

YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

SEPTEMBER 27, 2005

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 9:38 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 Assistant County Administrator Randy Margo, 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 Schrader, and unanimously carried, the Board took the following actions:

A. Board of Supervisors

1) Appointed Keith Davis as Division Three Director to Cordua Irrigation District for a four year term to expire December 4, 2009 pursuant to Elections Code Section 10515. APPOINT REPS.

2) Appointed Brian Bertolini, Don Staas and Gene Ginocchio as Directors to Brophy Water District for a four year term to expire December 4, 2009 pursuant to Elections Code Section 10515. APPOINT REPS.

B. Clerk of the Board of Supervisors: Approved minutes of the regular meeting of September 13, 2005, as written. APPROVE MINUTES

C. Clerk-Recorder/Elections: Adopted Resolution No. 2005-245, which is on file in Yuba County Resolution Book No. 36, which is entitled: "AUTHORIZE THE YUBA COUNTY CLERK-RECORDER-REGISTRAR OF VOTERS TO ENTER INTO AGREEMENT WITH THE CALIFORNIA SECRETARY OF STATE FOR HELP AMERICA VOTE ACT (HAVA) ELECTIONS ASSISTANCE FOR INDIVIDUALS WITH DISABILITIES (EAID) SECTION 261 PROGRAM, AND AUTHORIZE CLERK RECORDER-REGISTRAR OF VOTERS TO EXECUTE DOCUMENTS AS REQUIRED BY THE GRANT AND ANY PERTINENT DOCUMENTS RELATED TO THIS PROGRAM AND AUTHORIZE ACCEPTANCE OF FUNDS." ADOPT RESOLUTION NO. 2005-245

D. Public Works

- 1) Adopted Resolution No. 2005-246 which is on file in Yuba County Resolution Book No. 36, which is entitled: "RESOLUTION CONCERNING THE COUNTY MAINTAINED MILEAGE." ADOPT RESOLUTION NO. 2005-246
 - 2) Awarded contract to Escherman Construction for road improvement work in County Service Area 11 (Yuba Ranch Way) and authorized the Chair to execute same. AWARD CONTRACT
 - 3) Approved cooperative agreement with Caltrans for design and right of way services in regards to Plumas Lake Boulevard (Algodon) Interchange at SR70 and authorized the Chair to execute same. APPROVE AGREEMENT
 - 4) Awarded contract to Teichert Construction the apparent low bidder for North Beale Road Pavement Rehabilitation Project and authorized the Chair to execute same. AWARD CONTRACT
 - 5) Awarded Contract to Baldwin Contracting Company the apparent low bidder for North Beale Road Shoulder Improvement Project and authorized the Chair to execute same. AWARD CONTRACT
- E. Sheriff-Coroner: Approved an amendment to agreement between County of Yuba and 9th Reconnaissance Wing, Beale Air Force Base to provide shelter services and authorized the Chair to execute same. APPROVE AMNDMNT.

SPECIAL PRESENTATION

QuEST/938 14th Street: President Becky Horwath advised the County Building Inspector had finalized the building permit and were waiting to receive a final from the City Fire Department and responded to Board inquiries. REPORT RECEIVED

PUBLIC COMMUNICATIONS

Mr. Randy Dzierzanski, Yuba County Motorplex, proffered his participation with the racing advisory committee to assist bringing other forms of entertainment to the Sports and Entertainment Zone.

BOARD OF SUPERVISORS

Olivehurst Public Utility District (OPUD) Liaison Committee: Madam Chair Griego formed OPUD standing committee and appointed Supervisor Nicoletti and herself as representatives and Supervisor Schrader as the alternate. APPOINT COMMITTEE REPS.

CLERK-RECORDER/ELECTIONS

Voting Equipment Vendor/Sequoia Voting Systems, Inc.: Following presentation by Clerk-Recorder Terry Hansen and Board inquiries, Ms. Anna Acton, FREED Independent Living, felt the proposed system provided a safe, independent, and private vote.

Upon motion of Supervisors Logue, seconded by Supervisor Stocker, and unanimously carried, the Board identified vendor Sequoia Voting Systems, Inc. for voting equipment to replace the DataVote punch-card system, authorized contract negotiations, and authorized the Chair to execute agreement following County Counsel review. IDENTIFY VENDOR

COUNTY COUNSEL

Yuba First Five Commission/Employee Contract: County Counsel Daniel Montgomery recapped the proposed employment agreement among the First Five Yuba Commission, the County of Yuba, and at-will employees and responded to Board inquiries.

Upon motion of Supervisor Stocker, seconded by Supervisor Nicoletti, and unanimously carried, the Board approved the draft contract among County of Yuba, at-will employees, and Yuba First Five Commission. APPROVE CONTRACT

COUNTY ADMINISTRATOR

Flood Control Operations/Yuba and Feather Rivers: Upon motion of Supervisor Schrader, seconded by Supervisor Stocker, and unanimously carried, the Board letters to the Department of Water Resources and Army Corps of Engineers regarding flood control operations on the Yuba and Feather Rivers. APPROVE LETTERS

ORDINANCES AND PUBLIC HEARINGS

The Clerk read the disclaimer.

A. Public Hearing/resolution accepting a statutory exemption pursuant to the California Environmental Quality Act and approving tentative subdivision tract map 2004-0052, subject to terms of development agreement 2005-0001(Armada LLC) and ordinance approving development agreement between County of Yuba and Ross Ranch LLC: Community Development Director Tim Snellings and Senior Planner Stacey Jolliffe gave a power point presentation recapping the proposed project and revisions to conditions and responded to Board inquiries.

Madam Chair Griego opened the public hearing.

