

YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

JULY 22, 2008

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 9:35 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 Deputy Clerk of the Board of Supervisors Laura DeShazer. Chairman Logue presided.

CONSENT AGENDA

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

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| A. <u>Agricultural Commissioner</u> : Adopted Resolution No. 2008-91, which is on file in the Yuba County Resolution Book No. 39, which is entitled: "RESOLUTION IN THE MATTER OF SUPPORTING THE CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE AND THE UNITED STATES DEPARTMENT OF AGRICULTURE IN ERADICATING THE LIGHT BROWN APPLE MOTH BY USING THE BEST AND SAFEST MEANS AVAILABLE." | ADOPT<br>RESOLUTION<br>NO. 2008-91 |
| B. <u>Board of Supervisors</u> : Cancelled the regular Board of Supervisors meeting scheduled for September 2, 2008.  | CANCEL<br>MEETING                  |
| C. <u>Clerk of the Board of Supervisors</u> : Approved the minutes of the regular meeting of July 8, 2008 as written.   | APPROVE<br>MINUTES                 |
| D. <u>Community Development and Services</u>  |                                    |
| 1) Awarded contract to Teichert Construction, the apparent low bidder, for the Willow Glen Road Pavement Rehabilitation project from Marysville Road to Frenchtown Road and authorized the Chairman to execute upon review and approval of County Counsel.  | AWARD<br>CONTRACT                  |

- 2) Adopted Resolution No. 2008-92, which is on file in the Yuba County Resolution Book No. 39, which is entitled: "A RESOLUTION AUTHORIZING THE SUBLEASE TO BE AMENDED TO AN EXTENDED TERM IN ORDER TO RETAIN CORRESPONDING EXPIRATION DATES BETWEEN THE LEASE AND THE SUBLEASE." ADOPT RESOLUTION NO. 2008-92
- 3) Authorized advertisement for bids for the Spring Valley Road and Camp Far West Road Pavement Rehabilitation Project with a tentative bid opening date of August 27, 2008. AUTHORIZE BID
- E. County Administrator: Approved a letter supporting House of Representatives Bill 285 amending the National Flood Insurance Act of 1968 and authorized the Chairman to execute same. APPROVE LETTER

#### PUBLIC COMMUNICATIONS

At the request of Legislative Coordinator Russ Brown, through Board consensus, Chairman Logue directed letters of support be prepared for the state legislature regarding protection of Proposition 42 transportation funds.

Planning Director Wendy Hartman advised of eight workshops related to the General Plan Update beginning July 18 through August 14, 2008 at various locations throughout the county.

Assistant Planning Director Ed Palmeri recapped Senate Bill 375 regarding regional transportation guidelines for greenhouse gas emissions.

Ms. Freda Calvert, Hammonton Road, requested information regarding potential meetings with the Bureau of Land Management to address the grading of Hammonton Road.

County Administrator Robert Bendorf advised of upcoming meetings with the Bureau of Land Management and Operating Engineers pertaining to the training center and Hammonton Road.

Mr. Frank Armor, Yuba County Seniors, expressed concern regarding the termination of nutrition and transportation services by QuEST and offered possible interim solutions for consideration.

EMERGENCY SERVICES

Public Safety Interoperable Communications Grant Program: Emergency Services Director Aaron Ward recapped four projects included in the grant and responded to Board inquiries.

Upon motion of Supervisor Schrader, seconded by Supervisor Stocker, and unanimously carried, the Board adopted Resolution No. 2008-93, which is on file in the Yuba County Resolution Book No. 39, which is entitled: "SIGNATURE RESOLUTION AUTHORIZING THE COUNTY DIRECTOR OF EMERGENCY SERVICES OR ITS DESIGNEE TO SUBMIT (FY 07) FISCAL YEAR 2007 PUBLIC SAFETY INTEROPERABLE COMMUNICATIONS GRANT PROGRAM AND FOLLOW THROUGH THEREON." ADOPT RESOLUTION NO. 2008-93

COUNTY ADMINISTRATOR

Joint Exercise of Powers Agreement/ Levee Impact Fees/County of Yuba, Yuba County Water Agency and Yuba Levee Financing Authority: Following a brief recap, County Administrator Robert Bendorf responded to Board inquiries.

