YUBA COUNTY, CALIFORNIA
BOARD OF SUPERVISORS
AUGUST 25, 2009

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 Andy Vasquez, John Nicoletti, Mary Jane Griego, Roger Abe, and Hal Stocker. Also present were County Administrator Robert Bendorf, Chief Deputy County Counsel Pat Garamone, and Deputy Clerk of the Board of Supervisors Rachel Ferris. Chairman Nicoletti presided.

CONSENT AGENDA

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

A. Administrative Services: Approved agreement with Mead and Hunt for engineering services related to FAA AIP 3-06-0149-13 and authorized the Chairman to execute same.

B. Auditor-Controller

1) Adopted Resolution No. 2009-72, which is on file in Yuba County Resolution Book No. 40, which is entitled: “RESOLUTION FIXING GENERAL COUNTY WIDE TAX RATE.”

2) Adopted Resolution No. 2009-73, which is on file in Yuba County Resolution Book No. 40, which is entitled: “RESOLUTION FIXING SPECIAL TAX RATES FOR COUNTY, SCHOOL DISTRICT INDEBTEDNESS.”

C. Board of Supervisors: Approved the minutes of the regular meeting of August 11, 2009 as written.

D. Community Development and Services: Approved plans and specifications and authorized advertisement of bids for River Highlands wastewater treatment plant with a tentative bid opening date of September 23, 2009.

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E. County Administrator


2) Adopted Resolution No. 2009-74, which is on file in Yuba County Resolution Book No. 40, which is entitled: "RESOLUTION PERTAINING TO TAX REVENUE EXCHANGE – LAFCO II.F. NUMBER 2009-01," relating to Marysville Joint Unified School District.

F. Emergency Services: Approved Memorandum of Understanding with Yuba County Water Agency for services related to flood preparedness and authorized the Chairman to execute same.

G. Health and Human Services: Adopted Resolution No. 2009-75, which is on file in Yuba County Resolution Book No. 40, which is entitled: "AUTHORIZE THE YUBA COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT TO ENTER INTO AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH FOR CHLAMYDIA AWARENESS AND PREVENTION GRANT FUNDS FOR THE PERIOD OF JULY 1, 2009 – JUNE 30, 2011; AND FURTHER AUTHORIZE THE CHAIRMAN TO EXECUTE DOCUMENTS AS REQUIRED BY THE GRANT OR PERTINENT TO THIS PROGRAM AND TO AUTHORIZE THE ACCEPTANCE OF FUNDS."

H. Probation: Adopted Resolution No. 2009-76, which is on file in Yuba County Resolution Book No. 40, which is entitled: "RESOLUTION AUTHORIZING THE YUBA COUNTY PROBATION DEPARTMENT TO APPLY TO AND ENTER INTO AGREEMENTS WITH FIRST FIVE YUBA FOR GRANT FUNDS FOR THE PERIOD OF JULY 1, 2009 THROUGH JUNE 30, 2010 AND AUTHORIZE CHIEF PROBATION OFFICER TO EXECUTE DOCUMENTS AS REQUIRED BY THE AGREEMENT AND ANY PERTINENT DOCUMENTS RELATED TO THE GRANTS, AND TO AUTHORIZE THE ACCEPTANCE AND TRANSFER OF FUNDS."

PUBLIC COMMUNICATIONS

Ms. Bonnie Noel, Dobbins, urged the Board to waive fees for rebuilding, reconstruction bond, and, if necessary, fees for temporary housing for the resident of the Yuba fire whose house was destroyed.
Following Board discussion and receiving Board consensus, direction was provided to
staff to issue permits and prepare a report to present to the Board with the total of fees to
be waived.

Emergency Services Director Aaron Ward advised the County could include those costs as
part of the County’s costs for the disaster.

Clerk Recorder Terry Hansen advised curtesy copies of all land records was forthcoming.

**ADMINISTRATIVE SERVICES**

**4H Camp Property/Lease:** Administrative Services Director Doug McCoy recapped the
project and advised timber harvest funding would cover the cost of materials and
responded to Board inquiries.

