

YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

JANUARY 11, 2005

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 9:30 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 Kent McClain, County Counsel Daniel Montgomery, and Deputy Clerk of the Board of Supervisors Cynthia Slayton. Chairman Griego presided.

CONSENT AGENDA

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

- A. Administrative Services: Awarded purchase vendor to the Mattman Company for the Mobile Command/Communications Vehicle. AWARD VENDER
- B. Board of Supervisors
- 1) Removed a member from the Commission on Aging pursuant to Section 10(e) of the Commission Bylaws. REMOVE MEMBER
- 2) Appointed Supervisor Stocker as the Subregional Representative for selection of the Central Sierra Representative on the Sierra Nevada Conservancy. APPOINT REP.
- C. Clerk-Recorder/Elections: Authorized a Budget Transfer in the amount of \$17,862.63 increasing Account No. 101-0000-371-8801 (Election Services) and Account No. 101-0800-415-2800 (Election Special Department Expense) to allocate grant funding. AUTHORIZE B/T
- D. County Counsel: Adopted Resolution No. 2005-06, which is on file in Yuba County Resolution Book No. 36, and which is entitled: "RESOLUTION DECLARING INTENTION TO SELL REAL PROPERTY AND SETTING DATE TO CONSIDER BIDS," as it relates to 8787/8785 Mystic Mine Trail. ADOPT RESOLUTION NO. 2005-06
- E. Health and Human Services
- 1) Approved the Memorandum of Understanding with Sutter-Yuba Mental Health Services to provide therapeutic services and authorized the Chair to execute same. APPROVE MOU

- 2) Adopted Resolution No. 2005-07, which is on file in Yuba County Resolution Book No. 36, and which is entitled: "A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF YUBA TO ADOPT THE REGULATIONS AND STANDARDS OF MEDICAL AID AND CARE FOR THE INDIGENT RESIDENTS OF YUBA COUNTY." ADOPT RESOLUTION 2005-07
- 3) Approved acceptance of a \$750 grant award from the Business and Community Healthcare Partnership and expenditure of funds for the "Be Smart, Be Safe" program component of the Maternal Child Adolescent Health Program. APPROVE ACCEPT
- 4) Adopted Resolution No. 2005-08, which is on file in Yuba County Resolution Book No. 36, and which is entitled: "AUTHORIZE THE YUBA COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT TO ESTABLISH AND IMPLEMENT THE DISEASE PREVENTION DEMONSTRATION PROJECT FOR YUBA COUNTY FOR THE PERIOD OF JANUARY 1, 2005 - DECEMBER 31, 2010 AND AUTHORIZE CHAIRMAN TO EXECUTE ANY PERTINENT DOCUMENTS RELATED TO THIS PROGRAM AND TO ACCEPT ANY FUNDS THAT MAY BECOME AVAILABLE." ADOPT RESOLUTION 2005-08

#### SPECIAL PRESENTATIONS

- A. Auditor-Controller: Auditor-Controller Dean Sellers recapped departmental functions, workload, and funding issues, and responded to Board inquiries. INFO ONLY
- B. Sheriff-Coroner: Sheriff-Coroner Virginia Black provided a Power Point flow chart highlighting department structure, recapped staff functions, workload, staffing, and funding issues, and responded to Board inquiries. INFO ONLY

#### PUBLIC COMMUNICATIONS

Don Melvin, Olivehurst, advised of a meeting with the County Administrator, Planning, and Code Enforcement January 12, 2005 to discuss permit issues and felt the Olivchurst Avenue Specific Plan unconstitutional.

Chairman Griego requested County Administrator update the Board after the meeting.

Sandy Fonley, Marysville Joint Unified School District President, introduced Interim Superintendent Gay Todd.

#### COMMUNITY DEVELOPMENT

Gift of Nine Circuit Analyzers/Cutler Hammer Distributors: Chief Building Officer Martin Griffin recapped Cutler Hammer Distributors intention to donate nine circuit analyzers to the County of Yuba for use during building inspections, and responded to Board inquiries.

Upon motion of Supervisor Logue, seconded by Supervisor Stocker, and unanimously carried, the Board adopted Resolution No. 2005-09, which is on file in Yuba County Resolution Book No. 36, and which is entitled: "RESOLUTION ACCEPTING GIFT OF NINE CIRCUIT ANALYZERS FROM CUTLER HAMMER DISTRIBUTORS." ADOPT RESOLUTION 2005-09

ORDINANCE AND PUBLIC HEARINGS

The Clerk read the disclaimer.

A. Ordinance/Section 9.20.010/Hammonton-Smartville Road Parking Restrictions (Second Reading, Continued from January 4, 2005): Public Works Director Kevin Mallen recapped the proposed ordinance establishing no parking for approximately 700 feet on Hammonton-Smartville Road near the intersection of Griffith Avenue and responded to Board inquiries.

