

YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

SEPTEMBER 9, 2008

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 9:35 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 Laura DeShazer. Chairman Logue presided.

CONSENT AGENDA

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

- A. Administrative Services: Approved Subordination of Option to Repurchase as it relates to Capitol Sand and Gravel Company, Yuba County Airport Industrial Park 3, 4709 Skyway Drive, Olivehurst, and authorized the Chairman to execute same. APPROVE REPURCHASE
- B. Agricultural Commissioner Fish and Game Advisory Commission: Authorized expenditure in an amount not to exceed \$3,500 from the Fish and Game Trust Fund to host the annual Junior Pheasant Hunt. AUTHORIZE EXPEND.
- C. Auditor-Controller
- 1) Authorized the Auditor-Controller to refund \$67,768 to the Federal Emergency Management Agency and the State of California for the 1997 flood disaster. AUTHORIZE REFUND
- 2) Adopted Resolution No. 2008-112, which is on file in the Yuba County Resolution Book No. 39, which is entitled: "RESOLUTION FIXING SPECIAL TAX RATES FOR COUNTY, SCHOOL DISTRICT INDEBTEDNESS." ADOPT RESOLUTION NO. 2008-112
- 3) Adopted Resolution No. 2008-113, which is on file in the Yuba County Resolution Book No. 39, which is entitled: "RESOLUTION FIXING GENERAL COUNTY WIDE TAX RATE." ADOPT RESOLUTION NO. 2008-113

4) Adopted Resolution No. 2008-114, which is on file in the Yuba County Resolution Book No. 39, which is entitled: "RESOLUTION ADOPTING BUDGET FOR FISCAL YEAR 2008-2009," in the total amount of \$171,937,317. ADOPT RESOLUTION NO. 2008-114

D. Clerk of the Board of Supervisors

1) Reappointed Ms. Cynthia Paloma to the Brownsville Cemetery District for a term to expire August 8, 2012. REAPPOINT REP.

2) Reappointed Ms. Shiela Lancieri to the Browns Valley Cemetery District for a term to expire August 22, 2012. REAPPOINT REP.

3) Reappointed Mr. Raymond Bradley to the Peoria Cemetery District for a term to expire September 9, 2012. REAPPOINT REP.

4) Appointed Ms. Ruth Criddle to the Area 4 Agency on Aging Governing Board for a term to expire September 9, 2011. APPOINT REP.

5) Appointed Ms. Inger K. Price to the Yuba County Library Advisory Commission as the District Three Representative for a term to run concurrent with the Supervisor. APPOINT REP.

6) Approved minutes of the regular meetings of August 12 and 19, and budget hearings of August 12, 2008, as written. APPROVE MINUTES

7) Appointed Ms. Denice Burbach to the Yuba Sutter Child Care Planning Council for a term to expire September 30, 2010. APPOINT REP.

E. Clerk-Recorder/Elections: Adopted Resolution No. 2008-115, which is on file in the Yuba County Resolution Book No. 39, which is entitled "RESOLUTION ORDERING CONSOLIDATION OF ELECTIONS FOR NOVEMBER 4, 2008," called by school districts, special districts and cities. ADOPT RESOLUTION NO. 2008-115

F. Community Development and Services

1) Adopted Resolution No. 2008-116, which is on file in the Yuba County Resolution Book No. 39, which is entitled "RESOLUTION AUTHORIZING THE PURCHASE OF REAL PROPERTY FOR THE FUTURE FEATHER RIVER BOULEVARD PARK AND RIDE LOT," and authorized the Chairman to execute all necessary documents. ADOPT RESOLUTION NO. 2008-116

2) Approved Amendment No. 3 to the Agreement between the County of Yuba and Fred Yeager for Professional Services and authorized the Chairman to execute same. APPROVE AMNDMNT

