

YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

JANUARY 4, 2005

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 6:00 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 Kent McClain, County Counsel Daniel Montgomery, and Clerk of the Board of Supervisors Donna Stottlemeyer. Chairman Griego presided.

CONSENT AGENDA

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

- A. Administrative Services/Airport: Approved Community Development Block Grant Program Income Reuse Plan. APPROVE REUSE PLAN
- B. Clerk of the Board of Supervisors: Approved the minutes of the regular meetings of December 7 and 14, joint meeting of December 14, and special meeting of December 21, 2004, as written. APPROVE MINUTES
- C. Community Development: Adopted Resolution No. 2005-01, which is on file in Yuba County Resolution Book No. 36, which is entitled: "RESOLUTION AUTHORIZING THE DIRECTOR OF ENVIRONMENTAL HEALTH TO APPLY FOR WASTE TIRE ENFORCEMENT GRANT FUNDING FOR FISCAL YEAR 2005/2006." ADOPT RESOLUTION NO. 2005-01
- D. Public Works
- 1) Adopted Resolution No. 2005-02, which is on file in Yuba County Resolution Book No. 36, which is entitled: "RESOLUTION ESTABLISHING A TWO-WAY STOP INTERSECTION AT PLUMAS ARBOGA ROAD AND THE APPROACH ROAD TO STATE ROUTE 70." ADOPT RESOLUTION NO. 2005-02
- 2) Approved offering Assistant Public Works Director-Water Resources position at salary index rate 1.2160 of the base salary. APPROVE OFFER

E. Risk Management/Personnel

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| 1) Adopted Resolution No. 2005-03, which is on file in Yuba County Resolution Book No. 36, which is entitled: "RESOLUTION AMENDING THE CLASSIFICATION SYSTEM – BASIC SALARY SCHEDULE NO. 2004-98," in its entirety. | ADOPT
RESOLUTION
NO. 2005-03 |
| 2) Authorized catastrophic leave for an Administrative Services employee. | AUTHORIZE
LEAVE |

PUBLIC COMMUNICATIONS

No one came forward.

ORDINANCES AND PUBLIC HEARINGS

Chairman Griego read the disclaimer.

A. Ordinance/Section 9.20.010/Hammonton-Smartville Road Parking Restrictions: Public Works Director Kevin Mallen recapped the proposed ordinance establishing no parking for approximately 700 feet near the intersection of Griffith Avenue and responded to Board inquiries.

Chairman Griego opened the public hearing. The following individuals spoke:

- Mr. Ernie Reyes, Hammonton-Smartville Road
- Ms. Cindy Clark, Hammonton-Smartville Road
- Ms. Jim Harbour, Hammonton-Smartville Road

Upon motion of Supervisor Schrader, seconded by Supervisor Nicoletti, and unanimously carried, the public hearing was closed, the first reading was waived, and the Board introduced an ordinance amending Chapter 9.20.010 of the Yuba County Ordinance Code regarding parking restrictions on Hammonton-Smartville Road. WAIVE
READING

B. Public Hearing/County Service Area No. 66/Zone of Benefit C (Cobblestone Subdivision TSTM 2002-598): Public Works Director Kevin Mallen recapped the proposed zone and assessment relating to County-owned streetlights and enhanced landscaping and responded to Board inquiries.

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

Upon motion of Supervisor Schrader, seconded by Supervisor Stocker, and unanimously carried, the public hearing was closed and the Board adopted Resolution No. 2005-04, which is on file in Yuba County Resolution Book No. 36, which is entitled: "RESOLUTION ESTABLISHING A ZONE OF BENEFIT WITHIN COUNTY SERVICE AREA NO. 66 AND IMPOSING AN ASSESSMENT IN ZONE OF BENEFIT C (COBBLESTONE SUBDIVISION TSTM 2002-598)"

ADOPT
RESOLUTION
NO. 2005-04

C. Public Hearing/County Service Area No. 52 Zone of Benefit B (Edgewater Subdivision Unit 5): Public Works Director Kevin Mallen recapped the proposed zone and assessment relating to fire protection and responded to Board inquiries.