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

Following Board discussion, upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and unanimously carried, the public hearing was closed, the second reading was waived, and the Board adopted Ordinance No. 1337, which is on file in Yuba County Ordinance Book No. 18, and which is entitled: "AN ORDINANCE AMENDING SECTION 9.20.010 OF CHAPTER 9.20 OF THE YUBA COUNTY ORDINANCE CODE RELATING TO PARKING RESTRICTION ON DESIGNATED COUNTY ROADS," as it relates to Hammonton-Smartville Road. ADOPT ORDINANCE NO. 1337

B. Ordinance/Section 6.05/Ambulance Services (First Reading): Health and Human Services Director Suzanne Nobles recapped the proposed ordinance relating to ambulance services and responded to Board inquiries.

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

Upon motion of Supervisor Stocker, seconded by Supervisor Logue, and unanimously carried, the public hearing was closed, the first reading was waived, and the Board introduced an ordinance repealing and replacing Chapter 6.05 of Title VI of the Yuba County Ordinance Code relating to ambulance services. WAIVE READING

C. Public Hearing/2004 Amendment to Yuba County Conflict of Interest Code: County Counsel Dan Montgomery recapped the requirement to review and amend the Conflict of Interest Code on a biannual basis, and responded to Board inquiries.

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

Upon motion of Supervisor Logue, seconded by Supervisor Schrader, and unanimously carried, the public hearing was closed and the Board approved the 2004 Amendment to the Yuba County Conflict of Interest Code. APPROVE AMENDMENT

D. Public Hearing/Plumas Lake Specific Plan (PLSP)/North Arboga Study Area (NASA) Road Fee Nexus Study 2005 Update: Public Works Director Kevin Mallen recapped the changes and updates to the Nexus Study adopted in 2004 and responded to Board inquiries.

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

Upon motion of Supervisor Stocker, seconded by Supervisor Nicoletti, and unanimously carried, the public hearing was closed and the Board adopted Resolution No. 2005-10, which is on file in Yuba County Resolution Book No. 36, and which is entitled: ADOPT RESOLUTION 2005-10  
"RESOLUTION ADOPTING PLSP/NASA ROAD FEE UPDATE AND ESTABLISHING REVISED PLSP/NASA ROAD IMPROVEMENT FEES," as it relates to the Plumas Lake Specific Plan/North Arboga Study Area.

#### BOARD AND STAFF MEMBERS' REPORTS

Reports were received on the following:

Supervisor Stocker:

- Memorial adjournment in memory of Dempsey L. Mendenhall
- California Council for Base Support and Retention meeting January 6, 2005
- Sacramento Bee article regarding communities building up, not out
- Sacramento Bee article regarding Sacramento regional median home prices
- Sacramento Bee editorial regarding misuse of California transportation funds

Supervisor Schrader:

- Yuba County multi-hazard mitigation plan outreach meeting January 5, 2005

Supervisor Nicoletti:

- Memorial adjournment in memory of George Nakagawa
- Bok Kai temple grants and celebrations March 12-13, 2005
- City of Marysville discussions regarding expansion

Supervisor Logue:

- FEMA proposed flood insurance seminar February 28, 2005
- Town hall meeting regarding flood issues January 27, 2005, 6:30 p.m., Peach Tree Restaurant

Supervisor Griego:

- Meeting regarding pre-hazard mitigation January 19, 2005, 7:00 p.m. at Rio Del Oro Elementary School
- Received consensus for First Five letter of support of Children's Health Initiative
- Formed Yuba County Health Conditions Advisory Committee and appointed Supervisors Stocker and Griego to address health issues with a duration of one year
- Memorial adjournment in memory of Robert V. Howard

CLOSED SESSION

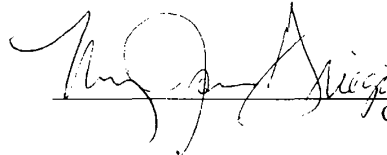
The Board retired into closed session at 10:46 a.m. to discuss the following:

- A. Threatened litigation pursuant to Government Code §54956.9(b) - One Case
- B. Pending litigation pursuant to Government Code §54956.9(a) - Yuba County Citizens for a Quality Environment, Lydia Moyer, Donald Cantrell, and Donald Jellsey vs. County of Yuba
- C. Pending litigation pursuant to Government Code §54956.9(a) - County of Yuba vs. Sharma


The Board returned from closed session at 11:20 a.m. with all Board and staff members present as mentioned above. There was no announcement from closed session.

ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 11:21 a.m. in memory of Mr. Dempsey L. Mendenhall, Mr. George Nakagawa, and Mr. Robert V. Howard, by Chairman Griego.

  
Chairman

ATTEST: DONNA STOTTLEMEYER  
CLERK OF THE BOARD OF SUPERVISORS

 Approved: 1/25/05  
Cynthia Slayton, Deputy Clerk