

YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

JUNE 14, 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 Clerk of the Board of Supervisors Donna Stottlemeyer. Chairman Griego presided.

CONSENT AGENDA

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

- A. Clerk of the Board of Supervisors: Reappointed Leanna Beam and Walter Schackelford to the Smartsville Cemetery District for terms to expire June 14, 2009. APPOINT REPS.
- B. Community Development: Authorized Budget Transfer in the amount of \$2,000 from Account No. 101-6700-456-2300 (Professional Services) to Account No. 101-6700-456-2900 (Travel) for additional travel training costs. AUTHORIZE BUDGET TRANSFER
- C. County Counsel: Authorized Budget Transfer in the amount of \$50,000 from Account No. 101-0000-371-9899 Miscellaneous) to Account No. 101-0700-413-2300 (Professional Services). AUTHORIZE BUDGET TRANSFER
- D. Health and Human Services
- 1) Adopted Resolution No. 2005-77, which is on file in Yuba County Resolution Book No. 36, which is entitled: "RESOLUTION AUTHORIZING THE DIRECTOR OF HEALTH AND HUMAN SERVICES DEPARTMENT TO EXECUTE ON BEHALF OF THE COUNTY OF YUBA COUNSELING AND THERAPEUTIC SERVICE AGREEMENTS FOR CHILD WELFARE SERVICES." ADOPT RESOLUTION NO. 2005-77
- 2) Approved an agreement with The Regents of the University of California to provide Eligibility Services training and authorized the Chair to execute same. APPROVE AGREEMENT

- 3) Approved an agreement with The Regents of the University of California to provide Child Welfare Services training and authorized the Chair to execute same. APPROVE AGREEMENT
- 4) Adopted Resolution No. 2005-78, which is on file in Yuba County Resolution Book No. 36, which is entitled: "AUTHORIZE THE YUBA COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT TO ENTER INTO AGREEMENT WITH FREMONT RIDEOUT UNITED HOME HEALTH FOR THE ADMINISTRATION OF INTRAVENOUS MEDICATION FOR MULTI-DRUG RESISTANT TUBERCULOSIS FOR THE PERIOD OF OCTOBER 25, 2004, THROUGH APRIL 30, 2006; AND AUTHORIZE THE DIRECTOR OF YUBA COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT TO EXECUTE THE AGREEMENT AND ANY PERTINENT DOCUMENTS RELATED TO THIS AGREEMENT AND AUTHORIZE THE DISBURSEMENT OF FUNDS." ADOPT RESOLUTION NO. 2005-78
- 5) Adopted Resolution No. 2005-79, which is on file in Yuba County Resolution Book No. 36, which is entitled: "AUTHORIZE YUBA COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT TO ENTER INTO AGREEMENT WITH THE STATE OF CALIFORNIA FOR MULTI-PURPOSE SENIOR SERVICES FUNDS FOR THE PERIOD OF JULY 1, 2005 - JUNE 30, 2006, AND AUTHORIZE THE CHAIRMAN TO EXECUTE DOCUMENTS AS REQUIRED BY THE AGREEMENT AND ANY PERTINENT DOCUMENTS RELATED TO THIS PROGRAM AND TO AUTHORIZE THE ACCEPTANCE OF FUNDS." ADOPT RESOLUTION NO. 2005-79
- 6) Approved an agreement with Stott Outdoor Advertising for public health awareness and authorized the Chair to execute same. APPROVE AGREEMENT

E. Probation

- 1) Adopted Resolution No. 2005-80, which is on file in Yuba County Resolution Book No. 36, which is entitled: "RESOLUTION AUTHORIZING THE CHIEF PROBATION OFFICER OF YUBA COUNTY AS THE DESIGNATED PROJECT DIRECTOR, TO MAKE APPLICATION FOR FUNDS TO THE OFFICE OF EMERGENCY SERVICES, ON BEHALF OF THE COUNTY OF YUBA, PURSUANT TO THE FEDERAL CRIME ACT OF 1994." ADOPT RESOLUTION NO. 2005-80

F. Public Works

- 1) Adopted Resolution No. 2005-81, which is on file in Yuba County Resolution Book No. 36, which is entitled: "RESOLUTION APPROVING FINAL MAP OF TRACT MAP NO. 2005-14 (EDGEWATER UNIT 11)." ADOPT RESOLUTION NO. 2005-81
- 2) Authorized Public Works to pre-order signal poles for Feather River Boulevard SR70 project from lowest responsible bidder, JAM Services, Inc. AUTHORIZE ORDER

PUBLIC COMMUNICATIONS

Ms. Cheryl Schmidt, Stand Up For California, encouraged legal review by outside counsel of the Enterprise Rancheria Memorandum of Understanding (MOU) and recapped various points of the MOU which could be challenged.

