

YUBA COUNTY, CALIFORNIA  
BOARD OF SUPERVISORS  
JUNE 6, 2006 – SPECIAL MEETING

The Honorable Board of Supervisors of the County of Yuba met in special session on the above date, commencing at 5:30 p.m., within the Government Center, Marysville, California, with a quorum being present as follows: Supervisors John Nicoletti, Mary Jane Griego, and Donald Schrader. Supervisors Dan Logue and Hal Stocker were absent. Also present were County Administrator Robert Bendorf, Chief Deputy Counsel Angil Morris-Jones, and Clerk of the Board of Supervisors Donna Stottlemeyer. Chairman Schrader presided.

CLOSED SESSION

Chief Deputy Counsel Angil Morris-Jones advised discussion was not needed on labor negotiations regarding Yuba County Employees Association.

The Board retired into closed session to discuss the following:

- A. Conference with Real Property negotiators pursuant to Government Code §54956.8 - Negotiating Parties: Silver Oak Ventures and County of Yuba (Steve Androvich) regarding APNS21-301-001 and 12-301-002 described as Packard Avenue, Highway 70, and Hammonton Road parcels bounded by Packard Avenue, Highway 70, and Hammonton Road Negotiating: Price and Terms of Payment
- B. Pending litigation pursuant to Government Code §54956.9(a) - Scott vs. County of Yuba

The Board returned from closed session at 6:00 p.m. with all Board and staff members present as indicated above.

There was no announcement from closed session.

RECESS

The Chairman recessed the special meeting and convened the regular meeting of the Board of Supervisors at 6:00 p.m. with all Board and staff members present as indicated above.

CONSENT AGENDA

Chairman Schrader advised the matter of Health and Human Services budget transfer in the amount of \$2,000 has been removed from the agenda and no action would be taken. REMOVE MATTER

Upon motion of Supervisor Nicoletti, seconded by Supervisor Griego, and carried with Supervisors Logue and Stocker being absent, the Board took the following actions:

A. Administrative Services

- 1) Approved revised projects funded by 2004 Homeland Security Grant and authorized the Chairman to execute same. APPROVE PROJECTS
- 2) Approved an agreement with Megabyte, Inc. for Property Tax System Maintenance Services and authorized the Chairman to execute same. APPROVE AGREEMENT
- 3) Approved Airport Contract Change Order No. 3 and No. 4 for grants AIP 3-06-0149-09 and AIP 3-06-0149-12 and authorized the Chairman to execute same. APPROVE CHNGE ORD.

B. Auditor-Controller

- 1) Adopted Resolution No. 2006-71, which is on file in Yuba County Resolution Book No. 37, which is entitled: "RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF YUBA TO DETERMINE THE APPROPRIATIONS OF TAX PROCEEDS FOR 2006-07." ADOPT RESOLUTION NO. 2006-71
- 2) Adopted Resolution No. 2006-72, which is on file in Yuba County Resolution Book No. 37, which is entitled: "RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF YUBA TO DETERMINE THE APPROPRIATIONS FOR SPECIAL DISTRICTS UNDER THE COUNTY." ADOPT RESOLUTION NO. 2006-72

C. Board of Supervisors: Cancelled the regular Board meeting scheduled Wednesday, July 5, 2006. CANCEL MEETING

D. Community Development

- 1) Approved an agreement between Pacific Municipal Consultant and County of Yuba for project and Environmental Impact Report preparation for the Bear River project and authorized the Chairman to execute same. APPROVE AGRMNT.

- 2) Approved a reimbursement agreement between Gerry N. Kamilos, LLC and County of Yuba for cost associated with the Bear River Environmental Impact Report and project and authorized the Chairman to execute same. APPROVE AGRMNT.
- 3) Approved a reimbursement agreement between Sage Community Group, Inc. and County of Yuba to compensate County costs preparing an environmental impact report for Feather Creek Specific Plan; approved agreement between SWCA Environmental Consultants for professional services; and authorized the Chairman to execute same. APPROVE AGRMNTS.
- 4) Adopted Resolution No. 2006-73, which is on file in Yuba County Resolution Book No. 37, which is entitled: "RESOLUTION DENYING THE APPEAL OF THE CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE SR20/KIBBE ROAD INTERSECTION IMPROVEMENTS AND PRIVATE HAUL ROAD PROJECT AND ADOPTING FINDINGS IN SUPPORT OF THE MOTION OF INTENT TO DENY THE APPEAL AND CERTIFY THE EIR (STATE CLEARINGHOUSE NO. 2003062105)." ADOPT RESOLUTION NO. 2006-73

E. Emergency Services

- 1) Adopted Resolution No. 2006-74, which is on file in Yuba County Resolution Book No. 37, which is entitled: "SIGNATURE RESOLUTION AUTHORIZING THE COUNTY DIRECTOR OF EMERGENCY SERVICES OR ITS DESIGNEE TO SUBMIT GRANT APPLICATIONS FOR FISCAL YEAR 2006 HOMELAND SECURITY GRANT AND EMERGENCY MANAGEMENT PLANNING GRANT AND FOLLOW THROUGH THEREON." ADOPT RESOLUTION NO. 2006-74
- 2) Approved an agreement for Yuba County Terrorism Task Force Mobile Command Vehicle and authorized the Chairman to execute same. APPROVE AGRMNT.

