

YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

JUNE 20, 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 Clerk of the Board of Supervisors Donna Stottlemeyer. Chairman Schrader presided.

CONSENT AGENDA

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

- A. Agricultural Commissioner: Approved Agreement No. 07-73-06-0284-RA with the United States Department of Agriculture Animal and Plant Health Inspection Service Wildlife Services and authorized the Chairman to execute Annual Work and Financial Plan. APPROVE AGRMNT.
- B. Auditor-Controller
 - 1) Authorized a Budget Transfer for health refunds back to salaries in the various operating department for six months ending June 30, 2006. AUTHORIZE B/T
 - 2) Authorized a Budget Transfer for health refunds back to salaries in the General Fund departments for six months ending June 30, 2006. AUTHORIZE B/T
- C. Board of Supervisors
 - 1) Authorized a Budget Transfer in the amount of \$1,135 from various line items to Account No. 101-0100-411-2800 (Travel) to cover year-end shortage. AUTHORIZE B/T
 - 2) Accepted the resignation of District Five Planning Commissioner Margaret Winchel effective May 24, 2006. ACCEPT RESIGN

- D. Clerk of the Board of Supervisors: Approved the minutes of the regular meeting of June 6, 2006, as written. APPROVE MINUTES
- E. Community Development: Authorized a Budget Transfer in the amount \$5,000 from Account No. 101-4899-411-2300 (Professional Services) to Account No. 101-4800-441-2900 (Travel) for \$2,500 and Account No. 101-4800-441-2200 (Office Expense) for \$2,500 to cover year-end shortage. AUTHORIZE B/T
- F. District Attorney: Authorized a Budget Transfer in the amount of \$1,500 from Account No. 108-2500-421-2300 (Professional Services) to Account No. 103-2500-421-2900 (Travel) to cover year-end shortage. AUTHORIZE B/T
- G. Health and Human Services
- 1) Adopted Resolution No. 2006-82, which is on file in Yuba County Resolution Book No. 37, which is entitled: "AUTHORIZE YUBA COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT TO ENTER INTO AGREEMENT WITH THE STATE OF CALIFORNIA FOR MULTIPURPOSE SENIOR SERVICES FUNDS FOR THE PERIOD OF JULY 1, 2006 THROUGH JUNE 30, 2007 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. 2006-82
- 2) Adopted Resolution No. 2006-83, which is on file in Yuba County Resolution Book No. 37, which is entitled: "AUTHORIZE THE YUBA COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT TO ENTER INTO AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF HEALTH SERVICES FOR TUBERCULOSIS LOCAL ASSISTANCE FUNDS FOR FISCAL YEAR 2006-2007, AND AUTHORIZE CHAIRMAN TO EXECUTE DOCUMENTS AS REQUIRED BY THE GRANT AND ANY PERTINENT DOCUMENTS RELATED TO THIS PROGRAM AND AUTHORIZE ACCEPTANCE OF FUNDS." ADOPT RESOLUTION NO. 2006-83
- H. Public Works
- 1) Adopted Resolution No. 2006-84, which is on file in Yuba County Resolution Book No. 37, which is entitled: "RESOLUTION AUTHORIZING SUBMISSION OF TRANSPORTATION CLAIM FOR FUNDS FROM THE TRANSPORTATION AND DEVELOPMENT ACT OF 1971 AS AMENDED." ADOPT RESOLUTION NO. 2006-84
- 2) Approved a reimbursement agreement with Eagle Meadow of California LLC and authorized the Chairman to execute same. APPROVE AGRMNT.

CONSENT DISCUSSION

County Administrator/Sheriff-Coroner: County Administrator Robert Bendorf recapped Rural Crime Grant funding within the State budget and Sheriff services and responded to Board inquiries.

Upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and unanimously carried the Board approved funding additional Sheriff positions on an on-going basis with the caveat that the Sheriff's Department agrees to apply all Rural Crime Grant Funds in perpetuity towards the salaries and benefits for these positions. APPROVE POSITIONS & FUNDING

PUBLIC COMMUNICATIONS

Mr. Bob Taylor, Redhill Way, requested to amend the ordinance releasing the 450 foot Fish and Game setback requirements.

Following Board discussion, Chairman Schrader referred the matter to County Council for further review.

COUNTY COUNSEL

Interim Urgency Ordinance 1373/Levee Fees: Upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and unanimously carried, the Board authorized the extension of Interim Urgency Ordinance No. 1373 regarding levee fees to and including July 14, 2006. EXTEND ORDINANCE

RISK MANAGEMENT/PERSONNEL

1) Administrative Assistant/Three Rivers Levee Improvement Authority: Following a recap from Personnel Director Beverly Barnes regarding the proposed position, upon motion of Supervisor Griego, seconded by Supervisor Logue, and unanimously carried, the Board authorized the addition of an Administrative Assistant position under the Three Rivers Levee Improvement Authority. APPROVE POSITION

2) Position Allocation Schedule/Administrative Assistant: Upon motion of Supervisor Logue, seconded by Supervisor Stocker and unanimously carried, the Board adopted Resolution No. 2006-85, which is on file in Yuba County Resolution Book No. 37, which is entitled: "RESOLUTION AMENDING THE DEPARTMENTAL POSITION ALLOCATION SCHEDULE NO. 2006-26," as it relates to Administrative Assistant, County Administrator. ADOPT RESOLUTION NO. 2006-85

ORDINANCES AND PUBIC HEARINGS

Chairman Schrader read the disclaimer.