Ms. Rhonda Neely, Armada, recapped project fees and park dedication and improvements.

Mr. Terry Galloway, The Galloway Group, gave a power point presentation on design guidelines.

Ms. Joann Aiello, Yuba-Sutter Head Start Director, encouraged projects which included Mercy Housing however, preferred a mixed-housing community.

Mr. Jeff Mitchell, Olivehurst Public Utility District Counsel, commented on the need for the park development reservation and appropriate funding.

Ms. Corey Lorenzo, Public Facilities Director with Marysville Joint Unified School District, concurred with Mr. Mitchell and the need for public facilities reservation.

Ms. Ilene Jacobs, California Rural Legal Assistance, commended staff and felt the proposal "goes a long way to address the needs."

Upon motion of Supervisor Logue, seconded by Supervisor Stocker, and unanimously carried, the public hearing was closed, and the Board adopted as amended Resolution No. 2005-247, which is on file in Yuba County Resolution Book No. 36, which is entitled: "RESOLUTION ACCEPTING A STATUTORY EXEMPTION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVING TENTATIVE SUBDIVISION TRACT MAP 2004-0052, SUBJECT TO TERMS DEVELOPMENT AGREEMENT 2005-0001 (ARMADA LLC);" and adopted Ordinance No. 1355 which is on file in Yuba County Ordinance Book No. 18, which is entitled: "AN ORDINANCE ADOPTING AND APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE COUNTY OF YUBA AND ROSS RANCH LLC."

ADOPT
RESOLUTION
NO. 2005-247
AND
ORDINANCE
NO. 1355

B. Public Hearing/Community Development Block Grant (CDBG) Planning and Technical Assistance Grant: Community Development Director Tim Snellings read the public hearing notice.

Following presentation by Mr. David Wilkinson, Mercy Housing, regarding fund use for architectural and financial feasibility plan for expansion of Harmony Health Family Resource Center and Board inquiries, Madam Chair Griego opened the public hearing. No one came forward.

Upon motion of Supervisor Schrader, seconded by Supervisor Stocker, and unanimously carried, the public hearing was closed and the Board adopted Resolution No. 2005-248, which is on file in Yuba County Resolution Book No. 36, which is entitled: "APPROVE AN APPLICATION AND CONTRACT EXECUTION FOR FUNDING FROM THE

ADOPT
RESOLUTION
NO. 2005-248

PLANNING AND TECHNICAL ASSISTANCE ALLOCATION OF THE STATE CDBG PROGRAM; AUTHORIZE THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO WITH THE STATE OF CALIFORNIA FOR THE PURPOSES OF THIS GRANT."

ITEM OF PUBLIC INTEREST

Off-sale Alcohol License/Discount Outlet: Contract Planner Zach Thomas recapped the request for license and responded to Board inquiries.

Upon motion of Supervisor Logue, seconded by Supervisor Stocker, and unanimously carried, the Board authorized the issuance of a Type 20 off-sale alcohol license for Discount Outlet located at 1480 North Beale Road will serve public convenience or necessity. APPROVE FINDING

CORRESPONDENCE

A. Letter from Governor's Office of Emergency Services advising of disaster designation for contiguous counties due to hail and rain in May 2005 which included Yuba County. No action.

B. Notice from Pacific Gas and Electric Company regarding filing of application for recovery of catastrophic event costs. No action.

C. Letter from Denise Osowick to Supervisor Stocker regarding Ordinance language for Conditional Use Permits. REFER TO STAFF

Referred to Planning Commission , Community Development, Public Works

BOARD AND STAFF MEMBERS' REPORTS

Reports were received on the following:

Supervisor Stocker:

- Memorial adjournments in memory of Mrs. Wilma Boyle and Mrs. Melissa Noel
- Appeal Democrat articles on economic development and constituent opinion on Sheriff services

Supervisor Schrader:

- Water canal for transfers to Wheatland and Beale Air Force Base comments

Supervisor Nicoletti:

- Commended Sheriff services
- Students Helping Students Fundraiser for Katrina victims; Loss of County booth at Economic Development Forum
- New Yuba County Profile and Retail Profile

Supervisor Logue:

- Requested reconsideration of funding to Economic Development Corporation as compared to County Economic Development Coordinator and presentation regarding fund usage
- Meeting with Chico State and Yuba College for satellite campus

Madam Chair Griego referred the funding matter to the EDC standing committee.

Emergency Services Coordinator Brian O'Hara:

- County activities relating to Katrina relief efforts

County Counsel Daniel Montgomery:

- Attending County Counsel Conference September 27-30, 2005.

At the request of County Counsel, upon motion of Supervisor Schrader, seconded by Supervisor Stocker, and unanimously carried, the Board added the matter of one threatened litigation as the need to take action arose subsequent to the agenda being posted.

ADD
CLOSED
SESSION

CLOSED SESSION

The Board retired into closed session at 11:39 a.m. to discuss one case of threatened litigation pursuant to Government Code §54956.9(b).

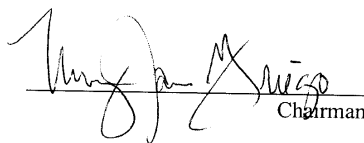
The Board returned into open session at 12:01 p.m. with all Board and staff members present as indicated above. There was no announcement from closed session.

At the request of County Counsel, following Board consensus, the Board directed the use a professional recruiting firm regarding the upcoming vacancy of the Community Development Director and review of the departmental organizational chart.

DIRECT
RECRUITING
FIRM

ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 12:04 p.m. in memory of Mrs. Wilma Boyle and Mrs. Melissa Noel by Madam Chair Griego.


Chairman

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

 Approved: October 18, 2005