

YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

JUNE 13, 2006

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, Chief Deputy Counsel Angil Morris-Jones, and Deputy Clerk of the Board of Supervisors Ellen DeLemos. Chairman Schrader presided.

CONSENT AGENDA

Chairman Schrader pulled for discussion the Consent Agenda item regarding appointments to Local Agency Formation Commission under Board of Supervisors.

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

- A. Administrative Services: Adopted Resolution No. 2006-77, which is on file in Yuba County Resolution Book No. 37, which is entitled: "RESOLUTION RE: THE USE OF COUNTY CONFERENCE AND MEETING ROOMS." ADOPT RESOLUTION NO. 2006-77
- B. Child Support Services: Authorized a Budget Transfer in the amount of \$120,000 from Account No. 107-2600-421-0101 (Salaries) to Account No. 107-2600-421-2300 (Professional Services) for \$113,200 and Account No. 107-2600-421-6200 (Fixed Assets) for \$6,800 for replacement of office equipment and moving expenses. AUTHORIZE B/T
- C. Clerk of the Board of Supervisors: Approved the minutes of the regular meetings of May 16 and 23, 2006 and special meeting of May 18, 2006 as written. APPROVE MINUTES
- D. Treasurer-Tax Collector
- 1) Authorized the transfer of unclaimed monies to General Fund Account No. 101 and Marysville Joint Unified School District General Fund Account No. 440 per Government Code §50055. AUTHORIZE TRANSFER



- 2) Approved discharging accountability for collection of taxes, penalties, cost and interest. APPROVE DISCHARGE

CONSENT DISCUSSION

Board of Supervisors: Following a brief recap of Local Agency Formation Commission appointments by Chairman Schrader, upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and unanimously carried, the Board appointed Don Schrader as second representative and Dan Logue as alternate to Local Agency Formation Commission. APPOINT REPS.

Mr. Tom Foley, Yuba City, requested the matter be removed from the agenda.

SPECIAL PRESENTATION

Master Gardeners Proclamations: Continued to July 11, 2006 CONT. TO 7/11/06

PUBLIC COMMUNICATIONS

Mr. Greg Crompton, Dobbins, congratulated Supervisor Stocker on his re-election.

ADMINISTRATIVE SERVICES

- 1) Contingency Fund Transfer/\$77,976: Administrative Services Director Steve Androvich briefly recapped the proposed transfer and responded to Board inquiries.

Upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and unanimously carried, the Board authorized a Contingency Fund Transfer in the amount of \$77,976 to Account No. 101-0900-417-2300 (Buildings and Grounds/Professional Services) to mitigate lead in the foothill firing range. AUTHORIZE CONT. TRANSFER

- 2) Contingency Fund Transfer/\$387,500: Administrative Services Director Steve Androvich briefly recapped the proposed transfer and responded to Board inquiries.

Upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and unanimously carried, the Board authorized a Contingency Fund Transfer in the amount of \$387,500 to various Administrative Services Department line items for various equipment and repairs. AUTHORIZE CONT. TRANSFER



COMMUNITY DEVELOPMENT

1) Yuba Foothill Associates LLC Agreement: Community Development Director Kevin Mallen briefly recapped the reimbursement agreement and responded to Board inquiries.

Upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and unanimously carried, the Board approved a reimbursement agreement with Yuba Foothill Associates LLC for support services for processing the Yuba Highland Specific Plan and authorized the Chairman to execute same. APPROVE AGREEMENT

2) Abatement Lien/1692 Sixth Avenue, Olivehurst: Code Enforcement Officer John Rohrbach recapped the assessed abatement lien and responded to Board inquiries.

Upon motion of Supervisor Logue, seconded by Supervisor Griego, and unanimously carried, the Board determined costs of abatement in the amount of \$11,344.50 to be assessed against property and authorized recording of abatement lien on 1692 Sixth Avenue, Olivehurst (Joshua Van Doorn). AUTHORIZE ABATEMENT LIEN

COUNTY ADMINISTRATOR

Proposed Budget Fiscal Year 2006/2007: County Administrator Robert Bendorf and Assistant County Administrator Randy Margo briefly summarized the proposed budget, and responded to Board inquiries.

Upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and unanimously carried, the Board accepted the Proposed Budget for Fiscal Year 2006/2007; directed the County Administrator to make copies available for public inspection; and set budget hearings to begin June 20, 2006 at 1:30 p.m. ACCEPT PROPOSED BUDGET FY 2006/07

ORDINANCES AND PUBLIC HEARINGS

Chairman Schrader read the disclaimer.

A. Public Hearing/Hold public hearing, adopt resolution confirming the diagram and assessments within Gledhill Landscaping and Lighting District: Community Development Director Kevin Mallen recapped resolution and responded to Board inquiries. Chairman Schrader opened the public hearing. No one came forward.



Upon motion of Supervisor Stocker, seconded by Supervisor Logue, and unanimously carried, the Board adopted Resolution No. 2006-78, which is on file in Yuba County Resolution Book No. 37, which is entitled: "RESOLUTION CONFIRMING THE DIAGRAM AND ASSESSMENTS WITHIN GLEDHILL LANDSCAPING AND LIGHTING DISTRICT." ADOPT RESOLUTION NO. 2006-78

B. Public Hearing/Hold public hearing, adopt resolution imposing an assessment with Linda Street Lighting Maintenance District: Community Development Director Kevin Mallen recapped resolution and responded to Board inquiries. Chairman Schrader 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. 2006-79, which is on file in Yuba County Resolution Book No. 37, which is entitled: "RESOLUTION DETERMINING AND IMPOSING ASSESSMENT WITHIN LINDA STREET LIGHTING MAINTENANCE DISTRICT." ADOPT RESOLUTION NO. 2006-79

C. Public Hearing/Hold public hearing, adopt resolution annexing territory in County Service Area 66, and imposing an assessment of \$387.60 per parcel per year: Community Development Director Kevin Mallen recapped resolution and responded to Board inquiries. Chairman Schrader opened the public hearing. No one came forward.

Upon motion of Supervisor Stocker, seconded by Supervisor Griego, and unanimously carried, the Board adopted Resolution No. 2006-80, which is on file in Yuba County Resolution Book No. 37, which is entitled: "RESOLUTION ANNEXING TERRITORY (FAIRWAY WEST, FAIRWAY NORTH, DRAPER RANCH SOUTH, DRAPER RANCH NORTH, ROSS RANCH, FEATHER GLEN) TO COUNTY SERVICE AREA (CSA) 66 AND IMPOSING AN ANNUAL ASSESSMENT." ADOPT RESOLUTION NO. 2006-80

D. Ordinance/Amending Chapter 2.25/Board Meetings and Cancellations: Chairman Schrader recapped the proposed ordinance and responded to Board inquiries. Chairman Schrader opened the public hearing. No one came forward.

Upon motion of Supervisor Nicoletti, seconded by Supervisor Logue, and unanimously carried, the public hearing was closed, the reading was waived, and the Board introduced an ordinance amending section 2.25.010 and 2.25.030 to Chapter 2.25 of the Yuba County Ordinance Code relating to Board meetings and cancellation. WAIVE 1<sup>ST</sup> READING





E. 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: The matter was continued to June 20, 2006 to receive written response from the Affordable Housing Task Force regarding the development agreement. CONT. TO 6/20/06

F. 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 Assessor's Parcel Nos. 019-300-001 And 019-300-021 To R-4 (4du/Ac): Associate Planner Colleen Cotter provided a Power Point presentation recapping the proposed project and responded to Board inquiries.