Supervisor Griego felt there could be a lose of revenue to the County and opposed hiring of outside counsel.

Supervisor Logue supported Ms. Schmidt and felt with approved legislation since the approval of the MOU there were issues which should be addressed.

Ms. Sandra Gilbert, Wheatland, supported review of the MOU.

COUNTY ADMINISTRATOR

Proposed Budget Fiscal Year 2005/2006: County Administrator Kent McClain and Assistant County Administrator Randy Margo briefly summarized the Proposed Budget, and responded to Board inquiries.

Upon motion of Supervisor Schrader, seconded by Supervisor Nicoletti, and unanimously carried, the Board accepted the Proposed Budget for Fiscal Year 2005/2006; directed the County Administrator to make copies available for public inspection; and set Budget Hearings for June 21 through July 1, 2005.

ACCEPT  
PROPOSED  
BUDGET  
FY 2005/06

RISK MANAGEMENT/PERSONNEL

1) Emergency Services Coordinator Manager Classification: Personnel Director Beverly Capaci recapped the proposal to reorganize Emergency Services functions as part of the County Administrator's office and assign the Pre-Disaster Mitigation Grant functions to Administrative Services advising the Protective Inspection Committee recommended approval.

Following Board discussion, upon motion of Supervisor Schrader, seconded by Supervisor Logue, and unanimously carried, the Board approved abolishing the Director of Emergency Services classification and established the Emergency Services Coordinator Manager classification and allocated existing positions to County Administrator and Administrative Service as proposed.

APPROVE  
POSITION

Upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and unanimously carried, the Board adopted Resolution No. 2005-82, which is on file in Yuba County Resolution Book No. 36, which is entitled: "RESOLUTION AMENDING THE DEPARTMENTAL POSITION ALLOCATION SCHEDULE NO. 2004-98," as it relates to Emergency Services, County Administrator, and Administrative Services. ADOPT RESOLUTION NO. 2005-82

Upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and unanimously carried, the Board adopted Resolution No. 2005-03, which is on file in Yuba County Resolution Book No. 36, which is entitled: "RESOLUTION AMENDING THE CLASSIFICATION SYSTEM-BASIC SALARY SCHEDULE NO. 2005-03," as it relates to Emergency Services, County Administrator, and Administrative Services. ADOPT RESOLUTION NO. 2005-83

#### SUTTER-YUBA MENTAL HEALTH

County Certification/Annual License Renewal/Narcotic Treatment Programs: Mental Health Director Joan Hoss recapped the process for County Certification for annual license renewal of two local narcotic treatment programs and the request to expand the capacity of Addiction Treatment Services to 150 slots, responded to Board inquiries, and recommended approval.

Health Officer Joseph Cassady recapped various treatment programs and recommended expansion capacity.

Following Board discussion, upon motion of Supervisor Logue, seconded by Supervisor Schrader, with Supervisor Griego voting in opposition, the Board approved the County Certification for Annual License Renewal of two local narcotic treatment programs and request to expand capacity. APPROVE RENEWAL & EXPANSION

#### ORDINANCES AND PUBLIC HEARINGS

The Clerk read the disclaimer.

A. Ordinance/Parking Restrictions/Feather River Boulevard/Chapter 9 (First Reading): Public Works Director Kevin Mallen recapped the proposed ordinance to restrict parking on Feather River Boulevard from 100 feet south of Murphy Road to 1,100 feet south of Murphy Road. Chairman Griego 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 9 of the Yuba County Ordinance Code related to parking on Feather River Boulevard. WAIVE 1<sup>ST</sup> READING

2) Ordinance/Board of Supervisors Meeting Schedule/Section 2.25.010: County Counsel Daniel Montgomery recapped the proposed ordinance to change the meeting schedule to reflect a time change to the third Tuesday of the month meeting and providing authority to cancel three meetings per year and responded to Board inquiries.

