

YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

MAY 8, 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 Clerk of the Board of Supervisors Donna Stottlemeyer. Chairman Stocker presided.

CONSENT AGENDA

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

- A. Auditor-Controller: Adopted Resolution No. 2007-62, which is on file in Resolution Book No. 38, which is entitled: "RESOLUTION TO AUTHORIZE THE AUDITOR-CONTROLLER TO ENTER INTO CONTRACT WITH BARTIG, BASLER, AND RAY LLP FOR AN INDEPENDENT AUDIT JUNE 30, 2007, 2008, AND 2009." ADOPT RESOLUTION NO. 2007-62
- B. Clerk of the Board of Supervisors
- 1) Reappointed Mr. William Appleby to the Yuba County Trails Commission as the Bicyclist representative for a term to expire May 8, 2009. APPOINT REP.
- 2) Approved minutes of the regular meeting of April 24, 2007, as written. APPROVE MINUTES
- C. County Administrator: Authorize the County lobbyist to represent Yuba County position on legislative bills: Support AB 878 (Registration and Service Fees); Support AB 1069 (Abandoned Property); Support AB 679 (Illegal Dumping); and Oppose AB 468 (Abandoned Vehicles). AUTHORIZE POSITION ON BILLS
- D. Health and Human Services: Authorized inventory removal of an emergency cart from Rural Health -Public Health Division and transferred ownership of fixed asset to Peach Tree Clinic, Inc. AUTHORIZE REMOVAL

E. Public Woks

- 1) Adopted Resolution No. 2007-63, which is on file in Resolution Book No. 38, which is entitled: "RESOLUTION APPROVING ENGINEER'S REPORT AND INTENTION TO LEVY AND COLLECT ASSESSMENT FEES WITHIN GLEDHILL LANDSCAPING AND LIGHTING DISTRICT." ADOPT RESOLUTION NO. 2007-63
- 2) Approved plans and specifications on the State Route 70 Interchange, authorized the Chairman to execute same, and directed Public Works to solicit bids. APPROVE PLANS

PUBLIC COMMUNICATIONS

Economic Manager John Fleming advised of receipt of award from the California Association of Local Economic Development for the County Strategic Plan and Program.

Director Mike Murray, Bi-County Cooperative Extension, provided the 2006 Annual Report.

BOARD OF SUPERVISORS

Cancel Board Meetings: Upon motion of Supervisor Logue, seconded by Supervisor Schrader, and unanimously carried, the Board cancelled the regularly scheduled Board of Supervisors meetings of July 3, August 21, and November 13, 2007. CANCEL MEETINGS

COMMUNITY DEVELOPMENT

General Plan Update Advisory Committee: Planner Dan Cucchi provided a Power Point presentation regarding the purpose, makeup, and formation of the advisory committee and responded to Board inquiries. County Administrator Robert Bendorf, Planning Director Wendy Hartman and Consultant Fred Yeager responded to specific Board inquiries regarding committee member makeup.

Following Board discussion, upon motion of Supervisor Griego, seconded by Supervisor Logue, and unanimously carried, the Board adopted Resolution No. 2007-64, which is on file in Resolution Book No. 38, which is entitled: "RESOLUTION CREATING A GENERAL PLAN UPDATE ADVISORY COMMITTEE AND ESTABLISHING PURPOSE, TERM, AND INVOLVEMENT IN THE GENERAL PLAN UPDATE PROCESS," as amended regarding committee membership. ADOPT RESOLUTION NO. 2007-64

COUNTY ADMINISTRATOR

Senate Bill 670/Real Property Transfer Fees: Assistant County Administrator Randy Margo recapped proposed legislation and fees and responded to Board inquiries.

Supervisor Logue left meeting at 10:14 a.m. Chief Deputy County Counsel Angil Morris-Jones advised Supervisor Logue recused himself to avoid the appearance of a conflict.

Upon motion of Supervisor Schrader, seconded by Supervisor Griego, and carried with Supervisor Logue being absent, the Board supported SB 670 and authorized correspondence regarding same. SUPPORT SB 670

LIBRARY

Library Services and Technology Act Grant Funds/Bokomaten Book Dispenser: Library Director Loren MccRory recapped proposed grant usage for dispensing books in the foothills and responded to Board inquiries.

Ms. Cathy LeBlanc, Camptonville, advised of a possible location in Challenge and urged Board support.

Upon motion of Supervisor Schrader, seconded by Supervisor Griego, and carried with Supervisor Logue voting in opposition, the Board authorized the library to make application for a Library Services and Technology Act Grant funds for Bokomaten book dispenser. AUTHORIZE APPLICATION

PUBLIC WORKS

Edgewater Subdivision Park Names: Public Works Director Mike Lee recapped park names and responded Board inquiries.

Mr. Walt Whittendon, Linda, suggested adding the location name to the park.

