YUBA COUNTY, CALIFORNIA
BOARD OF SUPERVISORS
FEBRUARY 26, 2008

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 9:40 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 Rachel Ferris. Chairman Logue presided.

CONSENT AGENDA

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

A. Administrative Services:

1) Approved agreement relating to Airport Terminal Area Lease Site No. 17 between the County of Yuba and Peter Huckins Trust and authorized the Chairman to execute same. APPROVE AGRMNT

2) Approved agreement relating to Airport Terminal Area Lease Site No. 18 and 19 between the County of Yuba and Richard Clinton and authorized the Chairman to execute same. APPROVE AGRMNT

3) Approved agreement relating to Airport Terminal Area Lease Site No. 11 and 2 between the County of Yuba and Charles James and authorized the Chairman to execute same. APPROVE AGRMNT

B. Community Development and Services

1) Approved Amendment 2 to the Yuba County Fire Protection Planner Contract with the California Department of Forestry and Fire Protection and authorized the Chairman to execute same. APPROVE AGRMNT

2) Authorized out-of-state travel for Planning Director to attend the American Planning Association’s 100th National Planning Conference April 27 – May 1, 2008, in Las Vegas, Nevada. AUTHORIZE TRAVEL

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C. County Administrator

1) Approved authorization of Regional Waste Management Authority application on County’s behalf for Local Government Waste Tire Cleanup and Amnesty Event Grant Program and authorized the County Administrator to execute submittal letter.

2) Approved relief of liability for cash shortage of $1,915 that occurred in Administrative Services in September 2007.

3) Adopted Resolution No. 2008-24, which is on file in Yuba County Resolution Book No. 39, which is entitled: “A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE AN APPLICATION, OR OTHER DOCUMENTS, TO SENATOR DIANNE FEINSTEIN FOR THE FISCAL YEAR 2009 ENERGY AND WATER APPROPRIATIONS AND TO CONVEY SUCH REQUEST BY EMAIL OR OTHER APPROPRIATE MEANS.”

D. Personnel Risk/Management: Approved redesign of Information Technology Division in Administrative Services; adopted Resolution No. 2008-25, which is on file in Yuba County Resolution Book No. 39, which is entitled: “RESOLUTION AMENDING THE DEPARTMENTAL POSITION ALLOCATION SCHEDULE NO 2007-86”; and adopted Resolution No. 2008-26, which is on file in Yuba County Resolution Book No. 39, which is entitled: “RESOLUTION AMENDING THE CLASSIFICATION SYSTEM – BASIC SALARY SCHEDULE NO. 2007-87,” as it relates to same.

PUBLIC COMMUNICATIONS

No one came forward.

COMMUNITY DEVELOPMENT AND SERVICES

State Route 70/Plumas Lake Boulevard Interchange Project Status: Public Works Director Mike Lee and Assistant Public Works Director Tim Young provided a PowerPoint presentation and advised the project is approximately 50 percent completed with a tentative competition date of October 2008.

COUNTY ADMINISTRATOR

1) Administrative Services Director/Douglas McCoy: Following a brief recap from County Administrator Robert Bendorf, upon motion of Supervisor Schrader, seconded by Supervisor Nicoletti and unanimously carried, the Board approved the employment agreement with Douglas McCoy and authorized the Chairman to execute same.
2) First Amendment to Second Funding Agreement/Levee Improvements: County Administrator Robert Bendorf, Assistant County Administrator Randy Margo, and Financial Consultants Jeff Small and Seth Wurzel provided a Power Point presentation and responded to Board inquiries regarding:

- Levee Financing
- Estimated project costs and proposed funding sources
- Identification of financial impacts and risks
- Scenario for issuing certificates of participation of county funding obligation
- Creation of assessment district or community facilities district

Supervisor Stocker left the meeting at 10:08 a.m. and returned at 10:15 a.m.

ORDINANCE AND PUBLIC HEARINGS

Chairman Logue read the disclaimer.

Public Hearing/Adopt Resolution amending Olivehurst Avenue Specific Plan/Ordinance amending portions of Title XII of the Yuba County Ordinance Code relating to sign regulations/Ordinance amending Chapter 13.20.300 to Title XIII relating to Planning Division fees: Planning Director Wendy Hartman provided a Power Point presentation regarding sign regulations and responded to Board inquires.