G. Emergency Services: Adopted Resolution No. 2008-117, which is on file in the Yuba County Resolution Book No. 39, which is entitled "RESOLUTION ADOPTING THE COUNTY OF YUBA OPERATIONAL AREA EMERGENCY OPERATIONS PLAN (EOP)." ADOPT RESOLUTION NO. 2008-117

H. Health and Human Services

- 1) Approved agreement with Glenn County to provide Child Welfare Services/Case Management System staff training for the term of July 1, 2008 through June 30, 2009 and authorized the Chairman to execute same. APPROVE AGRMNT
- 2) Approved submission of the System Improvement Plan from Children's Services to the California Department of Social Services. APPROVE SUBMISSION
- 3) Authorized a Budget Transfer in the amount of \$2,500 from Account No. 106-4700-441-28-00 (Special Department Expense) to Account No. 106-4700-441-62-00 (Fixed Assets) for the purchase of two laptop computers to be utilized in the Departmental Operations Center. AUTHORIZE BUDGET TRANSFER

SPECIAL PRESENTATION

United Way Campaign: Yuba Sutter United Way Executive Director Kary Aldridge was presented a Proclamation recognizing the 2008-2009 United Way Campaign by Chairman Logue and commended the county for their support. PRESENT PROCLAM.

PUBLIC COMMUNICATIONS

Ms. Freda Calvert, Hammonton Road, urged the reordered version of the River Highlands Community Services District report of water availability for Yuba Highlands be read into the record which gave the defendant water rights and urged Board support to maintain current parcel sizes within the district.

United Health Care Representatives Peter Tiernan and Karen Morala expressed appreciation for the contract improvements and wage increase for home care workers and urged Board consideration of a permanent "Welcome To Linda" sign near the Linda highway exit.

Emergency Services Director Aaron Ward recapped National Weather Service Weather Spotter training held August 28, 2008.

County Administrator Robert Bendorf recapped the current status and continuing progress toward a permanent solution to ensure provisions for senior meals, transportation, delivery of services to home bound recipients, and congregate meal sites throughout the county.

Chairman Logue commended Mr. Bendorf and Supervisor Nicoletti on their efforts for the seniors.

County Administrator Robert Bendorf updated the results of the County and Water Agency joint financing plan and bond sale for the Phase 4 Feather River Levee Setback Project which highlighted significantly reduced financing and net repayment.

Operating Engineers Representative Dave Slack updated the lease agreement and proposed training center to be located in the Yuba Goldfields and received confirmation of Board support for the project.

ADMINISTRATIVE SERVICES

Joint Occupancy Agreement/California Administrative Office of the Courts: Administrative Services Director Doug McCoy recapped the agreements related to Yuba County Superior Court and responded to Board inquiries.

Upon motion of Supervisor Schrader, seconded by Supervisor Nicoletti, and unanimously carried, the Board adopted Resolution No. 2008-118, which is on file in the Yuba County Resolution Book No. 39, which is entitled "A RESOLUTION APPROVING THE CHAIRMAN TO EXECUTE THE JOINT OCCUPANCY AGREEMENT, TRANSFER AGREEMENT, AND MEMORANDUM OF JOINT OCCUPANCY AGREEMENT BETWEEN YUBA COUNTY AND THE ADMINISTRATIVE OFFICE OF THE COURTS, PURSUANT TO REQUIREMENTS OUTLINED IN AB 1491 AND SB 1732; AND AGREE TO ABIDE BY TENETS THEROF."

ADOPT
RESOLUTION
NO. 2008-118

EMERGENCY SERVICES

Myrna Fire: Emergency Services Director Aaron Ward and Linda Fire Chief Rich Webb provided an update on the recent Myrna fire evacuations, damage, and logistics.

INFO.
ONLY

ORDINANCES AND PUBLIC HEARINGS

Chairman Logue read the disclaimer.

Public Hearing/Introduce Ordinance amending Title XIII of the Yuba County Ordinance Code by adding Chapter 13.80 relating to Deferral of Certain Impact Fees: Community Development and Services Director Kevin Mallen recapped the history of the ordinance.

