YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

April 8, 2008

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 9:31 a.m., within the Government Center, Marysville, California, with a quorum being present as follows: Supervisors Dan Logue, John Nicoletti, Donald Schrader, and Hal Stocker. Supervisor Griego was absent. 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 Schrader, seconded by Supervisor Nicoletti, and carried with Supervisor Griego being absent, the Board took the following actions:

A. Board of Supervisors: Reappointed Mr. Chuck Carver to the Yuba County Commission on Aging for a term to expire on April 8, 2010.

B. Community Development and Services: Approved Amendment No. 1 to Professional Services Agreement with EDAW to provide environmental impact report preparation and General Plan Update services and authorized the Chairman to execute same.

C. County Administrator: Adopted Resolution No. 2008-39, which is on file in Yuba County Resolution Book No. 39, which is entitled: “RESOLUTION APPROVING, AND AUTHORIZING EXECUTION OF ACQUISITION AGREEMENTS FOR IMPROVEMENT AREAS A, B AND C OF THE COUNTY OF YUBA COMMUNITY FACILITIES DISTRICT NO. 2005-1 (ORCHARD/MONTROSE PUBLIC IMPROVEMENTS).”

D. Emergency Services: Adopted Resolution No. 2008-40, which is on file in the Yuba County Resolution Book No. 39, which is entitled: “RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE SCHEDULE “A” CONSOLIDATED DISPATCH AGREEMENT.”
E. Health and Human Services

1) Approved First Amendment to Memorandum of Understanding with Sutter-Yuba Mental Health services for the provision of mental health services for CalWORKs and/or Child Welfare Services families and authorized the Chairman to execute same.

2) Approved First Amendment to Memorandum of Understanding with Sutter-Yuba Mental Health Services for substance abuse services and authorized the Chairman to execute same.

F. Personnel/Risk Management: Authorized catastrophic leave for an employee in the Sheriff’s Department.

PUBLIC COMMUNICATIONS

Ms. Frieda Calvert, Hammonton Road, suggested future possible uses for the Yuba River Goldfields.

COMMUNITY DEVELOPMENT AND SERVICES

1) All-Way stop intersections at Fleming Ave and Sixteenth/Western Avenue and Fifth Avenue: Public Works Director Mike Lee provided a brief recap and responded to Board inquiries.

Upon motion of Supervisor Schrader, seconded by Supervisor Nicoletti and carried with Supervisor Griego being absent, the Board adopted Resolution No. 2008-41, which is on file in the Yuba County Resolution Book No. 39, which is entitled: “RESOLUTION DESIGNATING FLEMING AVENUE AT SIXTEENTH AVENUE AS AN ALL-WAY STOP INTERSECTION;” and Resolution No. 2008-42, which is on file in the Yuba County Resolution Book No. 39, which is entitled: “RESOLUTION DESIGNATING WESTERN AVENUE AT FIFTH AVENUE AS AN ALL-WAY STOP INTERSECTION.”

2) River Parkways Grant Program/California Clean Water, Safe Neighborhood Parks, and Coastal Protection Act: Following a brief recap, Public Works Director Mike Lee responded to Board inquiries.

Upon motion of Supervisor Schrader, seconded by Supervisor Nicoletti and carried with Supervisor Griego being absent, the Board adopted Resolution No. 2008-43, which is on file in the Yuba County Resolution Book No. 39, which is entitled: “APPROVE

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APPLICATION FOR GRANT FUNDS FOR THE RIVER PARKWAYS GRANT PROGRAM UNDER THE CALIFORNIA CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOOD PARKS, AND COASTAL PROTECTION ACT 2002.”

COUNTY ADMINISTRATOR

Propositions 98 and 99 regarding Eminent Domain Protections: Assistant County Administrator Randy Margo recappped State propositions 98 and 99 regarding eminent domain and responded to Board inquiries. Following Board discussion, with no support forthcoming the matter died for lack of a motion.

ORDINANCE AND PUBLIC HEARINGS

Chairman Logue read the disclaimer.

1) Ordinance/Ordinance Amending Title IX of the Yuba County Ordinance Code by adding Chapter 9.21 relating to restriction on parking and storage of commercial vehicles on private property: (Second reading) (Continued from April 1, 2008): Community Development and Services Director Kevin Mallen recappped the proposed ordinance and responded to Board inquiries. Chairman Logue opened the public hearing. No one came forward.

