

YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

JANUARY 23, 2007

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 Robert Bendorf, County Counsel Daniel Montgomery, and Deputy Clerk of the Board of Supervisors Ellen DeLemos. Chairman Stocker presided.

Supervisor Schrader asked for Consent Agenda item regarding 2007 Board Standing Committee appointments be pulled for discussion.

CONSENT AGENDA

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

- A. Assessor: Authorized a Budget Transfer in the amount of \$5,600 from Account No. 220-000-371-9899 (Loan Trust) to Account No. 101-0600-412.6200 (Fixed Assets) to purchase a Hewlett Packard Color Laser Jet printer/scanner. AUTHORIZE B/T
- B. Board of Supervisors: Approved Marysville and Yuba City appointments to the Feather River Air Quality Management District Board of Directors for 2007. APPROVE APPT.
- C. Clerk of the Board of Supervisors
- 1) Appointed Mr. William Naylor to the Fish and Game Advisory Commission for a term to expire January 23, 2011. APPOINT REP.
- 2) Approved the minutes of the special and regular meetings of January 8 and 9, 2007 as written. APPROVE MINUTES
- D. Health and Human Services: Adopted Resolution No. 2007-09, which is on file in Yuba County Resolution Book No. 38, which is entitled: "AUTHORIZE THE HEALTH AND HUMAN SERVICES DEPARTMENT TO ENTER INTO AGREEMENT WITH AGENCIES APPROVED TO RECEIVE SMALL COUNTY INITIATIVE FUNDS FOR AND ADOPT RESOLUTION NO. 2007-09 AND

THE PERIOD OF JANUARY 1, 2007 THROUGH JUNE 30, 2007, AND FURTHER APPROVE
AUTHORIZE THE CHAIRMAN TO EXECUTE DOCUMENTS RELATED TO THOSE AGREEMENT
AGREEMENTS;" and approved an agreement with Harmony Health Family Resource
Center for professional services and authorized the Chairman to execute same.

E. Risk Management/Personnel: Adopted Resolution No. 2007-10, which is on file in ADOPT
Yuba County Resolution Book No. 38, which is entitled: "RESOLUTION OF RESOLUTION
INTENTION TO APPROVE AN AMENDMENT TO CONTRACT BETWEEN THE NO. 2007-10
BOARD OF ADMINISTRATION OF THE PUBLIC EMPLOYEES' RETIREMENT
SYSTEM AND THE BOARD OF SUPERVISORS OF THE COUNTY OF YUBA."

CONSENT DISCUSSION

Board of Supervisors/Board Standing Committees: Following Board discussion, upon APPOINT
motion of Supervisor Logue, seconded by Supervisor Nicoletti, and carried with REP.
Supervisors Griego and Stocker voting in opposition, the Board appointed Supervisor
Schrader to the Local Agency Formation Commission as a representative for the term
expiring 2009.

Upon motion of Supervisor Nicoletti, seconded by Supervisor Logue, and unanimously APPOINT
carried, the Board appointed Supervisor Griego to the Local Agency Formation REP.
Commission as a representative for terms expiring 2007 and 2011.

Upon motion of Supervisor Logue, seconded by Supervisor Schrader, and unanimously APPOINT
carried, the Board appointed Supervisor Stocker as the alternate for the term expiring REP.
2009.

Upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and unanimously APPROVE
carried, the Board approved the 2007 Board Standing Committee appointments as BOARD
recommended by Chairman Stocker.

PUBLIC COMMUNICATIONS

No one came forward.

COMMUNITY DEVELOPMENT

Fred Yeager/Professional Services Amendment One: Community Development Director
Kevin Mallen and Assistant Planning Director Wendy Hartman recapped the agreement
and responded to specific Board inquiries.

Mr. Darren Gale, Building Industry Association, supported the amendment.

Following Board discussion, upon motion of Supervisor Logue, seconded by Supervisor Schrader, and carried with Supervisor Griego voting in opposition, the Board approved Amendment One with Mr. Fred Yeager for professional services. APPROVE AMNDMNT

COUNTY ADMINISTRATOR

2007 Economic Development Strategic Plan: Economic Development Coordinator John Fleming and Airport Manager Mary Hansen provided a Power Point presentation regarding the strategic plan and responded to Board inquiries.

Following Board discussion, upon motion of Supervisor Logue, seconded by Supervisor Schrader, and unanimously carried, the Board adopted Resolution No. 2007-11, which is on file in Yuba County Resolution Book No. 38, which is entitled: "RESOLUTION APPROVING THE 2007 YUBA COUNTY ECONOMIC DEVELOPMENT STRATEGIC PLAN." ADOPT RESOLUTION NO. 2007-11

ORDINANCES AND PUBLIC HEARINGS

Chairman Stocker read the disclaimer.

A. Public Hearing – Hold public hearing and adopt resolution approving application and contract execution for funding of the Economic Development Block Grant Program: Airport Manager Mary Hansen recapped resolution to submit an application for funding, read the public hearing notice, and responded to Board inquiries.