Mr. Lance Ayers, Chief Officer of Veterans Stand Down, felt adding location to the name then demeans the name.

Upon motion of Supervisor Logue, seconded by Supervisor Schrader, and unanimously carried, the Board approved naming new parks in the Edgewater Subdivision POW-MIA Park and Purple Heart Park and directed staff to set a date for dedication ceremony. APPROVE PARK NAMES

ORDINANCES AND PUBLIC HEARINGS

Chairman Stocker read the disclaimer.

1) Ordinance - Hold public hearing, waive first reading, and introduce ordinance amending Chapter 3.40 of the Yuba County Ordinance Code as it relates to Public Employees' Retirement System. (First Reading): Interim Personnel Director Martha Wilson recapped the proposed ordinance and responded to Board inquiries. Chairman Stocker opened the public hearing. No one came forward.

Upon motion of Supervisor Schrader, seconded by Supervisor Logue, and unanimously carried, the public hearing was closed, the reading was waived, and the Board introduced and ordinance amending Chapter 3.40 as it relates to the Public Employee's Retirement System.

WAIVE
READING

2) Ordinance - Hold public hearing, waive reading, and adopt ordinance amending certain sections of Title XII of the Yuba County Ordinance Code related to health clubs and related facilities, implementing parking variances, and bicycle parking by repealing and re-enacting same as amended (Second Reading): Interim Planning Director Wendy Hartman recapped the proposed ordinance and responded to Board inquiries. Chairman Stocker opened the public hearing.

Mr. William Appleby, Loma Rica, urged Board support implementing bicycle parking requirements.

Upon motion of Supervisor Griego, seconded by Supervisor Nicoletti, and unanimously carried, the public hearing was closed, the reading was waived, and the Board adopted Ordinance No. 1403, which is on file in Yuba County Ordinance Book No. 19, which entitled: "AN ORDINANCE REPEALING AND RE-ENACTING CERTAIN SECTIONS OF THE YUBA COUNTY ORDINANCE CODE."

ADOPT
ORDINANCE
NO. 1403

CORRESPONDENCE

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

A. Brochure from The James Irvine Foundation advising of goals, strategies and principles that guide grant making.

B. Letter from Mr. Hank Meals expressing opposing regarding Yuba Highlands Environmental Impact Report.

C. Letter from California Department of Transportation regarding communication tower relocation project.

BOARD AND STAFF MEMBERS' REPORTS

Reports were received on the following:

Supervisor Schrader:

- Sacramento Area Council of Governments meeting of May 7, 2007 regarding accountability for global warming and air quality within future environmental impact reports

Supervisor Logue:

- Meeting on May 25, 2007 on Proposition 1B in Conference Room 2
- Dedication at Veteran's Memorial Park for Harley Andrews on May 12, 2007 at 11:00 a.m. in Yuba City

Supervisor Stocker:

- Ordinance alternatives for commercial truck parking restrictions on private lots
- Ordinance establishing a curfew for County Parks

County Administrator Robert Bendorf:

- Establishing a regular update from Three Rivers Levee Improvement Authority

Chairman Stocker formed the Budget Advisory Committee for Fiscal Year 2007/2008 appointing himself and Supervisor Logue as representatives.

FORM
BUDGET
AD HOC

CLOSED SESSION

The Board retired into closed session at 11:19 a.m. to discuss the following:

- A. Threatened litigation pursuant to Government Code §54957.9 (a) - Two Cases
- B. Labor negotiation pursuant to Government Code §54957.6(a) - DSA/MSA and County of Yuba/Martha Wilson
- C. Pending litigation pursuant to Government Code §54956.9(a) - Badgett vs. County of Yuba

D. Conference with Real Property Negotiator pursuant to Government Code §54956.8 - Property: APN 010-185-015 (603 B Street, Marysville)/Negotiating Parties: Hub Partners and County of Yuba-Steve Androvich/Negotiation: Price and Terms of Payment

The Board returned from closed session at 12:16 p.m. with all Board and staff members present as indicated above.

Chief Deputy Counsel Angil Morris-Jones made the following announcement: "The Board has referred to Porter, Scott the matter of Badgett versus County of Yuba. No further announcements"

The Board recessed at 12:17 p.m. and returned into closed session at 1:00 p.m. with all Board members present as indicated above to discuss personnel pursuant to Government Code §54957 - Interview/Appointment/Agricultural Commissioner.

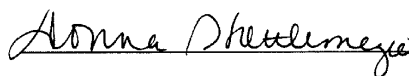
The Board returned from closed session at 3:09 p.m. with all Board and staff members present as indicated above. There was no announcement.

ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 3:09 p.m. by Chairman Stocker.


Chairman

ATTEST: DONNA STOTTEMEYER
CLERK OF THE BOARD OF SUPERVISORS

 Approved: 