

YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

SEPTEMBER 6, 2005

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 6:00 p.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.

BOARD SUPERVISORS

Katrina Victim Assistance: Supervisor Schrader advised Red Cross donation receptacles would be placed in County buildings through October 5, 2005.

CONSENT AGENDA

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

- A. Agricultural Commissioner: Adopted Resolution No. 2005-227, which is on file in Yuba County Resolution Book No. 36, which is entitled: "RESOLUTION DESIGNATING 20% OF FOREST RESERVE FUNDS RECEIVED UNDER PROVISION OF P.L. 106-393 (HR 2389) FOR ALLOCATION TO TITLE III PROJECT." ADOPT RESOLUTION NO. 2005-227
- B. Clerk of the Board of Supervisors
- 1) Approved the minutes of the regular meetings of August 9 and 16, 2005 as written. APPROVE MINUTES
- 2) Reappointed Sheridan Alongi to the In-Home Supportive Services Advisory Board as a Representative for a term to expire August 5, 2007. APPOINT IHSS REP.

C. Probation: Adopted Resolution No. 2005-228, which is on file in Yuba County Resolution Book No. 36, which is entitled: "RESOLUTION AUTHORIZING THE BOARD CHAIR TO SIGN A CONTRACT BETWEEN THE COUNTY AND THE STATE OF CALIFORNIA FOR SERVICES PURSUANT TO SECTIONS 704 AND 1752.1 OF THE WELFARE AND INSTITUTIONS CODE." ADOPT RESOLUTION NO. 2005-228

D. Public Works

- 1) Approved Memorandum of Understanding with High Sierra Resource Conservation and Development Council for a roadside clearing project and authorized the Chair to execute same. APPROVE MOU
- 2) Awarded contract to Mark Thomas and Company, Inc. for environmental services related to construction of River Oaks Boulevard from Algodon Road to Arboga Road and authorized the Chair to execute same. AWARD CONTRACT
- 3) Adopted Resolution No. 2005-229, which is on file in Yuba County Resolution Book No. 36, which is entitled: "RESOLUTION INITIATING PROCEEDINGS TO ESTABLISH COUNTY SERVICE AREA-CSA NO. 71 (NORMANDY ESTATES)." ADOPT RESOLUTION NO. 2005-229
- 4) Adopted Resolution No. 2005-230, which is on file in Yuba County Resolution Book No. 36, which is entitled: "RESOLUTION INITIATING PROCEEDINGS TO ESTABLISH COUNTY SERVICE AREA-CSA NO. 61 (PEORIA HILLS ESTATES)." ADOPT RESOLUTION NO. 2005-230
- 5) Awarded contract to Escherman Construction for road improvement work in County Service Area 28 (Cambridge Lane) and authorized the Chair to execute upon submittal and approval of County Counsel. AWARD CONTRACT
- 6) Awarded contract to Teichert Construction for road rehabilitation work in County Service Area 52 (Edgewater Subdivision) and authorized the Chair to execute upon submittal and approval of County Counsel. AWARD CONTRACT
- 7) Adopted Resolution No. 2005-231, which is on file in Yuba County Resolution Book No. 36, which is entitled: "RESOLUTION APPROVING FINAL MAP OF TRACT MAP NO. 2005-15 (EDGEWATER UNIT 12)," and authorized the Chair to execute subdivision map improvement agreement with Reynen and Bardis Communities Inc. ADOPT RESOLUTION NO. 2005-231
- 8) Adopted Resolution No. 2005-232, which is on file in Yuba County Resolution Book No. 36, which is entitled: "RESOLUTION APPROVING FINAL MAP OF TRACT MAP NO. 2005-16 (EDGEWATER UNIT 13)," and authorized the Chair to execute subdivision map improvement agreement with Reynen and Bardis Communities Inc. ADOPT RESOLUTION NO. 2005-232

9) Adopted Resolution No. 2005-233, which is on file in Yuba County Resolution Book No. 36, which is entitled: "RESOLUTION APPROVING FINAL MAP OF TRACT MAP NO. 2005-21 (EDGEWATER UNIT 14)," and authorized the Chair to execute subdivision map improvement agreement with Reynen and Bardis Communities Inc. ADOPT RESOLUTION NO. 2005-233