F. Health and Human Services: Approved an agreement with McWilliams Mailliard Technology Group, Inc. and County of Yuba for Adult Protective Services automated plan tracking system and authorized the Chairman to execute same. APPROVE AGRMNT.

G. Library: Authorized out-of-state travel for the Director to attend American Library Association Conference June 22-26, 2006 in New Orleans. AUTHORIZE TRAVEL

H. Local Agency Formation Commission: Adopted Resolution No. 2006-75, which is on file in Yuba County Resolution Book No. 37, which is entitled: "MASTER PROPERTY TAX REVENUE EXCHANGE RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF YUBA TO ESTABLISH A DISTRIBUTION OF PROPERTY TAX REVENUE ON ANNEXATIONS AND DETACHMENTS OF PROPERTY TO THE RECLAMATION DISTRICT NUMBER 784." ADOPT RESOLUTION NO. 2006-75

I. Probation

1) Authorized a Budget Transfer in the amount of \$18,000 from Account No. 101-0000-371-9712 (Victim Witness Trust Fund) to salary and benefits line items for increased costs reimbursement. AUTHORIZE B/T

2) Authorized a Budget Transfer in the amount of \$12,289 from various line items to salary and benefits line items for staffing changes within Victim/Witness. AUTHORIZE B/T

3) Authorize a Budget Transfer in the amount of \$28,375 from and to various line items within Probation Juvenile Justice Crime Prevention Program for staffing vacancy. AUTHORIZE B/T

J. Public Works: Approved an agreement between HDR Consultant and County of Yuba for project report for the Feather River Boulevard/State Route 70 Interchange and authorized the Chairman to execute same. APPROVE AGRMNT.

K. Risk Management – Personnel: Approved catastrophic leave for employee in Health and Human Services Department. APPROVE LEAVE

L. Sheriff-Coroner: Authorized Budget Transfers in the total amount of \$116,115 to and from various line items to cover current and projected shortages. AUTHORIZE B/T

PUBLIC COMMUNICATIONS

No one came forward.

ADMINISTRATIVE SERVICES

Contingency Fund Transfers: Chairman Schrader continued two budget transfers requiring a four-fifths vote to June 13, 2006. CONTINUE TO 6/13/06

COMMUNITY DEVELOPMENT

Pacific Municipal Consultants/Third Amendment: Following a recap from Community Development Director Kevin Mallen and Board inquiries, upon motion of Supervisor Griego, seconded by Supervisor Nicoletti, and carried with Supervisors Logue and Stocker being absent, the Board approved contract amendment number three in the amount of \$200,000 with Pacific Municipal Consultants to assist with projects in the Planning Division through September 30, 2006 and authorized the chairman to execute same. APPROVE 3<sup>RD</sup> AMNDMNT.

ORDINANCES AND PUBLIC HEARINGS

Chairman Schrader read the disclaimer.

A. Ordinance/Public Hearing/Waive Reading/Adopt Ordinance Rezoning Assessor's Parcel No. 019-230-103 To Multi Family Residential (R-20) Sub-Zone - Planned Unit Development/Adopt Resolution Approving Planned Unit Development 2005-0004 And Tentative Subdivision Tract Map TSTM2005-0039 (Reynen And Bardis, LLC)/Approve Affordable Housing Program Development Agreement: Following Contract Associate Planner Zach Thomas recapping the proposed project and zoning change and responded to Board inquiries, Chairman Schrader opened the public hearing. No one came forward.

Upon motion of Supervisor Griego, seconded by Supervisor Nicoletti, and carried with Supervisors Logue and Stocker being absent, the public hearing was closed and the matter was continued to June 13, 2006 to receive written response from the Affordable Housing Task Force regarding the development agreement. CONTINUE TO 6/13/06

B. Ordinance/Public Hearing/Adopt Resolution Approving Mitigated Negative Declaration, Specific Plan Amendment 2005-0002, and Tentative Subdivision Tract Map TSTM2005-0033 (Lanza)/Adopt Ordinance Rezoning Assessors Parcel Nos. 019-300-001 And 019-300-021 To R-4 (4du/Ac): Chairman Schrader continued the matter to June 13, 2006 as a four-fifths vote was required. CONTINUE TO 6/13/06

C. Ordinance/Public Hearing/Approve Ordinance Amendment OA 2005-0001 (Morrison Homes)/Adopt Ordinance Amending Chapter 12.35, 12.40, and 12.82 of the Yuba County Zoning Ordinance as it relates to Setback Areas in the East Linda Specific Plan: Following a Power Point presentation from Principal Planner Nancy Sailsbery and Board inquiries, Chairman Schrader opened the public hearing. No one came forward.