Chairman Griego 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 and the Board adopted Resolution No. 2005-05, which is on file in Yuba County Resolution Book No. 36, which is entitled: "RESOLUTION ESTABLISHING A ZONE OF BENEFIT WITHIN COUNTY SERVICE AREA NO. 52 AND IMPOSING AN ASSESSMENT IN ZONE OF BENEFIT B (EDGEWATER SUBDIVISION UNIT 5 ET SEQ.)"

ADOPT
RESOLUTION
NO. 2005-05

CORRESPONDENCE

A. Letter from California Department of Parks and Recreation regarding considering Marysville City Cemetery nomination to National Register of Historic Places.

REFER
TO STAFF

Referred to County Administrator. Board directed letter of support.

B. Report from California Department of Health regarding Local Primary Agency Annual Evaluation for the period from July 1, 2003 - June 30, 2004. No action.

C. Letter from United States Department of the Interior regarding development of a Resource Management Plan.

REFER
TO STAFF

Referred to County Administrator, Public Works, and Community Development

D. Letter from California Department of Fish and Game recommending 2004-05 deer hunt(s).

REFER
TO STAFF

Referred to Fish and Game Advisory Commission

E. Notice from California Regional Water Quality Control Board concerning a public hearing for a Water Quality Control Plan Amendment. No action.

F. Agenda from California Office of Emergency Services for a Mutual Aid Regional Advisory Committee, Regional III meeting January 4, 2005. No action.

G. Notice from California Department of Housing and Community Development of funding availability. No action.

H. News Release from United States Department of Agriculture Forest Service regarding published planning rule for better management of national forests and grasslands. No action.

BOARD AND STAFF MEMBERS' REPORTS

Reports were received on the following:

Supervisor Stocker:

- Memorial adjournment in memory of Mrs. Viola DeGraff, Mr. Marvin Frank, and Mr. Doyle F. Wilkey
- Flags at Smartsville Cemetery
- Attending California Council of Base Retention meeting on Thursday, January 6, 2005
- Yuba County Health Issues

Supervisor Schrader:

- Memorial adjournment in memory of Mr. Warren Brannen

Supervisor Nicoletti:

- Proposed proclamation for Brian Shull

At the request of Supervisor Logue, Chairman Griego formed the Measure D Infrastructure Fund Advisory Committee with the objective to bring forward information and recommendation regarding developing a financing package for estimated Measure D revenue with a duration of 120 days and appointed Supervisors Logue and Schrader as representatives.

FORM
AD HOC

Supervisor Griego:

- Memorial adjournment in memory of Mrs. Patsy Bird
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County Administrator Kent McClain:

- Out of state January 5-7, 2005

Assistant County Administrator Randy Margo:

- Neutrality agreement with the City of Marysville as related to Hallwood/District 10 annexation to the city

CLOSED SESSION

At the request of County Council, upon motion of Supervisor Schrader, seconded by Supervisor Stocker, and unanimously carried, the Board added to closed session one case of threatened litigation and pending litigation County of Yuba vs. Sharma.

The Board retired into closed session at 6:40 to discuss to the following:

A. Threatened litigation pursuant to Government Code §54956.9(b) - One Claim and One Case.

B. Pending litigation pursuant to Government Code §54956.9(a) - County of Yuba vs. Sharma.

The Board returned into open session at 7:05 p.m. with all Board and staff members present as indicated above.

County Counsel Daniel Montgomery made the following announcement:

“Madam Chair, in the matter of Nancy Kipp’s request to your Board for permission to file a late claim, your Board has unanimously denied that request. There is no further announcement.”

ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 7:06 p.m. in memory of Mrs. Patsy Bird, Mrs. Viola DeGraff, Mr. Warren Brannen, Mr. Marvin Frank, and Mr. Doyle F. Wilkey by Chairman Griego.


Chairman

ATTEST: DONNA STOTTEMEYER
CLERK OF THE BOARD OF SUPERVISORS

 Approved: 