

YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

OCTOBER 10, 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, County Counsel Daniel Montgomery, and Deputy Clerk of the Board of Supervisors Ellen DeLemos. Chairman Schrader presided.

CONSENT AGENDA

Upon motion of Supervisor Griego, seconded by Supervisor Logue, and carried with Supervisor Stocker being absent, the Board took the following actions:

A. Administrative Services:

- 1) Rejected bid received from Mr. David Croft for \$30,000 for County property located in Camptonville described as Parcel No. 064-142-001-000, Lot 3, Block 9. REJECT BID
- 2) Approved agreements with Advanced Documents Concepts and Ray Morgan Company for copy machine lease and maintenance and authorized the Chairman to execute same. APPROVE AGREEMENTS

B. Clerk of the Board of Supervisors:

- 1) Appointed Ms. Joyce Ash to the Child Care Planning Council as the Public Agency representative for a term to expire September 30, 2009. APPOINT REP.
- 2) Approved the minutes of the regular meeting of September 26, 2006 as written. APPROVE MINUTES

- C. Community Development: Approved a Memorandum of Agreement with North Central California Information Center for pre-project review services of historical resources and authorized the Chairman to execute same. APPROVE AGREEMENT

D. Risk Management/Personnel: Adopted Resolution No. 2006-127, which is on file in Yuba County Resolution Book No. 37, which is entitled: "RESOLUTION IN SUPPORT OF UNITED WAY." ADOPT RESOLUTION NO. 2006-127

Supervisor Stocker joined the meeting at 9:32 a.m.

PUBLIC COMMUNICATIONS

No one came forward.

BOARD OF SUPERVISORS

1) California State Association of Counties (CSAC): Upon motion of Supervisor Griego, seconded by Supervisor Logue, and unanimously carried, the Board appointed Supervisor Griego as CSAC representative and Supervisor Logue as the alternate for terms to commence the first day of the CSAC annual conference. APPOINT REPS.

Supervisor Stocker left the meeting at 9:34 a.m. and returned at 9:35 a.m.

2) Joint Land Use Study/Beale Air Force Base (BAFB): Supervisor Nicoletti and Supervisor Stocker provided an update on the Joint Land Use Study in regards to land uses and improvements near BAFB and responded to particular Board inquiries regarding: INFO ONLY

- Mining Activities
- Dark night sky
- Noise Contours
- Maintaining security

County Administrator Robert Bendorf urged the County and Beale personnel to meet on a regular basis to discuss potential partnerships in regards to infrastructure and urged the addition of adjacent property owners to participate in Committee meetings.

COMMUNITY DEVELOPMENT

Pacific Municipal Consultants/Willdan/Agreements: Following a brief recap from Community Development Director Kevin Mallen and Board inquiries, upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and unanimously carried, the Board approved Amendment No. Four with Pacific Municipal Consultants and an agreement with Willdan for professional services and authorized the Chairman to execute same. APPROVE AMENDMENT AND AGREEMENT

ORDINANCES AND PUBLIC HEARINGS

Chairman Schrader read the disclaimer.

A) Ordinance Repealing and Reenacting Title 13/Section 13.00.032/Increasing Agricultural Commissioner Fees (Second Reading): Chairman Schrader 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, the second reading was waived, and the Board adopted Ordinance No. 1387, which is on file in Yuba County Ordinance Book No. 19, which is entitled: "ORDINANCE AMENDING TITLE 13, RAISING CERTAIN FEES," as it relates to Agricultural Commissioner fees. ADOPT ORDINANCE NO. 1387

B) Ordinance Amending Chapter 2.30 Increasing Board of Supervisors Salaries (Second Reading): Chairman Schrader opened the public hearing. No one came forward.

Upon motion of Supervisor Nicoletti, seconded by Supervisor Griego, and carried with Supervisors Nicoletti, Griego and Stocker voting in support and Supervisors Logue and Schrader voting in opposition, the public hearing was closed, the second reading was waived, and the Board adopted Ordinance No. 1388, which is on file in Yuba County Ordinance Book No. 19, which is entitled: "ORDINANCE AMENDING CHAPTER 2.30 OF THE YUBA COUNTY ORDINANCE CODE RELATING TO BOARD OF SUPERVISORS SALARIES." ADOPT ORDINANCE NO. 1388

C) Public Hearing/Hold public hearing adopt resolution annexing territory into County Service Area 52 – Zone of Benefit B, and imposing an assessment of \$232.56 per parcel per year: Public Works Director Mike Lee recapped the resolution for annexation and assessments and responded to Board inquiries. Chairman Schrader opened the public hearing. No one came forward.

Upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and unanimously carried, the Board adopted Resolution No. 2006-128, which is on file in Yuba County Resolution Book No. 37, which is entitled: "RESOLUTION ANNEXING TERRITORY (THE ARBORS SUBDIVISION) TO COUNTY SERVICE AREA (CSA) 52, ZONE OF BENEFIT B AND IMPOSING AN ASSESSMENT AT THE CURRENT ASSESSMENT RATE FOR FISCAL YEAR 06/07 OF \$232.56." ADOPT RESOLUTION NO. 2006-128

D) Ordinance/Public Hearing/Adopt Resolution Approving Mitigated Negative Declaration, Monitoring and Reporting Plan, Specific Plan Amendment 2006-0002, and Tentative Subdivision Tract Map TSTM 2006-005 (Dunmore Homes/Orchard Phase 8)/Adopt Ordinance Approving Change of Zone CZ 2006-0002 from R-3 to R-5:

Associate Planner Scott Greeley recapped the proposed project for Dunmore Homes located within the East Linda Specific Plan and change of zone and responded to specific Board inquiries regarding drainage, noise contour, and the Marysville Bypass.

