16 and amending certain sections of the Yuba County Ordinance Code/Second Dwelling Units (Ordinance Amendment OA 2007-0005): Planner Dan Cucchi provided a Power Point presentation clarifying second dwelling units 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 unanimously carried, the reading was waived, and the Board adopted Ordinance No. 1422, which is on file in Yuba County Ordinance Book No. 19, which is entitled: "AN ORDINANCE AMENDING TITLE XII OF THE YUBA COUNTY ORDINANCE CODE BY ADDING CHAPTER 12.16 SECOND DWELLING UNITS AND AMENDING SECTIONS RELATING TO ALLOWING SECOND DWELLING UNITS."

3) Public Hearing - Resolution adopting mitigated negative declaration and mitigation monitoring and reporting plan, adopting override to Beale Air Force Base Comprehensive Land Use Plan (CLUP), and approving Conditional Use Permit 2006-0007 (Marysville Congregation of Jehovah Witnesses): Assistant Planning Director Ed Palmeri provided a power point presentation recapping the expansion and responded to Board inquiries. Chairman Stocker opened the public hearing.

Mr. Victor Cruz, Maverick Drive, urged Board support.

Upon motion of Supervisor Logue, seconded by Supervisor Griego, and unanimously carried, the Board adopted Resolution No. 2007-150, 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, ADOPTING AN OVERRIDE TO THE BEALE AIR FORCE BASE CLUP, AND APPROVING CONDITIONAL USE PERMIT CUP 2006-007, SUBJECT TO CONDITIONS OF APPROVAL AND MITIGATION MEASURES."

Supervisor Logue left the meeting at 8:00 p.m.

4) Public Hearing - Allow public comment on the Community Development Block Grants Annual Grantee Performance Reports: Community Services Manager Debra Phillips read the public notice and responded to Board inquiries. Chairman Stocker opened the public hearing. No one came forward.

Upon motion of Supervisor Nicoletti, seconded by Supervisor Schrader, and carried with Supervisor Logue being absent, the public hearing was closed.

Supervisor Logue returned to the meeting 8:04 p.m.

5) Public Hearing - Allow public comment on Potential Community Development Block Grants: Community Services Manager Debra Phillips read the public notice and responded to Board inquiries. Chairman Stocker opened the public hearing.
Supervisor Griego urged expansion of projects to include planning and technical assistance for economic development and infrastructure within the target areas.

Upon motion of Supervisor Griego, seconded by Supervisor Nicoletti, and unanimously carried, the public hearing was closed.

ITEMS OF PUBLIC INTEREST

1)  **American Heroes Foundation Yellow Ribbons Thrift and Gift Shop/Second Hand Dealer License**: Upon motion of Supervisor Schrader, seconded by Supervisor Logue, and unanimously carried, the Board approved the request for a second hand dealer license from Kimerli Rempp doing business as American Heroes Foundation Yellow Ribbons Thrift and Gift Shop located at 5876 Lindhurst Avenue.

2)  **Design/Architectural Style - Olivehurst Avenue**: Olivehurst Image Improvement Committee Chair Vera Correa provided a Power Point presentation recapping architectural vision and responded to Board inquiries.

Upon motion of Supervisor Griego, seconded by Supervisor Nicoletti, and unanimously carried, the Board approved the recommended design/architectural style for new development/building rehabilitation on Olivehurst Avenue and authorized the Planning Director to require future plans for Olivehurst Avenue conform to the concept.

CORRESPONDENCE

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

A.  **Six News Releases from United States Forest Service** regarding Plumas National Forest.

B.  **Notice of Intent to Appear from State Water Contractors and Kern County Water Agency** regarding hearing scheduled December 5, 2007, for Yuba County Water Agency Petition to Modify Water Right Permits.

C.  **Letter from Department of Housing and Community Development** regarding final fund requests for Community Development Block Grant expiring December 31, 2007.

D.  **Letter from Trumon G. Cooper** regarding river dredging, building reservoirs, and water conservation.
E. Letter from General H. D. Polumbo, Jr. to Supervisor Nicoletti regarding rehabilitation of existing housing at Beale Air Force Base. REFER TO STAFF

Referred to Economic Development Coordinator.

F. Letter from The James Irvine Foundation regarding nominations for The James Irvine Foundation Leadership Awards.

G. Letter from Randy Margo, Assistant County Administrator regarding the resource depletion surcharge (Measure D) distribution.

H. Letter from United States Postal Service regarding zip code realignment within the south county.

I. Letter from California Department of Finance regarding local update census addresses program.

J. Letter from American Diabetes Association enclosing publication entitled "Healthy Family, Healthy Community."

BOARD AND STAFF MEMBERS' REPORTS

Reports were received on the following:

Supervisor Schrader: Memorial adjournment in memory of Mrs. Emma A. Hoffman

Supervisor Griego:
- Commended Planning Division staff on round table discussions for youth regarding the General Plan Update
- Requested information on departmental activities to promote healthy children and prevent childhood obesity

Supervisor Nicoletti:
- Urged individual board membership with the Sister City/County Association
- Memorial adjournment in memory of Mr. David Nielsen
- Museum of Forgotten Warriors
- Family visitation center at Packard Avenue Building
- Chamber of Commerce support of Yuba Highlands project

Supervisor Logue: Memorial adjournment in memory of Mr. Delbert L. Denney
Supervisor Stocker:
- Memorial adjournment in memory of Mr. Frank V. Zito and Mr. Leslie K. Light Sr.
- Fire Safe Planner position

Clerk of the Board Donna Stottlemyer: Attending California Clerk of the Board of Supervisors Association Conference November 13-16, 2007 in Oakland

County Administrator Robert Bendorf:
- Levee financing and Second Funding Agreement
- Regional affordable housing needs
- Preparation of comments regarding Southeast Municipal Service Review
- Economic Development Coordinator working with City of Marysville regarding call center relocation out of state
- Performing due diligence for regional transportation agency

CLOSED SESSION

The Board retired into closed session at 8:38 p.m. to discuss the following:

A. Pending litigation pursuant to Government Code §54956.9(a) - State of Calif. ex rel. etc. vs. River Highlands Community Services District

B. Threatened Litigation pursuant to Government Code §54956.9(b) - One Case

The Board returned from closed session at 8:59 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 8:59 p.m. in memory of Mrs. Emma Hofman, Mr. Delbert L. Denney, Mr. Leslie K. Light Sr., Mr. David Nielsen, and Mr. Frank V. Zito by Chairman Stocker.
ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

[Signature]

Approved, December 7, 2007

[Signature]