Upon motion of Supervisor Griego, seconded by Supervisor Nicoletti, and carried with Supervisors Logue and Stocker being absent, the public hearing was closed, the reading was waived, and the Board adopted Ordinance No. 1374, which is on file in Yuba County ADOPT ORDINANCE NO. 1374

Ordinance Book No. 19, which is entitled: "AN ORDINANCE AMENDING CHAPTERS 12.35, 12.40, AND 12.82 OF THE YUBA COUNTY ZONING ORDINANCE IN THE COUNTY OF YUBA."

D. Ordinance/Public Hearing/Approve Ordinance Amendment 2006-0001 (Yuba County)/Adopt Ordinance Amending Chapter 12.25 of the Yuba County Ordinance Code as it relates to Agricultural Rural Residential Zone: Following a Power Point presentation from Principal Planner Nancy Sailsbery and Board inquiries, Chairman Schrader opened the public hearing. No one came forward.

Upon motion of Supervisor Nicoletti, seconded by Supervisor Griego, and carried with Supervisors Logue and Stocker being absent, the public hearing was closed, the reading was waived, and the Board adopted Ordinance No. 1375, which is on file in Yuba County Ordinance Book No. 19, which is entitled: "AN ORDINANCE AMENDING CHAPTER 12.25 TO THE YUBA COUNTY ORDINANCE CODE IN THE COUNTY OF YUBA." ADOPT ORDINANCE NO. 1375

RECESS

The Board recessed at 6:55 p.m. and reconvened at 7:00 p.m. with all Board and staff members present as indicated above.

ORDINANCES AND PUBLIC HEARINGS CONTINUED

E. Ordinance/Public Hearing/Resolution Approving a General Plan Amendment Adopting Statement of Overriding Considerations with Findings of Fact, and Motion Of Intent to Approve a Surface Mining Permit SMP 2003-0001 (Baldwin)/Ordinance Amending Chapter 12.15 of the Yuba County Ordinance Code Changing the Zoning of Subject Property from AE-40 To M-2: Following a recap of the proposed project, resolution and ordinance, Contract Planner Brian Grattidge, ESA Consultants, responded to Board inquiries.

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

Upon motion of Supervisor Griego, seconded by Supervisor Nicoletti, and carried with Supervisors Logue and Stocker being absent, the public hearing was closed, and the Board adopted Resolution No. 2006-75, which is on file in Yuba County Resolution Book No. 37, which is entitled: "RESOLUTION APPROVING A GENERAL PLAN AMENDMENT; ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS WITH FINDINGS OF FACT; AND MAKING A MOTION OF INTENT TO APPROVE A SURFACE MINING PERMIT (SMP 2003-001) FOR THE BALDWIN HALLWOOD ADOPT RESOLUTION NO. 2006-75 AND ORDINANCE NO. 1776

MINE EXPANSION PROJECT;" waived reading, and adopted Ordinance No. 1376, which is on file in Yuba County Ordinance Book No. 19, which is entitled: "AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP, PER SECTION 12.15.010 OF THE YUBA COUNTY ORDINANCE CODE, TO CHANGE THE ZONING OF SUBJECT PROPERTY FROM AE-40 TO M-2."

CORRESPONDENCE

Upon motion of Supervisor Griego, seconded by Supervisor Nicoletti, and carried with Supervisors Logue and Stocker being absent, the Board accepted the following correspondence:

A. Booklets from Department of Water Resources regarding California Water Plan 2005. No action.

B. Letter from JC Glasgow regarding slow process time for development project located in Olivehurst. REFER TO STAFF

Referred to County Administrator and Community Development

C. Letter from Yuba Sutter Regional Arts Council dated May 12, 2006 requesting continued financial support from the County. REFER TO STAFF

Referred to Clerk of the Board for budget consideration

D. Letter from Yuba Local Agency Formation Commission noticing Pheasant Point annexation into County Service Area 66. No action.

BOARD AND STAFF MEMBERS' REPORT

Reports were received on the following:

Supervisor Nicoletti:

- Yuba County Air Show June 9 - 11, 2006 at Yuba County Airport
- Memorial Day presentation at Calvary Temple in Yuba City

Supervisor Griego:

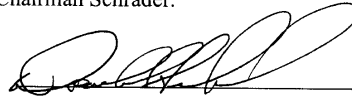
- Memorial adjournments in memory of Mrs. Ambor D. Smith-Villafranco, Mrs. Peggy Jaconetti, and Mr. Joe D. O'Banion

Supervisor Schrader:


- Beale Air Force Base Air Show held June 3 and 4, 2006

ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 7:13 p.m. in memory of Mrs. Ambor D. Smith-Villafranco, Mrs. Peggy Jaconeti, and Mr. Joe D. O'Banion by Chairman Schrader.

  
Chairman

ATTEST: DONNA STOTTEMEYER  
CLERK OF THE BOARD OF SUPERVISORS

  
Approved: 