Following Board discussion, upon motion of Supervisor Schrader, seconded by Supervisor Logue and carried with Supervisor Griego voting in opposition, the Board amended the proposed ordinance to remove language regarding authority to cancel three meetings per year and continue the first reading to June 21, 2005. REMOVE LANGUAGE

#### CORRESPONDENCE

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

A. Correspondence from Water Education Foundation regarding seminar on 2005 Water Law and Policy Briefing, scheduled for Thursday, July 21 and July 22, 2005. No action.

B. Letter from Child Abuse Prevention and Intervention Treatment with a three year plan instructions for state fiscal years 2005-2008. No action.

C. Letter from Darlene Vincent and Helen Tittle requesting a Rent Control Ordinance be placed on ballot for vote. Referred to County Counsel. REFER TO STAFF

Ms. Darlene Vincent, Brownsville, recapped numerous issues regarding park management and rent increases and urged the Board to adopt an ordinance controlling rent within mobile home parks.

Following Board discussion, Chairman Griego referred the matter to County Counsel for review.

D. Letter from California Oak Foundation regarding the River Oak Development. Referred to Community Development and County Counsel. REFER TO STAFF

E. Letter from California Peach Festival seeking partnership through sponsorship. Referred to Economic Development. REFER TO STAFF

Additional Correspondence

F. Letter from Baldwin Trucking, Inc. dated June 8, 2005 regarding the condition of Babbington Road. Referred to Public Works. REFER TO STAFF

BOARD AND STAFF MEMBERS' REPORTS

Reports were received on the following:

Supervisor Stocker:

- Memorial adjournment in memory of Mrs. Thelma Sample and Mr. James Beiktner
- City of Marysville Red Light Camera program
- Sacramento Area Council of Governments conference June 11, 2005 regarding Mixed Use Neighborhoods and recommended program for Yuba County
- Yuba Sutter Recreation Guide to include Beale Air Force

Supervisor Don Schrader:

- Sacramento Area Council of Governments Blueprint Projects

Supervisor John Nicoletti:

- Memorial adjournment in memory of Mr. Lee Gomer
- Independence Day celebration at Sacramento Valley Amphitheatre and commended Community Development Director Tim Snellings for spearheading project
- Animal Control Services for the City of Marysville
- Marysville Business Improvement District Annual Dinner being planned

Following Board consensus, Madam Chair Griego directed two items of correspondence to Dean Swickard, Bureau of Land Management Training, recommending Hammonton Road improvements be included in lease agreement for the Yuba Goldfields Training Center and recommendation to incorporate a community pit for residential use.

County Administrator Kent McClain:

- Fiscal Year 2005/2006 Budget and commended County Administrative Staff Mr. Randy Margo, Ms. Grace Mull and Ms. Teena Carlquist

Assistant County Administrator Randy Margo:

- Reynan and Bardis initiating establishment of Community Facilities District for Edgewater Subdivision

CLOSED SESSION

County Counsel Daniel Montgomery advised pending litigation regarding Ellis vs. County of Yuba was not needed for discussion.

The Board retired into closed session at 11:27 a.m. to discuss the following:

A. Labor negotiations pursuant to Government Code §54957.6(a) - Management Sheriff's Association/Deputy Sheriff's Association and County of Yuba/Beverly Capaci

B. Threatened litigation pursuant to Government Code §54956.9(b) - One Case (Continued from June 7, 2005)

The Board returned from closed session at 12:30 p.m. with all Board and staff members present as indicated above. There was no announcement.

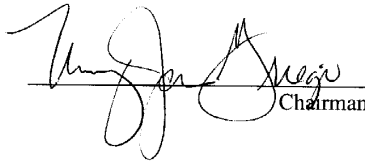
RECESS

The Board recessed at 12:31 p.m. and reconvened at 2:17 p.m. with all Board and staff members present as indicated above.

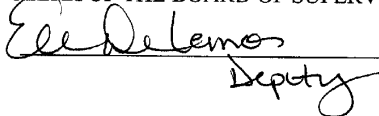
The Board retired into closed session at 2:17 p.m. to discuss one case of threatened litigation pursuant Government Code §54956.9(b) and returned into open session at 3:20 p.m. with all Board and staff members present as indicated above. There was no announcement.

ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 3:21 in memory of Ms. Thelma Sample, Mr. James Beintker Sr., and Mr Lee Gomer by Madam Chair Griego.

  
Chairman

ATTEST: DONNA STOTTLEMEYER  
CLERK OF THE BOARD OF SUPERVISORS

  
Deputy

Approved: June 28, 2005