

YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

SEPTEMBER 20, 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. Madam Chair Griego presided.

CONSENT AGENDA

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

- A. Clerk of the Board of Supervisors: Approved minutes of the regular meeting of September 6, 2005, as written. APPROVE MINUTES
- B. Public Works
- 1) Authorized transfer of one vehicle from the Automotive Services Fund to the Road Fund. AUTHORIZE TRANSFER
- 2) Awarded contract to Sutter Contractors Inc., the apparent low bidder, for Linda Avenue Drainage Extension and authorized the Chair to execute upon submittal and review and approval of County Counsel. AWARD CONTRACT
- C. Risk Management/Personnel: Approved an amendment to Article 3(b) of the California State Association of Counties Excess Insurance Authority Joint Exercise of Powers Agreement and authorized the Chair to execute same. APPROVE AMNDMNT.
- D. Sheriff-Coroner: Received Inmate Welfare Expenditure Summary for Fiscal Year 2004/05 pursuant to Penal Code Section 4025(e). RECEIVE SUMMARY

COUNTY ADMINISTRATOR

1) Geographic Information System (GIS)/GIS Analyst II: County Administrator Kent McClain recapped the proposal for a study to develop an inventory of existing, planned, and potential parks and open space which involves collection of GIS information and additional staff and responded to Board inquiries.

Upon motion of Supervisor Stocker, seconded by Supervisor Schrader, and unanimously carried, the Board approved the Geographic Information System proposal for Parks and Open Space Study, allocated new Information Technology position, and referred the study to the various County Liaison Committees for recommendation. APPROVE STUDY & POSITION

2) Grand Jury Response Fiscal Year 2004/2005: Upon motion of Supervisor Schrader, seconded by Supervisor Stocker, and unanimously carried, the Board approved the Grand Jury Response for Fiscal Year 2004/2005 Report and authorized the Chair to execute same. APPROVE RESPONSE

RISK MANAGEMENT/PERSONNEL

1) Position Allocation Schedule: Upon motion of Supervisor Schrader, seconded by Supervisor Logue, and unanimously carried, the Board adopted Resolution No. 2005-240, which is on file in Yuba County Resolution Book No. 34, which is entitled: "RESOLUTION AMENDING THE DEPARTMENTAL POSITION ALLOCATION SCHEDULE NO. 2005-222," as it relates to Administrative Services. ADOPT RESOLUTION NO. 2005-240

2) Basic Salary Schedule: Upon motion of Supervisor Logue seconded by Supervisor Stocker, and unanimously carried, the Board adopted Resolution No. 2005-241, which is on file in Yuba County Resolution Book No. 36, which is entitled: "RESOLUTION AMENDING THE CLASSIFICATION SYSTEM – BASIC SALARY SCHEDULE NO. 2005-105," as it relates to Administrative Services. ADOPT RESOLUTION NO. 2005-241

ORDINANCES AND PUBLIC HEARINGS

The Clerk read the disclaimer.

A. Public Hearing/Adopt mitigated negative declaration, adopt resolution approving General Plan Amendment GPA2005-0006 and Tentative Parcel Map TPM 2004-0036 (Hastey/McNellis), and adopt ordinance re-zoning certain property to General Commercial and Public Facilities: Contract Planner Zach Thomas gave a Power Point presentation on the proposed project on Powerline Road and responded to Board inquiries. Public Works Director responded to Board inquiries regarding traffic impacts.

Madam Chair Griego opened the public hearing.

Ms. Peggy DuBose, Olivehurst, expressed concerns regarding the project.

Upon motion of Supervisor Schrader, seconded by Supervisor Logue, and unanimously carried, the public hearing was closed.

Upon motion of Supervisor Logue seconded by Supervisor Stocker, and unanimously carried, the Board adopted Resolution No. 2005-242, which is on file in Yuba County Resolution Book No. 36, which is entitled: "RESOLUTION APPROVING GENERAL PLAN AMENDMENT GPA 2005-006; AND TENTATIVE PARCEL MAP TPM 2004-0036 SUBJECT TO CONDITIONS;" and adopted Ordinance No. 1353, which is on file in Yuba County Ordinance Book No. 1353, which is entitled: "AN ORDINANCE REZONING CERTAIN PROPERTY IN THE COUNTY OF YUBA," as it relates to Assessor's Parcel No. 014-160-016.

ADOPT
RESOLUTION
NO. 2005-242
AND
ORDINANCE
NO. 1353

B. Public Hearing/Adopt negative declaration, adopt resolution approving General Plan Amendment GPA2004-0004 (Soper Wheeler Company), and adopt ordinance rezoning certain property to Agricultural Rural Residential: Contract Planner Zach Thomas gave a power presentation on the proposed change in land use designation from timber production to foothill agriculture and responded to Board inquiries.

Madam Chair Griego opened the public hearing. No one came forward.

Upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and unanimously carried, the public hearing was closed, and the Board adopted Resolution No. 2005-243, which is on file in Yuba County Resolution Book No. 36, which is entitled: "RESOLUTION APPROVING GENERAL PLAN AMENDMENT GPA 2004-004 SUBJECT TO CONDITIONS," with an amendment to add the condition requiring the applicant within the next ten years to have a soil report completed by a registered geologist to determine asbestos, serpentine, or ultramafic rock content; and adopted Ordinance No. 1354, which is on file in Yuba County Ordinance Book No. 18, which is entitled: "AN ORDINANCE REZONING CERTAIN PROPERTY IN THE COUNTY OF YUBA," as it relates to Assessor's Parcel No. 056-110-008.

ADOPT
RESOLUTION
NO. 2005-243
AND
ORDINANCE
NO. 1354

C. Public Hearing/Count ballots, and adopt resolution approving the engineer's report and imposing an assessment of \$236.43 for County Service Area 63 (Peoria Ridge): Public Works Director Kevin Mallen recapped the ballot process for imposing an assessment and responded to Board inquiries.

Madam Chair Griego opened the public hearing. No one came forward.

Clerk of the Board Donna Stottlemeyer opened and counted ballots advising there were 33 "Yes" votes and 12 "No" votes.

Upon motion of Supervisor Schrader, seconded by Supervisor Stocker, and unanimously carried, the public hearing was closed, and the Board adopted Resolution No. 2005-244, which is on file in Yuba County Resolution Book No. 36, which is entitled: "RESOLUTION APPROVING ENGINEER'S REPORT AND IMPOSING AN ASSESSMENT IN CSA 63 (PEORIA RIDGE)." ADOPT RESOLUTION NO. 2005-244

ITEM OF PUBLIC INTEREST

DeSilva Gates Construction/Resource Depletion Fee Penalty Waiver: Following a brief recap of the request to waive penalty by Treasurer-Tax Collector James Kennedy and Board inquiries, Supervisor Logue moved to grant the waiver. The motion failed for lack of a second. With no support forthcoming, Madam Chair Griego advised the request is denied. DENY REQUEST

CORRESPONDENCE

A. Flyer from Water Education Foundation announcing seminar on Selenium Summit: Problems and Solutions for the West scheduled November 2-4, 2005 in Costa Mesa. No action.

B. Letter from Loma Rica/Browns Valley Citizen's Committee for Measure F recognizing County departments and personnel regarding their special election. REFER TO STAFF

Referred to Clerk Recorder/Treasurer/Auditor and Personnel

C. Letter from United States Fish and Wildlife Service regarding final rule designating critical habitat for Central Population of California Tiger Salamander. No action.

D. Memo from Yuba City Parks and Recreation announcing Yuba/Sutter Committee for Senior Issues Meeting on September 19, 2005 at the Yuba City Senior Citizen Center. No action.

BOARD AND STAFF MEMBERS' REPORTS

Reports were received on the following:

Supervisor Stocker:

- Memorial adjournment and proclamation in memory of Mr. Evander D. Caldon
- Penny Way paving project
- Sierra Nevada Conservancy Forum held Thursday, September 14, 2005
- Scenic Highway designation for Highway 20
- Sacramento Bee article regarding home values

Supervisor Nicoletti:

- 150th Anniversary of St. Josephs Catholic Church
- Lindhurst High School Master Plan meeting on September 20, 2005 at 5:30 p.m. at Lindhurst High School
- Hurricane Katrina fundraiser on September 22, 2005 at Marysville High School
- Encouraged beginning employment process for position of County Administrator

Supervisor Logue:

- Requested formation of advisory committee to work with Beale Air Force Base and staff regarding an Ostrom Road project to develop a racing venue.

Madam Chair Griego formed an advisory committee appointing Supervisors Logue and Schrader as representatives for the duration of the year.

FORM
AD HOC

Supervisor Griego:

- Received consensus for resolution preparation in support of the Goldfields Training Center
- Olivehurst Avenue Improvement Plan

County Administrator Kent McClain:

- Levee improvement project status and received Board consensus to prepare press release and thank you letters to individuals and regulatory agencies

CLOSED SESSION

The Board retired into closed session at 11:10 a.m. to discuss the following:

- A. Labor negotiations pursuant to Government Code §54957.6(a) - Yuba County Employees Association and County of Yuba/Beverly Capaci
- B. Threatened litigation pursuant to Government Code §54956.9(b) - Two Cases

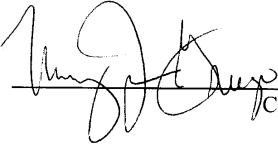
The Board returned from closed session at 11:59 a.m. with all staff and Board members present as indicated above.

County Counsel Daniel Montgomery made the following announcement:

“By a unanimous vote of your Board, the claim of Alicia Williams and Allied Insurance has been allowed in the amount of \$8,336.29. And that is all the announcements.”

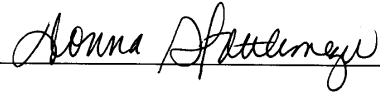
ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 12:00 p.m. in memory of Mr. Evander Caldon by Madam Chair Griego.



Chairman

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS



Approved: October 11, 2005