10) Adopted Resolution No. 2005-234, which is on file in Yuba County Resolution Book No. 36, which is entitled: "RESOLUTION APPROVING FINAL MAP OF TRACT MAP NO. 2005-25 (EDGEWATER UNIT 15)," and authorized the Chair to execute subdivision map improvement agreement with Reynen and Bardis Communities Inc. ADOPT RESOLUTION NO. 2005-234

E. Treasurer-Tax Collector: Appointed Mark Allgire to the County Treasury Oversight Committee. APPOINT REP.

#### PUBLIC COMMUNICATIONS

Madam Chair Griego presented a proclamation to Child Support Services Director Michael Testerman on his retirement after ten years of County service.

Agricultural Commissioner Dennis Pooler advised a photograph depicting Yuba County which was taken by staff member Errol Storm and displayed at the California Department of Food and Agricultural, received recognition for representing "Responsible Environmental Stewardship and Agricultural," and will also hang in the department.

Ms. Carol Ramirez, Yuba City, recapped upcoming events at the Future Faire which is held at Yuba Sutter Fairgrounds on September 9, 2005 from 5:30 - 9:00 p.m.

Mr. Greg Crompton, Dobbins, commended County Counsel Dan Montgomery for his service at the foothill lookout tower and recent "pickup" of a Rough and Ready fire.

#### COMMUNITY DEVELOPMENT

Code Enforcement Relocation Expenditures: Following presentation by Supervising Code Enforcement Officer Jeremy Strang and Board inquiries, upon motion of Supervisor Schrader, seconded by Supervisor Logue, and unanimously carried, the Board adopted Resolution No. 2005-235, which is on file in Yuba County Resolution Book No. 36, which is entitled: "RESOLUTION ESTABLISHING ADMINISTRATIVE REVIEW PROCEDURES RELATING TO REIMBURSEMENT FOR CODE ENFORCEMENT RELOCATION EXPENDITURES." ADOPT RESOLUTION NO. 2005-235

COUNTY ADMINISTRATOR

- 1) Community Facilities District No. 2004-1 (Edgewater): Following presentation by Assistant Director and Board inquiries, upon motion of Supervisor Schrader, seconded by Supervisor Logue, and unanimously carried, the Board adopted Resolution No. 2005-237, which is on file in Yuba County Resolution Book No. 36, which is entitled: "RESOLUTION AUTHORIZING THE ISSUANCE OF SPECIAL TAX BONDS OF THE COUNTY FOR COUNTY OF YUBA COMMUNITY FACILITIES DISTRICT NO. 2004-1 (EDGEWATER), APPROVING AND DIRECTING THE EXECUTION OF A FISCAL AGENT AGREEMENT AND APPROVING OTHER RELATED DOCUMENTS AND ACTIONS." ADOPT RESOLUTION NO. 2005-237
- 2) Child Support Services Interim Director: Upon motion of Supervisor Schrader, seconded by Supervisor Logue, and unanimously carried, the Board approved appointing Tina Taylor as Interim Director of Child Support Services. APPOINT CSS INT. DIRECTOR

PUBLIC WORKS

County Service Area (CSA) 21/Penny Way Road Improvement: Following presentation by Public Works Director Kevin Mallen recapping contract for 3,800 feet of improvement or a proposed contract split of 3,200 feet and Board inquiries, the following CSA 21 residents spoke in support of the proposed split contract:

- Jess Bradley
- Sharon Bradley
- Tom Ganyon
- Sherri Setser
- John Simpson
- John Downs

The following CSA 21 residents spoke in support of the original contract for 3,800 feet:

- Dominic Dominquez
- Pat Call
- Malcolm Call
- Myung Marin
- Kathryn Salter
- Jose Marin

Upon motion of Supervisor Stocker, seconded by Supervisor Logue, with Supervisors Nicoletti and Schrader voting in opposition, the Board adopted the proposed contract amendment to split pavement of Penny Way to 1,600 feet from Therese Trail and 1,600 feet from Dolan Harding.

APPROVE  
PROPOSED  
AMENDMENT

#### ORDINANCES AND PUBLIC HEARINGS

The Clerk read the disclaimer.

