YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

MARCH 24, 2009

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 9:49 a.m., within the Government Center, Marysville, California, with a quorum being present as follows: Supervisors Mary Jane Griego, Roger Abe, and Hal Stocker. Supervisor John Nicoletti was absent. Also present were County Administrator Robert Bendorf, County Counsel Angil Morris-Jones, and Deputy Clerk of the Board of Supervisors Rachel Ferris. Vice Chair Griego presided.

CONSENT AGENDA

Upon motion of Supervisor Stocker, seconded by Supervisor Griego, and carried with Supervisor Nicoletti being absent, the Board took the following actions:

A. Administrative Services

1) Authorized a Budget Transfer in the amount of $1,409.17 from Account No. 101-0900-417-23-00 (Professional Services) to Account No. 101-0900-417-62-00 (Fixed Assets) to set up Questys and Card Creation Station.

ADOPT RESOLUTION NO. 2009-24
RESOLUTION

2) Adopted Resolution No. 2009-24, which is on file in Yuba County Resolution Book No. 40, which is entitled: “RESOLUTION ACCEPTING REAL PROPERTY REVERTING BACK TO YUBA COUNTY AFTER DEFAULT DUE TO NON-PAYMENT WHICH RESULTED IN A FORECLOSURE SALE WHICH FAILED TO PRODUCE A BUYER,” identified as Assessor’s Parcel No. 013-560-016.

AUTHORIZE

BDGT TRNSF.

B. Community Development and Services

1) Approved an agreement with David Evans and Associates for the Feather River Boulevard/State Route 70 Interchange Design Project and authorized the Chairman to execute upon submittal and approval of County Counsel.

APPROVE

AGRMNT.

2) Adopted Resolution No. 2009-25, which is on file in Yuba County Resolution Book No. 40, which is entitled: “RESOLUTION REQUIRING ENGINEER’S REPORT FOR GLEDHILL LANDSCAPING AND LIGHTING DISTRICT.”

ADOPT

RESOLUTION

NO. 2009-25
D. **Personnel/Risk Management:** Adopted Resolution No. 2009-26, which is on file in Yuba County Resolution Book No. 40, which is entitled: “RESOLUTION AMENDING THE DEPARTMENTAL POSITION ALLOCATION SCHEDULE,” and adopted Resolution No. 2009-27, which is on file in Yuba County Resolution Book No. 40, which is entitled: “RESOLUTION AMENDING THE CLASSIFICATION SYSTEM-BASIC SALARY SCHEDULE,” as they relate to the Probation Department.

CONSENT DISCUSSION

Emergency Services/City of Yuba City/Wastewater Treatment Facility: Following an brief recap from Emergency Services Director Aaron Ward, and Board inquiries, upon motion of Supervisor Stocker, seconded by Supervisor Abe, and carried with Supervisor Nicoletti begin absent, the Board approved an agreement with the City of Yuba City for the operation and maintenance of a wastewater treatment plant that services the Gold Village sub-division and authorized the Chairman to execute same.

PUBLIC COMMUNICATIONS

Mr. Tom Eres, Hofman Ranch, expressed concern regarding the ballot process for the Three Rivers Levee Improvement Authority’s assessment and outcomes of election.

ADMINISTRATIVE SERVICES

South Annex Facility: Administrative Services Director Doug McCoy provided a recap on plans to withdraw from the south annex, recent senior survey, and responded to Board inquiries. The following individuals spoke:

- Ms. Irene Lowe, Linda
- Ms. Freda Calvert, Marysville

Following Board discussion, upon motion of Supervisor Stocker, seconded by Supervisor Abe, and carried with Supervisor Nicoletti being absent, the Board approved notifying each tenant of the South Annex Facility of intent to vacate the building at the end of June, 2009.

ORDINANCE AND PUBLIC HEARINGS

The Clerk read the disclaimer.

A. **Public Hearing/Findings of Fact, Conclusions of Law and Orders authorizing the Assessment of Administrative and Abatement costs in the amount of $17,869.50/Recording of Lien/9159 Nero Road, Brownsville (Christie):** Following a recap
from Code Enforcement Officer John Jacenich, Vice Chair Griego opened the public hearing. No one came forward.

Upon motion of Supervisor Stocker, seconded by Supervisor Abe, and carried with Supervisor Nicoletti being absent, the public hearing was closed and the Board adopted Findings of Facts, Conclusions of Law and Orders authorizing the assessment of administrative and abatement costs in the amount of $17,869.50, and the recording of a lien located at 9159 Nero Road, Brownsville (Christie):

B. Public Hearing/Findings of Fact, Conclusions of Law and Orders authorizing the Assessment of Administrative and Abatement costs in the amount of $7,357/Recording of Lien/5550 Alicia Avenue, West Linda (Sayne): Following a recap from Code Enforcement Officer John Jacenich, Vice Chair Griego opened the public hearing. No one came forward.