A. Ordinance/Amending Section 2.25.010 and 2.25.030/Board Meetings and Cancellation (Second Reading): Chairman Schrader opened the public hearing. No one came forward.

Upon motion of Supervisor Stocker, seconded by Supervisor Nicoletti, and unanimously carried, the public hearing was closed, the reading was waived, and the Board adopted Ordinance No. 1378, which is on file in Yuba County Ordinance Book No. 19, which is entitled: "ORDINANCE AMENDING SECTIONS 2.25.010 AND 2.25.030 OF CHAPTER 2.25 OF TITLE II OF THE YUBA COUNTY ORDINANCE CODE RELATING TO BOARD MEETINGS AND THEIR CANCELLATION." ADOPT ORDINANCE NO. 1378

B. Ordinance/Rezoning Assessor's Parcel No. 019-230-103 to Planned Unit Development/Resolution Approving Planned Unit Development 2005-0004/Tentative Subdivision Tract Map TSTM 2005-0039 (Reynen and Bardis, LLC)/Approve Affordable Housing Program Development Agreement (Continued from June 6 and 13, 2006): Following Board discussion of the Affordable Housing Task Force recommendation, upon motion of Supervisor Griego, seconded by Supervisor Stocker, and following a roll call vote with Supervisors Griego and Stocker voting in support and Supervisors Logue, Nicoletti, and Schrader voting in opposition, the motion to table until June 27, 2006 to allow Board to hear Task Force recommendations presented at the Housing Element Workshop scheduled today at 4:00 p.m. MOTION FAILED

Upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and following a roll call vote with Supervisors Logue, Nicoletti, and Schrader voting in support and Supervisors Griego and Stocker voting in opposition, the reading was waived and the Board adopted Ordinance No. 1379, which is on file in Yuba County Ordinance Book No. 19, which is entitled: "AN ORDINANCE REZONING CERTAIN PROPERTY IN THE COUNTY OF YUBA;" adopted Resolution No. 2006-86, which is on file in Yuba County Resolution Book No. 37, which is entitled: "RESOLUTION APPROVING PLANNED UNIT DEVELOPMENT PUD 2005-0004; AND TENTATIVE SUBDIVISION TRACT MAP TSTM 2005-0039 SUBJECT TO CONDITIONS;" and approved an Affordable Housing Program Development Agreement with Reynen and Bardis Communities, Inc. and authorized the Chairman to execute same. ADOPT ORDINANCE NO. 1379, RESOLUTION NO. 2006-86 & APPROVE AGRMNT.

ITEM OF PUBLIC INTEREST

Library Group (QLG) Pilot Project/\$2,000 County Share for Lawsuit Fund: Following presentation by QLG Forester Frank Stewart regarding the pilot project and current and projected lawsuits which includes the Slapjack project located in Yuba and Butte Counties, Mr. Stewart responded to Board inquiries.

Upon motion of Supervisor Logue, seconded by Supervisor Stocker, and unanimously carried, the Board authorized \$2,000 to the Quincy Library Group 2006/2007 Lawsuit Fund and inclusion in the County Fiscal Year 2006/2007 Budget. APPROVE FUNDS

CORRESPONDENCE

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

A. Letter from United States Department of the Interior/Bureau of Land Management enclosing a Notice of Realty Action from Operating Engineers Local Union No. 3 Joint Apprenticeship Training Committee for the purposes of constructing and operating a training facility for heavy equipment operators. No action.

B. Letter from Three Rivers Levee Improvement Authority announcing public scoping meeting regarding preparation of Draft Environmental Impact Report on the Feather River Levee Report Project on June 29, 2006 at 5:30 p.m. at the Yuba County Government Center. No action.

BOARD AND STAFF MEMBERS REPORTS

Reports were received on the following:

Supervisor Stocker:

- Memorial adjournment in memory of Mrs. Fern Whiteley
- Proclamation for Planning Commissioner Margaret Winchel

Supervisor Nicoletti:

- Proclamation recognizing Juneteenth Celebration
- Commended Juvenile and Camp Singer staff on Department of Corrections report
- Department of Water Resources meeting held in Yuba City on levee strengthening
- Memorial adjournment in memory of Mr. Donald Richardson

Supervisor Griego:

- Memorial adjournment in memory of Mr. Argus D. Colwell

Supervisor Schrader:

- Memorial adjournment in memory of Ambassador H. Monroe Browne
- Request Yuba College Board president to make presentation regarding bond measure election
- Sacramento Area Council of Governments meeting on June 26, 2006 regarding flood management

CLOSED SESSION

The Board retired into closed session at 10:24 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 (Continued weekly from April 4, 2006)
- B. Threatened litigation pursuant to Government Code §54956.9(b) - Two Cases
- C. Pending litigation pursuant to Government Code §54956.(a) - Appeal Democrat vs. Sheriff Black

The Board returned from closed session at 11:00 a.m. with all Board and staff members present as indicated above.

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

"Regarding threatened litigation, in the first matter, your Board has by a 5/0 vote, authorized the retention of Porter, Scott, Weiberg and Delehant. And in the matter of the Appeal Democrat versus County of Yuba, the Board has given direction to proceed. There are no further announcements." RETAIN COUNSEL

ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 11:02 a.m. in memory of Mrs. Fern Whiteley, Ambassador H. Monroe Browne, and Mr. Argus D. Colwell by Chairman Schrader.



Chairman

ATTEST: DONNA STOTTEMEYER
CLERK OF THE BOARD OF SUPERVISORS



Approved: July 11, 2006