Chairman Schrader opened the public hearing. The following individuals spoke in opposition of the project:

- Mr. Greg Crompton, Dobbins
- Mr. Walt Whitenton, Linda
- Mr. Rex Archer, Linda

Upon motion of Supervisor Nicoletti, seconded by Supervisor Logue, and unanimously carried, the public hearing was closed, and the Board adopted Resolution No. 2006-81, which is on file in Yuba County Resolution Book No. 37, which is entitled: "RESOLUTION APPROVING SPECIFIC PLAN AMENDMENT SPA 2005-0002; AND TENTATIVE SUBDIVISION TRACT MAP TSTM 2005-0033 SUBJECT TO CONDITIONS"; waived reading; and adopted Ordinance No. 1377, which is on file in Yuba County Ordinance Book No. 19, which is entitled: "AN ORDINANCE REZONING CERTAIN PROPERTY IN THE COUNTY OF YUBA." ADOPT RESOLUTION NO. 2006-81 AND ORDINANCE NO. 1377

Supervisor Stocker left the meeting at 10:23 a.m. and returned at 10:26 a.m.

#### CORRESPONDENCE

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

A. Letter from Nevada Joint Union High School District regarding a public hearing on June 14, 2006 to consider a resolution implementing school facilities fees. No action.



- B. Letter from Joel Dudas, Plumas Lake regarding construction delays on Highway 70 at the Bear River Bridge. No action.

ADDITIONAL CORRESPONDENCE

- C. Letter from Counties' Quincy Library Group (QLG) Forester requesting Board presentation and fund contribution for the 2006/2007 QLG Lawsuit Fund. Referred to Board meeting of June 20, 2006 for consideration. CONT. TO 6/20/06

BOARD AND STAFF MEMBERS' REPORTS

Reports were received on the following:

Supervisor Stocker:

- Memorial adjournments in memory of Ms. Linda Ingraham, Mr. Neil Duckels and Mr. Max McCutcheon

Supervisor Griego:

- Attended Plumas Lake Homeowners' Association Safety Fair June 11, 2006

Supervisor Logue:

- \$5,000 donation for the Veterans Memorial to be presented at Budget Hearings on June 20, 2006

Supervisor Nicoletti:

- Attended Air Show June 10-11, 2006
- Attended community wide lock in at Friday Night Live in Marysville

Supervisor Schrader:

- Attended Air Show June 10-11, 2006
- Attended Beale Air Force Base Air Show June 3-4
- Memorial adjournment in memory of Ms. Freda Monnot

Assistant County Administrator Randy Margo:

- Congratulated Clerk Recorder Ms. Terry Hanson for a successful election with the new touch tone equipment and acknowledged staff and volunteers

Community Development Director Kevin Mallen:

- Advised temporary changes at the Planning Division counter due to lack of staffing



CLOSED SESSION

At the request of Chief Deputy County Counsel Angil Morris-Jones, and upon motion of Supervisor Greigo, seconded by Supervisor Logue, and unanimously carried, one case of threatened litigation was added to closed session as the need to take action arose subsequent to the agenda being posted.

The Board retired into closed session at 11:06 a.m. to discuss the following:

- A. Labor negotiation pursuant to Government Code §54957.6(a) - Yuba County Employees Association and County of Yuba/Beverly Barnes
- B. 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
- C. Pending litigation pursuant to Government Code §54956.9(a) - Laughlin vs. County of Yuba
- D. Threatened litigation pursuant to Government Code §54956.9(b) - Two Cases

The Board returned from closed session at 12:10 p.m. with all Board and staff members present as indicated above.

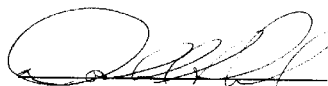
Chief Deputy County Counsel Angil Morris-Jones made the following announcement:

“Laughlin vs. County of Yuba has been resolved and dismissed against the County. Regarding one threatened litigation case, your Board has by a 5/0 vote, authorized the retention of Porter, Scott, Weiberg and Delchant. The threatened litigation that was added at today’s meeting will be continued to June 20, 2006. No further announcement”




ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 12:12 p.m. in memory of Ms. Linda Ingraham, Ms. Freda Monnot, Mr. Neil Duckels and Mr. Max McCutcheon by Chairman Schrader.



Chairman

ATTEST: DONNA STOTTLEMEYER  
CLERK OF THE BOARD OF SUPERVISORS



By: Ellen DeLemos, Deputy Clerk

Approved: June 27, 2006