Superintendent of Schools Ric Teagarden recapped the following:
- Chico State University developing an outdoor education program
- Cost of materials covered by timber harvest fund and donations received from
  rotary and service clubs
- Camp areas requiring refurbishing
- Possible State funding for K-12 education

Following additional Board discussion, upon motion of Supervisor Griego, seconded by
Supervisor Stocker, and unanimously carried, the Board adopted Resolution No. 2009-77,
which is on file in Yuba County Resolution Book No. 40, which is entitled: “A
RESOLUTION AUTHORIZING AND APPROVING THE CONVEYANCE OF A
LEASEHOLD INTEREST IN THE 4H CAMP PROPERTY TO THE YUBA COUNTY
OFFICE OF EDUCATION AND GRANTING EXEMPTIONS TO CHAPTER 8.76 OF
THE ORDINANCE CODE AS LISTED IN OPERATIONS AND MAINTENANCE
AGREEMENT ATTACHED HERETO AS EXHIBIT A.”

**BOARD OF SUPERVISORS**

1) **Browns Valley Cemetery District Appointment:** Following Mr. Jeff Olson,
Browns Valley, urging Board to consider his appointment and responding to Board
inquiries, upon motion of Supervisor Stocker, seconded by Supervisor Vasquez, and
unanimously carried, the Board appointed Jeff Olson to the Browns Valley Cemetery
District for a term to expire August 25, 2013.

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2) **Proclamation of Local Emergency:** Emergency Services Director Aaron Ward provided a brief recap advising Governor Schwarzenegger proclaimed a State of Emergency for Yuba County on August 20 and responded to Board inquiries. Upon motion of Supervisor Stocker, seconded by Supervisor Abe, and unanimously carried, the Board approved a proclamation of local emergency regarding the Yuba Fire and authorized the Director of Emergency Services to execute same.

**COMMUNITY DEVELOPMENT AND SERVICES**

**Transportation Investment Generating Economic Recovery (TIGER) Grant:** Community Development and Services Director Kevin Mallen provided a PowerPoint presentation on the North Beale Road Infrastructure and Economic Revitalization Project, TIGER Discretionary Grants, American Recovery and Reinvestment Act of 2009, provided resolutions for Board consideration, and responded to Board inquiries.

Following additional Board discussion, upon motion of Supervisor Griego, seconded by Supervisor Stocker, and unanimously carried, the Board adopted Resolution No. 2009-78, which is on file in Yuba County Resolution Book No. 40, which is entitled: “APPROVE APPLICATION FOR U.S. DEPARTMENT OF TRANSPORTATION INVESTMENT GENERATING ECONOMIC RECOVERY (TIGER) PROGRAM FOR THE BEALE AIR FORCE BASE GATEWAY COMPLETE STREET AND ECONOMIC REVITALIZATION PROJECT.”

Following additional Board discussion, upon motion of Supervisor Vasquez, seconded by Supervisor Griego, and unanimously carried, the Board adopted Resolution No. 2009-79, which is on file in Yuba County Resolution Book No. 40, which is entitled: “APPROVE APPLICATION FOR SACRAMENTO AREA COUNCIL OF GOVERNMENT (SACOG) COMMUNITY DESIGN GRANT FOR THE NORTH BEALE ROAD COMPLETE STREET REVITALIZATION PROJECT DESIGN COMPONENT.”

**COUNTY ADMINISTRATOR**

**2009-2010 Comprehensive Economic Development Strategy:** Economic Development Coordinator John Fleming recapped the 2009-2010 Comprehensive Economic Development Strategy and program project and responded to Board inquiries.

Mr. Steve Brammer, Yuba-Sutter Economic Development Coordinator Director, recapped potential public infrastructure funding sources, and responded to Board inquiries.
Upon motion of Supervisor Griego, seconded by Supervisor Stocker, and unanimously carried, the Board adopted Resolution No. 2009-80, which is on file in Yuba County Resolution Book No. 40, which is entitled: “RESOLUTION APPROVING THE 2009-2010 COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY REPORT AND PROGRAM PROJECTION FOR THE YUBA-SUTTER ECONOMIC DEVELOPMENT DISTRICT AS PREPARED AND RECOMMENDED BY THE COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY COMMITTEE.”