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

Upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and unanimously carried, the Board adopted Resolution No. 2007-12, which is on file in Yuba County Resolution Book No. 38, which is entitled: "A RESOLUTION APPROVING AN APPLICATION AND CONTRACT EXECUTION FOR FUNDING FROM THE ENTERPRISE FUND COMPONENT OF THE ECONOMIC DEVELOPMENT ALLOCATION OF THE STATE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM AND AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENT THERETO WITH THE STATE OF CALIFORNIA FOR THE PURPOSES OF THIS GRANT." ADOPT RESOLUTION NO. 2007-12

B. Ordinance Amending Chapter 3.40 relating to Public Employee's Retirement System (First Reading): County Administrator Robert Bendorf recapped the proposed ordinance. Chairman Stocker opened the public hearing. No one came forward.

Upon motion of Supervisor Schrader, seconded by Supervisor Nicoletti, and unanimously carried, the public hearing was closed, the reading was waived, and the Board introduced an ordinance amending Chapter 3.40 of the Yuba County Ordinance Code relating to Public Employees' Retirement System. WAIVE READING

CORRESPONDENCE

A. Flyer from Bok Kai Committee regarding participation in the Bok Kai Parade on March 24, 2007.

B. Notice from State Water Resources Control Board regarding two public California Environmental Quality Act Scoping meetings to be held February 7, 2007 at 10:00 a.m. and 1:30 p.m. in Sacramento, California.

C. Letter from State of California Department of Health Services announcing availability of State funds for the Yuba County Health Department Children's Dental Disease Prevention Program.

D. Bulletin from United States Department of Agriculture/Forest Service regarding Plumas National Forest First Quarter 2007 Schedule of Proposed Actions.

BOARD AND STAFF MEMBERS' REPORTS

Reports were received on the following:

Supervisor Schrader:

- Attended State Reclamation Board meeting held January 19, 2007
- Attended Joint Land Use Study public meeting held January 22, 2007

Supervisor Griego:

- Memorial adjournment in memory of Mr. Cotton Triplett

Supervisor Nicoletti:

- New Riverfront Park Concessionaire
- Beale Military Liaison Committee travel in February 2007 to Washington, D.C.
- County Air Show scheduled for the end of June
- Attended Chamber of Commerce annual dinner

- Attended Joint Land Use Study public meeting held January 22, 2007
- Meeting with Department Heads to discuss departmental activities for the year
- Meeting January 19, 2007 with amphitheatre

Supervisor Logue:

- Requested Land Use and Public Works Committee address permits for solar energy

Supervisor Stocker:

- Memorial adjournment in memory of Mrs. Julia Marks and Mr. John Ivancich
- Article in Appeal Democrat regarding development projects in Yuba County
- Article in Sacramento Bee regarding large homes built in the lower foothills of Placer County
- Suggested ordinance regarding park curfew in the foothills
- New high school to be built in Loma Rica

At the request of County Counsel upon motion of Supervisor Logue, seconded by Supervisor Schrader, and unanimously carried, the Board added to closed session the matter of pending litigation Linda Fire Protection District versus Dean Sellers in his capacity as Auditor-Controller as the need to take action arose subsequent to the agenda being posted.

ADD
TO AGENDA

County Administrator Robert Bendorf:

- Meeting of California State Association of Counties regarding State Budget
- Meeting of California State Association of Counties regarding flood control policies
- February 9, 2007 management training on Ethics and Public Service

Yuba County Sheriff Steve Durfor:

- Acknowledged Sacramento County Bomb Squad, Beale Air Force Base, Wheatland Fire Department, and County Office of Emergency Services for assisting in the denotation of explosives found in South Yuba County

Community Development Director Kevin Mallen:

- Advised FEMA approved map revision and issued new maps for East Linda and Olivehurst effective January 29, 2007

CLOSED SESSION

The Board retired into closed session at 11:43 a.m. to discuss the following:

- A. Pending litigation pursuant to Government Code §54956.9(a) – Preferred

Employers versus County of Yuba

- B. Threatened litigation pursuant to Government Code §54956.9(b) – Two Cases
- C. Pending litigation pursuant to Government Code §54956.9(a) – Linda Fire Protection District versus Dean Sellers in his capacity as Auditor-Controller

Supervisor Logue left the meeting at 11:43 a.m. and did not return.

The Board returned from closed session at 12:15 p.m. with all Board and staff members present as indicated above, except Supervisor Logue.

County Counsel Daniel Montgomery made the following announcement:

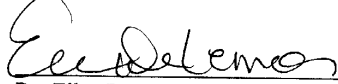
"In the matter of Linda Fire Protection District versus Dean Sellers, your Board has authorized retaining services of Porter, Scott, Weiberg, and Delehant to defend that matter. No further announcements."

ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 12:16 p.m. in memory of Mrs. Julia Marks, Mr. John Ivancich, and Mr. Foy "Cotton" Triplett by Chairman Stocker.


Chairman

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS


By: Ellen DeLemos, Deputy Clerk

Approved:  February 6, 2007