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 first reading was waived and the Board introduced an ordinance amending Title XIII of the Yuba County Ordinance Code by adding Chapter 13.80 relating to deferral of certain impact fees. CLOSE PUB.
HRNG.

ITEM OF PUBLIC INTEREST

Department of Water Resources Preliminary 100 and 200 Year Floodplain Maps: Community Development and Services Director Kevin Mallen provided a brief overview of the Department of Water Resources (DWR) preliminary floodplain maps and Senate Bill 5 which required DWR to develop a central valley flood protection plan. INFO.
ONLY

CORRESPONDENCE

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

A. Notice from State of California Fish and Game Commission of proposed regulatory action relating to Morro Bay State Marine Recreational Management Area, Elkhorn Slough State Marine Reserve and Dana Point State Marine Park.

Referred to Fish and Game Advisory Commission

REFER TO
STAFF

B. Letter from Governor's Office of Emergency Services advising of disaster designation for primary county of Sutter and contiguous counties due to agricultural losses by drought from March 1, 2008 through April 30, 2008.

C. Letter from Save Our Society from Drugs urging opposition to Proposition 5 on the November ballot regarding drug policies for offenders.

D. Two 2008 Local Agency Biennial Notices advising no change is required to conflict of interest code for Yuba County Office of Education and Brown's Valley Irrigation District.

E. Letter from Auditor-Controller enclosing audit reports for Peoria Cemetery District dated June 30, 2006 and June 30, 2007.

BOARD AND STAFF MEMBERS' REPORTS

Reports were received on the following:

Supervisor Stocker:

- Memorial adjournment in memory of Mr. Roland Lee Gillming and Mr. William Jesse Wilkenson
- Attended community interchange celebration in Olivehurst September 6, 2008
- Attended boat races at Lake Francis held September 6, 2008

Supervisor Schrader:

- Memorial adjournment in memory of Mr. Donald Perkins and Mr. Tommy Long
- Attended the Republican National Convention September 1-5, 2008 in Minneapolis
- Senate Bill 375, regarding adverse effect on the state and rural California for lack of transit funding
- Water Bond failure for lack of agreement to place on the ballot

Supervisor Greigo:

- Attended Annual Conference of LAFCO Associations held September 2-5, 2008, advised Yuba County received 2008 Achievement Award for most effective committee
- Attended Community interchange celebration in Olivehurst September 6, 2008

Supervisor Nicoletti:

- Attended community interchange celebration in Olivehurst September 6, 2008
- Fishing Derby held September 6, 2008
- Repetitive fingerprinting costs incurred by Beale Air Force Base parents
- Senior meals program

Supervisor Logue:

- Urging support for Governor veto of Senate Bill 375 regarding greenhouse gas emissions

CLOSED SESSION

The Board recessed at 10:43 a.m. and retired into closed session at 1:00 p.m. to discuss the following:

- A. Conference with Real Property Negotiator pursuant to Government Code §54956.8 - Property: Griffith Avenue and Erle Road Negotiating Parties: County of Yuba, Doug McCoy and Tim and Tom Inderbitzen Negotiation: Amount and Terms of Payment.
- B. Pending litigation pursuant to Government Code 54956.9(a) - Farmers Insurance Exchange vs. County of Yuba

The Board returned from closed session at 1:24 p.m. with all Board and staff members present as indicated above.

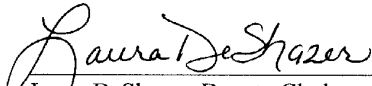
There was no announcement.

RECESS

The meeting was recessed at 1:24 p.m. to September 10, 2008 at 11:00 a.m. in memory of Mr. Donald Perkins, Mr. Tommy Long, Mr. Roland Lee Gillming and Mr. William Jesse Wilkenson by Chairman Logue.


Chairman

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS


Laura DeShazer, Deputy Clerk

Approved: September 23, 2008