Upon motion of Supervisor Nicoletti, seconded by Supervisor Griego, and unanimously carried, the Board adopted Resolution No. 2008-94, which is on file in the Yuba County Resolution Book No. 39, which is entitled: "RESOLUTION AUTHORIZING THE EXECUTION OF A JOINT EXERCISE OF POWERS AGREEMENT CREATING THE YUBA LEVEE FINANCING AUTHORITY." ADOPT RESOLUTION NO. 2008-94

Upon motion of Supervisor Stocker, seconded by Supervisor Griego, and unanimously carried, the Board adopted Resolution No. 2008-95, which is entitled: "RESOLUTION APPROVING JOINT EXERCISE OF POWERS AGREEMENT CREATING THE YUBA LEVEE FINANCING AUTHORITY AND AGREEMENT CONCERNING LEVEE IMPACT FEES," and authorizing execution of document by County Administrator and the Chairman. ADOPT RESOLUTION NO. 2008-95

ORDINANCES AND PUBLIC HEARINGS

Chairman Logue read the disclaimer.

Public Hearing/Adopt Resolution adopting order of vacation of portions of First Avenue, Second Avenue, and Third Avenue within the Magnolia Park Tract, Subdivision No. 1: At the request of Public Works Director Mike Lee, a continuance to an unspecified date was granted by the Board. CONTINUED

CORRESPONDENCE

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

- A. Resolution from the Board of Trustees of Reclamation District 784 appointing Gary Bradford to fill vacancy left by resignation of Trustee Brent Hastey.
  - B. Resolution from the Board of Trustees of Reclamation District 784 authorizing the Central Valley Flood Protection Board to repair critical erosion sites.
  - C. Letter from Auditor-Controller enclosing audit report of Loma Rica-Browns Valley Community Services District, dated June 30, 2007.
  - D. Letter from Auditor-Controller enclosing audit reports of Wheatland Cemetery District, dated June 30, 2004 through June 30, 2007.
  - E. Notice from State Water Resources Control Board for petition of temporary transfer regarding Semitropic-Rosamond Water Bank Authority.
  - F. Letter from the United States Army Corps of Engineers regarding Environmental Impact Statement for Three Rivers Levee Improvement Authority for the Feather River Levee Repair Project Segment 2.
  - G. Letter from Federal Emergency Management Agency confirming the provisionally accredited levee status along the Yuba River.
  - H. Notice from California Environmental Protection Agency regarding public workshops for the development of a drinking water policy for the central valley.
  - I. Notice from California Fish and Game Commission for proposed regulatory action relating to commercial herring regulations. REFER TO STAFF
- Referred to Fish and Game Advisory Commission
- J. Notice from United States Fish and Wildlife Service opening 60 day comment period requesting information regarding uplisting delta smelt.

K. Letter from Governor's Office of Emergency Services commending Director of Emergency Services Aaron Ward and Yuba County for response in the June 2008 lightning fires. REFER TO STAFF

Referred to Personnel, County Administrator, and Emergency Services

BOARD AND STAFF MEMBER'S REPORTS

Reports were received on the following:

Supervisor Schrader:

- Out of office July 23 through July 25, 2008

Supervisor Griego:

- Memorial adjournment in memory of Mrs. Vera Williams
- Out of the state July 25 through August 1, 2008
- Received Board consensus for the Stoneybrook project to be returned to the Yuba County Planning Commission for further consideration.

Following Board discussion, Mr. Danny Sullivan, applicant, agreed with Board recommendation.

Supervisor Nicoletti:

- City of Marysville financial difficulties regarding cash flow and depletion of assets
- Bankruptcy filing of Mervyn's
- Marysville property values increasing
- Community Development Department outreach efforts at Peach Festival
- Commended County Administrator for participation in resolving issues regarding food and transportation for seniors
- Pursuing grant transportation agencies to operate medical mini-van for seniors

Assistant County Administrator Randy Margo:

- Meeting with bond agency regarding levee funding July 24, 2008 in San Francisco

County Administrator Robert Bendorf:

- Commended Board for positioning the County and Water Agency to enable pursuit of the bond funding

County Counsel Dan Montgomery:

- Ruling against plaintiff in alleged misconduct relating to Hudson versus County of Yuba et al

CLOSED SESSION

The Board retired into closed session at 10:48 a.m. to discuss the following:

- A. Threatened litigation pursuant to Government Code §54956.9(b) – Two Cases
- B. Conference with Real Property Negotiator pursuant to Government Code §54956.8 - Property: APN 022-040-012 (Feather River Blvd.) Negotiating Parties: Lennar Renaissance, Inc./Interwest Consulting Group Negotiation: Terms of Payment

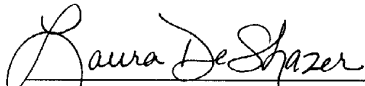
The Board returned from closed session at 11:14 a.m. with all Board and staff members present as indicated above. There was no announcement.

ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 11:14 a.m. in memory of Ms. Vera Williams by Chairman Logue.

  
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Chairman

ATTEST: DONNA STOTTLEMEYER  
CLERK OF THE BOARD OF SUPERVISORS

  
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Laura DeShazer, Deputy Clerk

Approved: August 12, 2008