

YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

MARCH 4, 2008

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 6:03 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, Chief County Counsel Angil Morris-Jones, and Clerk of the Board of Supervisors Donna Stottlemeyer. Chairman Logue presided.

CONSENT AGENDA

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

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| A. <u>Clerk of the Board of Supervisors</u> : Approved the minutes of the workshop and regular meetings of February 7 and 12, 2008, as written. | APPROVE
MINUTES |
| B. <u>Clerk-Recorder/Elections</u> : Accepted Certification of Statement of Vote for the February 5, 2008 Presidential primary election. | ACCEPT
STATEMENT |
| C. <u>Emergency Services</u> : Approved a memorandum of understanding for the Mobile Incident Command Vehicle and authorized the Chairman to execute same. | APPROVE
MOU |
| D. <u>Personnel-Risk Management</u> : Approved catastrophic leave for an employee in Administrative Services. | APPROVE
LEAVE |

SPECIAL PRESENTATION

<u>Proclamations/Smith, Milton</u> : Mr. Steve Thompson, Office of Assemblyman Keene and Chairman Logue presented proclamations posthumously recognizing Milton Smith to Mrs. Mary Smith for dedicated county service.	PRESENT PRCLMTN.
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PUBLIC COMMUNICATIONS

Mr. Mark Mederis, American Wood Fibers, expressed concern regarding lack of truck route designation in the area of the industrial park.

COUNTY ADMINISTRATOR

First Amendment/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 program benefits
- Program funding For Phase 4
- Identification of financial impacts and risks
- Scenarios for issuing certificates of participation of county funding obligation
- Creation of assessment district or community facilities district

Executive Director Paul Brunner, Three Rivers Levee Improvement Authority, outlined the early implementation project schedule and responded to Board inquiries.

Chairman Logue left the meeting at 7:12 p.m. and returned at 7:13 p.m.

Following Board discussion, Seth Merewitz, Counsel for developers, advised of open issues regarding builders bond and felt by March 25th the final agreement would be executed.

The following individuals spoke:

Mr. Jeff Phinney, Plumas Lake resident
Mr. Robert DeValentine, property owner
Mr. Tom Eres, Counsel for Hofman Ranch
Mr. Ron Erny, Karlschoej Properties,

Following Board discussion, upon motion of Supervisor Griego, seconded by Supervisor Nicoeltti, and unanimously carried, the Board approved the First Amendment and Restatement of the Second Agreement for Advanced Funding and Reimbursement of Costs for Levee Improvements with the following amendments:

- Amended Section 4.F.3 line 7 to strike costs increases;
- Amended Section 8.D.2.B to eliminate the words "cover increase in the cost of the levee improvement program;
- Modified Section 20.C line 7 to remove 60 days and replace with 21 days;
- Authorized the Chairman to execute agreement as modified; and
- Authorized the County Administrator to sign off on clarifying and conforming changes related to builder bonds.

APPROVE
AGREEMENT

Following Board discussion upon motion of Supervisor Nicoletti, seconded by Supervisor Griego, and unanimously carried, the Board approved scenario two for certificates of participation. AUTHORIZE OPTION TWO

ORDINANCES AND PUBLIC HEARINGS

Chairman Logue read the disclaimer.

1) Ordinance/Adopt ordinance amending Chapter 13.20.300 of Title XIII of the Yuba County Ordinance Code relating to Planning Division fees (Second Reading): Chairman Logue opened the public hearing. No one came forward.

Upon motion of Supervisor Griego, seconded by Supervisor Schrader, and unanimously carried, the public hearing was closed, the reading was waived, and the Board adopted Ordinance No. 1439, which is on file in Yuba County Ordinance Book No. 20, which is entitled: "AN ORDINANCE WHICH AMENDS THE YUBA COUNTY CONSOLIDATED FEE ORDINANCE BY ADDING CERTAIN FEES TO SECTION 13.20.300 OF TITLE XIII OF THE YUBA COUNTY ORDINANCE CODE," as it relates to the Planning Division. ADOPT ORDINANCE NO. 1439

2) Ordinance/Introduce ordinance amending Title X, Chapter 10.05 of the Yuba County Ordinance Code relating to the definition of structure as it relates to standards of building construction. (First reading): Chief Building Official Martin Griffin recapped amendments to the ordinance. Chairman Logue opened the public hearing. No one came forward.

Upon motion of Supervisor Stocker, seconded by Supervisor Schrader, and unanimously carried, the public hearing was closed, the reading was waived, and the Board introduced an ordinance amending Chapter 10.05 of Title X of the Yuba County Ordinance Code relating to definition of structure as it relates to standards of building construction. WAIVE READING

RECORD APPEAL

Tentative Parcel Map 2006-0018 (Smith) and 2006-0020 (Ashmore)/Conditions of Approval: Chairman Logue advised the appeals had been withdrawn by the appellants and no further Board action was required. WITHDRAW APPEALS

CORRESPONDENCE

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

- A. Bulletin from the National Association of Counties regarding the 2008 annual conference July 11 – 15, 2008 in Jackson County, Missouri.
- B. Letter from Auditor-Controller enclosing Sutter Yuba Mosquito District financial audit for period ending June 30, 2007.
- C. Letter from Auditor-Controller enclosing Yuba Community College District financial audit for period ending June 30, 2007.
- D. Memo from Sacramento Area Council of Governments regarding the draft air quality determination on the 2035 Metropolitan Transportation Plan.
- E. Bulletins from the California Fish and Game Commission enclosing various proposed changes to Title 14 of the California Code of Regulations.
- F. Letter from the Department of Corrections and Rehabilitation regarding “Secure Community Reentry Facilities.”

BOARD AND STAFF MEMBERS' REPORTS

Reports were received on the following:

Supervisor Stocker:

- National Association of Counties annual conference
- Complaints regarding broken windshields on various roads due to gravel from trucks

Supervisor Griego:

- Memorial adjournment in memory of Mrs. Irene House

Supervisor Nicoletti:

- Town hall meetings regarding prevention of underage drinking
- Meeting at Beale with General regarding Iraq war front

Assistant County Administrator Randy Margo:

- Meeting with Fish and Wildlife service regarding habitat conservation plan

County Administrator Robert Bendorf:


- Introduction of Administrative Services Director Doug McCoy

ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 8:46 p.m. in memory of Mrs. Irene House by Chairman Logue.


Chairman

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS


Approved: March 18, 2008