Upon motion of Supervisor Stocker, seconded by Supervisor Schrader, and carried with Supervisor Griego being absent, the public hearing was closed, the reading was waived, and the Board adopted Ordinance No. 1442, which is on file in Yuba County Ordinance Book No. 20, which is entitled: “ORDINANCE AMENDING TITLE IX OF THE YUBA COUNTY ORDINANCE CODE BY ADDING CHAPTER 9.21 RELATING TO RESTRICTIONS ON PARKING AND STORAGE OF COMMERCIAL VEHICLES ON PRIVATE PROPERTY.”

2) Ordinance/Ordinance Amending Title VII of the Yuba County Ordinance Code by adding Chapter 7.30 relating to Stormwater Quality: (First reading): Public Works Director Mike Lee recappped the proposed changes to the Storm Water Management Plan (SWMP) and responded to Board inquires. Chairman Logue opened the public hearing. No one came forward.”

Upon motion of Supervisor Stocker, seconded by Supervisor Nicoletti, and carried with Supervisor Griego being absent, the public hearing was closed, the reading was waived, and the Board introduced an ordinance amending Title IX of the Yuba County Ordinance Code relating to Stormwater Quality.
Mr. Lee advised of additions to various sections of the ordinance.

Upon motion of Supervisor Stocker, seconded by Supervisor Nicoletti, and carried with Supervisor Griego being absent, the ordinance was amended adding various sections as outlined. Chairman Logue reopened the public hearing. No one came forward.

Upon motion of Supervisor Stocker, seconded by Supervisor Nicoletti, and carried with Supervisor Griego being absent, the public hearing was closed, the reading was waived and the Board reintroduced an ordinance amending Title VII of the Yuba County Ordinance Code by adding Chapter 7.50 relating to Stormwater Quality as amended.

CORRESPONDENCE

Upon motion of Supervisor Schrader, seconded by Supervisor Stocker, and carried with Supervisor Griego being absent, the Board accepted the following correspondence:

A. Letter from SafetyBeltSafe U.S.A. proclaiming the week of April 20 – 26, 2008 to be Safety Seat checkup week.

B. Letter from the South Feather Water and Power Agency regarding a petition for Temporary Transfer of Water/Water Rights.

C. Letter from Dobbins Oregon House Action Committee (DOACT) advising of support for Environmental Alternatives’ proposal to operate and maintain the 4-H camp facility in Dobbins.

D. Letter from California State Association of Counties (CSAC) advising of 114th Annual Meeting workshop proposals/requests.

E. Bulletin from Beale Joint Land Use Study advising of a public forum on April 7, 2008 at 6:30 p.m. at the Yuba County Government Center.


G. Memorandum from H. Stephen Konishi, Court Executive Officer, Yuba Superior Court regarding termination of accounts payable services.
BOARD AND STAFF MEMBERS' REPORTS

Supervisor Stocker:

- Memorial adjournment in memory of Ms. Frances Stuller, Mr. Morten Schmoe and Mr. Elmer Ingersoll
- Television program on United States President John Adams

Supervisor Nicoletti:

- Memorial adjournment in memory of Mr. Loren Hawley
- Out of state travel to Washington DC April 13 – 17, 2008
- Beale Joint Land Use Study public forum on April 7, 2008
- Graduation of First Supervisory Leadership training class
- Camptonville seniors assisting incoming freshman at the Camptonville School

Supervisor Logue:

- Enterprise Rancheria Memorandum of Understanding

Assistant County Administrator Randy Margo:

- Received Insurance payment of $41,000 from the January storms and commended Administration Services and Personnel for their efforts

County Administrator Robert Bendorf:

- Department of Water Resources approval of updated levee financing plan

CLOSE SESSION

The Board retired into closed session at 10:13 a.m. to discuss the following:

1) Pending litigation pursuant to Government Code §54956.9(a) – Cooper vs. County of Yuba

2) Pending litigation pursuant to Government Code §54956.9(a) – Sacchao vs. County of Yuba

The Board returned from closed session at 10:30 a.m. with all Board and staff members present as indicated above. There was no announcement.
ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 10:31 a.m. in memory of Ms. Frances Stuller, Mr. Elmer Ingersoll, Mr. Morten Schmoe, and Mr. Loren Hawley by Chairman Logue.

Chairman

ATTEST: DONNA STOTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

By: Rachel Ferris, Deputy Clerk

Approved: 4-22-08