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

Upon motion of Supervisor Schrader, seconded by Supervisor Stocker, and unanimously carried, the public hearing was closed, the reading was waived, and the Board took the following actions:

- Adopted Resolution No. 2008-27, which is on file in Yuba County Resolution Book No. 39, which is entitled: “RESOLUTION RECOMMENDING ACCEPTANCE OF AN EXEMPTION AND ADOPTION OF SPECIFIC PLAN AMENDMENT SPA 2007-0004, RELATING TO SIGN REGULATION UPDATES (YUBA GARDEN ASSOCIATE)”;
- Adopted Ordinance No. 1438, which is on file in Yuba County Ordinance Book No. 20, which is entitled: “AN ORDINANCE REPEALING AND REENACTING CHAPTER 12.90 OF TITLE XII OF THE YUBA COUNTY CODE RELATING TO SIGN REGULATIONS”; and
- Introduced an ordinance amending Chapter 13.20.300 of Title XIII of the Yuba County Ordinance Code relating to Planning Division fees.
Upon motion of Supervisor Schrader, seconded by Supervisor Logue and unanimously carried, the Board amended sections 12.90.087.B.(1) and 12.90.90.B to read “a fee as established by the Board of Supervisors.”

CORRESPONDENCE

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

A. Letter from Assistant Secretary of the Department of the Army John Paul Woodley Jr. regarding the Yuba River Basin project.

B. Letter from Reclamation District No. 784 advising of an opening on the board and availability of nominating petitions for the office of Trustee through March 3, 2008.

BOARD AND STAFF MEMBERS’ REPORTS

Supervisor Stocker:
• Memorial adjournment in memory of Mr. Jerry Hendrickson of Brownsville and Mrs. Geneva Meyers of Oregon House
• Requested proclamation commending volunteers for Dobbins/Oregon House fire lookout.
• Expressed interest in pursuing an agreement with Plumas County regarding snow removal

Supervisor Logue:
• Inviting Sacramento Area Council of Governments (SACOG) to tour community
• Consideration of Williamson Act

Chairman Logue formed an advisory committee appointing Supervisors Schrader and Nicoletti regarding county strategic planning with duration through December 31, 2008.

Supervisor Schrader:
• SACOG meeting on Thursday, February 28, 2008 and California Transportation Commission meeting March 12, 2008

Supervisor Nicoletti:
• Town hall meetings regarding prevention of underage drinking

County Administrator Robert Bendorf:
• Meeting with several department heads regarding delay of state payments and the possibility of temporary cash flow issues
• Correspondence from Bi County Ambulance regarding rate review and potential increases
• Possible formation of a Regional Transportation Planning Agency
• Provided information regarding deputy presence at Board meetings
• Meeting with California Fish and Wildlife Services regarding review of projects in Plumas Lakes

At the request of County Counsel and upon motion of Supervisor Nicoletti, seconded by Supervisor Schrader, and unanimously carried the Board approved the addition of one case of potential litigation to closed session.

CLOSED SESSION

The Board retired into closed session at 11:31 p.m. to discuss the following:

A. Pending litigation pursuant to Government Code 54956.9(a) – People vs Imler

B. Pending litigation pursuant to Government Code 54956.9(a) – State of California Ex rel. etc. vs. River Highlands Community Services District

C. Potential litigation pursuant to Government Code 54956.9(b) – One Case

The Board returned from closed session at 12:30 p.m. with all board and staff members present as indicated above.

There was no announcement from closed session.

RECESS

The Board recessed at 12:31 p.m. and reconvened at 1:30 p.m. with all Board and staff members present as indicated above.

DE NOVO HEARING

Teichert Marysville Surface Mining Modification 2004-0001 and PG&E Infrastructure Improvements: Planning Director Wendy Hartman advised a request for a four-week continuance was received from Teichert Aggregates and briefly recapped the project timeline and Planning Commission actions.

Mr. John Taylor, Counsel for Teichert Aggregates, requested public comments be received and deferred presentation of the matter to a later date.

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Chairman Logue opened the public hearing.

Ms. Sue Takhar, CalTrans representative, supported expansion with Board consideration of impacts to Highway State 65.

Ms. Ashley Williams, Hammonton-Smartsville Road, opposed expansion due to traffic issues.

Mr. and Mrs. Russ/Doris Roeletter, Hammonton Road, opposed expansion due to air and water quality, traffic and noise issues.

With no further comments forthcoming, Chairman Logue continued the matter to March 25, 2008 at 1:30 p.m. CONTINUE TO 3/25/08

ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 1:48 p.m. in memory of Mrs. Geneva Meyers and Mr. Jerry Hendrickson by Chairman Logue.

Chairman

ATTEST: DONNA STOTTEMEYER
CLERK OF THE BOARD OF SUPERVISORS

Approved: 3-18-08

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