Upon motion of Supervisor Stocker, seconded by Supervisor Abe, and carried with Supervisor Nicoletti being absent, the public hearing was closed and the Board adopted Findings of Facts, Conclusions of Law and Orders authorizing the assessment of administrative and abatement costs in the amount of $7,357, and the recording of a lien located at 5550 Alicia Avenue, West Linda (Sayne):

C. Public Hearing/Resolution adopting General Plan Amendment 2008-0002, Planned Unit Development 2007-0003, Tentative Subdivision Tract Map 2007-0008 (Elder), and Mitigation Monitoring and Report Plan, subject to conditions of approval. Planning Director Wendy Hartman provided a Power Point presentation on the following:
- Project Site
- Reduced setback requirements, lot size and, minimum yard size
- Common Area and Guest Parking
- Mitigated Negative Declaration commenting period

The Board recessed at 10:41 a.m. and reconvened at 10:46 a.m. with all Board and staff members presented as indicated above.

Vice Chair Griego opened the public hearing.

Mr. Mike Sroka, project designer and Mr. Steve Elder, project owner, responded to Board inquiries on emergency access, parking and energy efficiencies.

Upon motion of Supervisor Abe, seconded by Supervisor Stocker, and carried with Supervisor Nicoletti being absent, the public hearing was closed and the Board adopted Resolution No. 2009-28, which is on file in Yuba County Resolution Book No. 40, which
is entitled: “RESOLUTION ADOPTING GENERAL PLAN AMENDMENT (GPA 2008-0002), PLANNED UNIT DEVELOPMENT (PUD 2007-0003), TENTATIVE SUBDIVISION TRACT MAP (TSTM 2007-0008) (ELDER), AND MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PLAN, SUBJECT TO THE CONDITIONS OF APPROVAL.”

D. Public Hearing/Ordinance/Resolution adopting Mitigated Negative Declaration and Mitigation Monitoring Plan and approving Change of Zone 2008-0011 and Tentative Parcel Map 2008-0011 (Ratliff) subject to conditions of approval. At the request of the applicant, Vice Chair Griego continued the matter to April 14, 2009, at 9:30 a.m.

CORRESPONDENCE

Upon motion of Supervisor Stocker, seconded by Supervisor Abe, and carried with Supervisor Nicoletti being absent, the Board took the following actions:

A. Letter/Petition from Citizens opposing Enterprise Rancheria gaming facility.

B. Letter from Indians of Enterprise No. 1 enclosing submitted comments to Bureau of Indian Affairs regarding Enterprise Rancheria gaming facility.


BOARD AND STAFF MEMBERS’ REPORTS

Supervisor Abe:
- Memorial adjournment in memory of Mr. Douglas James Nicolson
- California State Association of Counties (CSAC) meeting Thursday, March 19 voted to remain natural on Propositions IA through 1F
- CSAC survey sent to County Administrators
- Attended Hero’s breakfast sponsored by the Three Rivers Chapter of the American Red Cross

Supervisor Griego:
- Sacramento Area Council of Governments meeting of March 29, 2009 regarding stimulus funds
- Yuba Sutter Transit Authority public hearing held Thursday, March 19, 2009
- South county levee tour Friday, March 28, 2009
- Community clean up March 28, 2009
Supervisor Stocker:
  • Ensure the county receives available stimulus funds
  • Funding opportunities on Community Development Block Grants
  • Proclamation for Andy Buelna of the Foothill Volunteer Fire Department for 30 years of services

Robert Bendorf:
  • Kennedy Jenks Consulting, Regional Wastewater Study
  • Water rights and issues requiring support from the cities of Marysville and Wheatland
  • Proposed budget schedule and workshops
  • Provided State of the County address to the Lyons Club March 24, 2009
  • State of the County Address on Wednesday, April 1, 2009, at Prestige Assisted Living
  • Deferred state payments for July and August

Administrative Services Director Doug McCoy: 4H Camp meeting with Office of Education on camp related issues and encouraged the Board members to tour the facility

CLOSED SESSION

The Board retired into closed session at 12:07 p.m. to discuss the following:


B. Threatened litigation pursuant to Government Code §54956.9(b) – Two Claims

The Board returned from closed session at 12:40 p.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, Vice Chair Griego adjourned the meeting at 12:40 p.m. in memory of Mr. Douglas James Nicolson.

[Signature]
Chairman

ATTEST: DONNA STOTTEMEYER
CLERK OF THE BOARD OF SUPERVISORS

[Signature]
By: Rachel Ferris, Deputy Clerk

Approved: April 7, 2007

03/24/2009