TREASURER-TAX COLLECTOR

Yuba College 2009-2010 Tax and Revenue Anticipation Notes/$7,500,000: Following a brief recap from Assistant Treasurer Dan Mierzwa and Board inquiries, upon motion of Supervisor Griego, seconded by Supervisor Abe, and unanimously carried, the Board adopted Resolution No. 2009-81, which is on file in Yuba County Resolution Book No. 40, which is entitled: “RESOLUTION OF THE BOARD OF SUPERVISORS OF YUBA COUNTY AUTHORIZING THE ISSUANCE OF 2009-2010 TAX AND REVENUE ANTICIPATION NOTES FOR THE YUBA COMMUNITY COLLEGE DISTRICT.”

ORDINANCE AND PUBLIC HEARINGS

The Deputy Clerk read the disclaimer.

1) Ordinance/Amending Chapter 9.10 of Title IX of the Yuba County Ordinance Code Relating to the Prohibition of Stopping or Standing in Specific Places and Stopping/Standing/Parking in Designated Bicycle Lanes: Public Works Director Mike Lee recapped the ordinance and responded to Board inquirers.

Captain Jim Young, Yuba Sutter Highway Patrol, responded to specific questions by the Board.

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

Following additional discussion, upon motion of Supervisor Abe, seconded by Supervisor Stocker, and unanimously carried, the public hearing was closed, the reading was waived, and the Board introduced an ordinance amending section 9.10.500 of Chapter 9.10 of Title IX of the Yuba County Ordinance Code by adding section 9.10.500(a) (7) relating to the prohibition of stopping, standing or parking in designated bicycle lanes.

2) Public Hearing/Resolution Adopting Fire Mitigation Fees for Olivehurst Public Utilities District: Following a brief recap from Fire Chief Wade Harrison, Chairman Nicoletti opened the public hearing. No one came forward.

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Upon motion of Supervisor Stocker, seconded by Supervisor Griego, and unanimously carried, the public hearing was closed, and the Board adopted Resolution No. 2009-82, which is on file in Yuba County Ordinance Book No. 40, which is entitled: “RESOLUTION ADOPTING THE INFLATIONARY INCREASE IN FIRE MITIGATION FEES FOR THE OLIVEHURST PUBLIC UTILITIES DISTRICT.”

CORRESPONDENCE

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

A. Notice from California Fish and Game Commission regarding proposed emergency regulatory action relating to incidental take of California tiger salamander.

B. Letter from Lilly USA, LLC regarding an income eligibility adjustment for its patient assistance programs.

Referred to Peach Tree Clinic and Health and Human Services

BOARD AND STAFF MEMBERS’ REPORTS

Reports were received on the following:

Supervisor Griego:
  • Attended Sacramento Area Council of Governments meeting held Thursday, August 20, 2009
  • Local Government Commission regarding stimulus grant funds for conservation improvements
  • Three Rivers Levee Tour Friday, August 21, 2009
  • Stand Down for Veterans Friday, August 21, 2009

Supervisor Abe:
  • Attended the Regional Counsel of Rural Counties meeting Wednesday, August 19, 2009
  • Yuba County Alliance for Development (YuCAD) focus group meeting Friday, August 28, 2009
Supervisor Stocker:
- Memorial adjournment – Mr. Dennis Travis
- Yuba fire was the 3rd largest fire in 20 years, with minimal winds and few damaged structures
- Discussion with Cal Fire on more efficient methods of firefighting
- Participated in the Three Rivers Levee Tour Friday, August 21, 2009
- Thriving foothill farmers markets
- Camptonville Emergency Preparedness held at the Church for Latter Day Saints
- Childhood Obesity Committee meeting Thursday, September 3, 2009
- Attended the 2009 Veterans Stand Down

Supervisor Nicoletti:
- Expressed appreciation to staff for operations of Office of Emergency Services center during the Yuba Fire
- Letter of support from the Yuba Sutter CHP regarding the TIGER Grant
- General Schwartz visited Beale Air Force Base
- Sutter County Shanghi Bend levee project
- Hugh turn out and participation at the Veterans Stand Down Saturday, August 22, 2009

RECESS

The Board recessed at 11:46 a.m. and returned at 1:30 p.m. with all Board and staff members present as indicated above, with the exception of Deputy Clerk of the Board of Supervisors Rachel Ferris. Clerk of the Board of Supervisors Donna Stottlemyer was present.