Public Hearing/Mitigated Negative Declaration/Tentative Subdivision Tract Map 2004-009/Specific Plan Amendment 2004-001/Ordinance Rezoning Certain Property Medium High Density Residential (DeValentine/Laughlin/Spence-Sawyer's Landing): Contract Planner Joe Prutch recapped the proposed subdivision map and change of zoning and responded to Board inquiries. Madam Chair Griego opened the public hearing.

Mr. Walt Whitenton, Linda, felt subdivisions name should not be duplicated unless within the same area.

Upon motion of Supervisor Schrader, seconded by Supervisor Logue, and unanimously carried, the public hearing was closed and the Board Adopted Resolution No. 2005-237, which is on file in Yuba County Resolution Book No. 36, which is entitled: "RESOLUTION ADOPTING A MITIGATED NEGATIVE DECLARATION, APPROVING TENTATIVE SUBDIVISION TRACT MAP TSTM 2004-009 AND SPECIFIC PLAN AMENDMENT SPA 2004-001 (DEVALENTINE/LAUGHLIN AND SPENCE) SUBJECT TO THE ATTACHED CONDITIONS OF APPROVAL;" and adopted Ordinance No. 1352, which is on file in Yuba County Ordinance Book No. 18, which is entitled: "AN ORDINANCE REZONING CERTAIN PROPERTY IN THE COUNTY OF YUBA," to Medium High Density Residential.

ADOPT  
RESOLUTION  
NO. 2005-237  
AND  
ORDINANCE  
NO. 1352

#### CORRESPONDENCE

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

A. Letter from United States Fish and Wildlife Services regarding final rule designating critical habitat for 15 vernal pool species. No action.

B. Letter from California Department of Fish and Game advised of public hearing on proposed land management plan for Spenceville Wildlife Area on October 5, 2005 at the Yuba County Government Center. No action.

- C. Letter from Friends of Yuba County regarding Teichert Aggregates Marysville plant request to alter existing surface mining permit. REFER TO STAFF

Referred to Community Development.

- D. Flyer from Mercy Housing California announcing first time home buyer low interest loan programs. No action.

- E. Letter from Aero Pines and Pinewood Parks Homeowners Association requesting ordinance for rent stabilization. REFER TO STAFF

Referred to County Counsel.

- F. Annual Report from National Association of Counties for 2004/2005. No action.

- G. Letter from County Medical Services Program Governing Board advising risk allocation assessment and participating counties shall not be assessed for Fiscal Year 2005/06. No action.

- H. Memo from Administrative Services Director Robert Meneni enclosing QuEST request to sub-lease to Wildan Engineering. No action.

- I. Letter from CRHMFA Homebuyers Fund enclosing resolution approving Yuba County associate membership. No action.

- J. Memo from Health and Human Services regarding tuberculosis and first responders. No action.

#### BOARD AND STAFF MEMBERS REPORTS

Reports were received on the following:

Supervisor Stocker:

- Memorial adjournments in memory of Mrs. Shawna Bullock, Mrs. Ruby Hoskins, Mrs. Geraldine Sheehan, and Mrs. Judy Simons
- Proclamation for Ernie Paschke on his retirement from Yuba Sutter Resource Conservation District
- Sierra Nevada Conservancy public meeting on Thursday, September 15, 2005 in El Dorado Hills
- Various newspaper articles on China's economy

Supervisor Schrader:

- Received consensus to issue correspondence to New Orleans Mayor to be signed by all Board members

Supervisor Nicoletti:

- Proclamation for St. Josephs Church 150<sup>th</sup> Anniversary celebration on September 17, 2005

Supervisor Griego:

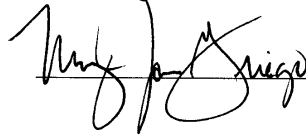
- Received consensus issue letter of support Senate Bill 1002 and Assembly Bill 1766 on Enterprise Zone Extension & Overall Economic Development Area Improvement Bills

Emergency Services Coordinator Brian O'Hara:

- New Orleans disaster update

ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 7:55 p.m. Mrs. Shawna Bullock, Mrs. Ruby Hoskins, Mrs. Geraldine Sheehan, and Mrs. Judy Simons by Madam Chair Griego.

  
\_\_\_\_\_ Chair

ATTEST: DONNA STOTTLEMEYER  
CLERK OF THE BOARD OF SUPERVISORS

 Approved: 