GENERAL PLAN UPDATE

Vision/Goals/Strategies: Community Development and Services Director Kevin Mallen recapped public workshops and input conducted which have led to preparation of vision, goals and strategy approaches.

County Administrator Robert Bendorf briefly recapped the following challenges and opportunities:
- Fires and floods and sustainability of affected areas
- Traffic congestion
- Infrastructure needs
- Recreation
- Community character and public image

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• Safety
• Beale Air Force Base and ability to provide adequate housing, entertainment, and jobs
• Education, agriculture, and economy

Mr. Mallen provided a Power Point recapping the visions goals and strategies of the General Plan including the following:
• Yuba County Vision, Statement of Commitment, and Strategic Priorities
• General Plan Goals
  o Improve the Overall Quality of Life
  o Economic Independence
  o Sustainable and Vibrant Valley Communities
  o Preservation of Rural Lifestyle
  o Resource Protection
• General Plan Proposed Alternative and Uses
  o Valley Growth Boundary
  o Linda/Olivehurst Sustainability Focus Area
  o Planning Reserve Area
  o Mixed Commercial and Employment
  o New or Expanded Employment
  o Corridor Study Area
  o River Highlands/Smartsville Community Area
  o Foothill Communities/Rural Community Boundaries
  o Areas of Mutual Concern
• Next Steps
  o Initiate CEQA process and preparation of Environmental Impact Report (EIR) for review and comment
  o Draft General Plan and EIR for Planning Commission and Board review and comment
  o Revise draft General Plan and EIR based on comments
  o Consideration of Final General Plan and EIR for Board approval

Chairman Nicoletti opened the floor for public comments.

The following individuals spoke:
• Mr. Greg Forest and Mr. Al Montna, on behalf of Magnolia Ranch Project
• Mr. Nick Spaulding, Oregon House Planning Committee
• Mayor Enita Elphick and City Director Steve Wright, City of Wheatland
• Mr. Randy Collins, Woodbury Project

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Supervisor Griego left at 4:07 p.m. and returned at 4:16 p.m.

Supervisor Vasquez left the meeting at 4:26 p.m. and returned at 4:29 p.m.

Public comments continued from the following:
- Mr. Tom Eres, Hofman Ranch
- Ms. Frances Hofman, Hofman Ranch
- Ms. Laurie Oberholtzer, No on Yuba Highlands
- Ms. Sandra Gilbert, Pleasant Grove Road
- Mr. John Waskowitz, Smartsville
- Mr. Josh Cook, Yuba Foothills LLC
- Ms. Letty Litchfield, Smartsville

The Board recessed at 5:07 p.m. and returned at 5:26 p.m. with all Board and staff members present as indicated above.

Chairman Nicoletti formed an advisory committee appointing Supervisor Abe and himself as representatives for the purpose of meeting with the City of Marysville and Wheatland representatives regarding areas of mutual concerns regarding the GPU with a duration of December 31, 2009.

Upon motion of Supervisor Griego, seconded by Supervisor Stocker, and unanimously carried, the Board adopted Resolution No. 2009-83, which is on file in Yuba County Resolution Book No. 40, which is entitled: "RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF YUBA DECLARING ITS INTENT TO ACCEPT THE VISION, GOALS AND STRATEGIES REPORT AND SUSTAINABLE YUBA COUNTY MAP AND DIRECTING STAFF TO USE THESE GUIDING PRINCIPLES WHEN DRAFTING THE UPDATED YUBA COUNTY GENERAL PLAN 2030"; directed staff to review the Woodbury and Magnolia Ranch plans regarding economic independence and to bring back to the Board of Supervisors a recommendation for those specific plans no later than October 13, 2009; and directed staff to work with Cal Fire, the Fire Safe Council, and the Oregon House Planning Committee on fire safe issues.

ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, Chairman Nicoletti adjourned the meeting at 5:35 p.m. in memory of Mr. Dennis Paul Travis.
ATTEST: DONNA STOTTERMeyer
CLERK OF THE BOARD OF SUPERVISORS

Rachel Ferris, Deputy Clerk  Approved: Sept 15, 2009
Rachel Ferris, Deputy Clerk

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