Chairman Schrader opened the public hearing. No one came forward.

Upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and carried with Supervisors Logue, Nicoletti and Schrader voting in support, and Supervisors Griego and Stocker voting in opposition, the motion to adopt resolution adopting mitigated negative declaration and monitoring and reporting plan and approving Specific Plan Amendment 2006-0002 and Tentative Subdivision Tract Map TSTM 2006-005 (Dunmore Homes/Orchard Phase 8); and ordinance approving Change of Zone CZ 2006-0002 rezoning certain property from R-3 to R5 failed due to a lack of a four-fifths vote. MOTION FAILED

Associate Planner Joe Prutch recapped the location of the project in connection with the Marysville Bypass and responded to Board inquiries.

Upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and carried with Supervisors Logue, Nicoletti and Schrader voting in support, and Supervisors Griego and Stocker voting in opposition, the public hearing was closed, the reading was waived, and the motion to adopt resolution adopting mitigated negative declaration and monitoring and reporting plan and approving Specific Plan Amendment 2006-0002 and Tentative Subdivision Tract Map TSTM 2006-005 (Dunmore Homes/Orchard Phase 8); and ordinance approving Change of Zone CZ 2006-0002 rezoning certain property from R-3 to R5 failed due to a lack of a four-fifths vote. MOTION FAILED

Following further Board discussion, Chairman Schrader requested the maps be brought forward in order to confirm the location in connection to the noise contour and Marysville Bypass.

CORRESPONDENCE

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

A. Flyer from Mercy Housing California regarding Yuba County's First Time Homebuyer Program.

B. Letter from City of Wheatland regarding Agricultural Preservation Policy to be adopted by Local Agency Formation Commission and urging support for cities and County to be active participants.

C. Letter from the Office of Governor Schwarzenegger advising the Governor is unable to attend the Bear River setback levee tour at this time.

BOARD AND STAFF MEMBERS' REPORTS

Reports were received from the following:

Supervisor Schrader left the meeting at 10:44 a.m. and returned at 10:45 a.m.

Supervisor Stocker:

- Memorial adjournment in memory of Ms. Harriett Thompson
- Article in Appeal Democrat regarding growth in the Yuba Sutter area

Supervisor Griego:

- Participated in National Walk to School Week held October 6, 2006
- Chamber of Commerce Fair held at Plumas Lake Rio del Oro School, October 7, 2006

Supervisor Griego and Schrader:

- FEMA remapping Community Workshop October 5, 2006

Following Board discussion, Chairman Schrader formed an advisory committee appointing Supervisor Griego and himself to develop FEMA remapping response.

FORM
AD HOC

ORDINANCE AND PUBLIC HEARINGS (CONTINUED)

D) Ordinance/Public Hearing/Adopt Resolution Approving Mitigated Negative Declaration, Monitoring and Reporting Plan, Specific Plan Amendment 2006-0002, and Tentative Subdivision Tract Map TSTM 2006-005 (Dunmore Homes/Orchard Phase 8)/Adopt Ordinance Approving Change of Zone CZ 2006-0002 from R-3 to R-5:

Community Development Director Kevin Mallen provided project maps as requested earlier by Chairman Schrader and responded to Board inquiries.

Upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and carried with Supervisor Stocker voting in opposition, the Board authorized reconsideration of TSTM 2006-005 (Dunmore Homes/Orchard Phase 8). RECONSIDER TSTM2006-005

Following further Board discussion, upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and carried with Supervisors Logue, Nicoletti and Schrader voting in support and Supervisors Griego and Stocker voting in opposition, and the motion to adopt resolution adopting mitigated negative declaration and monitoring and reporting plan and approving Specific Plan Amendment 2006-0002 and Tentative Subdivision Tract Map TSTM 2006-005 (Dunmore Homes/Orchard Phase 8); and ordinance approving Change of Zone CZ 2006-0002 rezoning certain property from R-3 to R5 failed due to a lack of a four-fifths vote. MOTION FAILED

BOARD AND STAFF MEMBERS' REPORTS (CONTINUED)

Supervisor Nicoletti:

- Memorial adjournment in memory of Mrs. Mazie Mazerolle, Mr. Donald Lindsay, and Dr. Shojiro Tom Taketa
- United Way fundraiser held October 7, 2006
- Marysville City/County liaison meeting held October 5, 2006
- FEMA remapping Community Workshop October 10, 2006 at the Feather River Center
- Attended 95TH Year of Independence celebration for Sister City/Sister County Association in San Francisco, October 9, 2006
- Yuba Sutter Economic Development Corporation received Finest Economic Development Corporation Award in a rural setting
- Participated in Pink October activities held October 7, 2006
- Governor Schwarzenegger fundraiser October 4, 2006

Supervisor Schrader:

- Sacramento Area Council of Governments meeting held October 9, 2006 regarding the Metropolitan Transportation Plan
- Urged support for computerized paperless agenda and laptop computers for Board members
- Governor Schwarzenegger attendance at Bear River Levee Ribbon Cutting Ceremony

County Administrator Robert Bendorf:

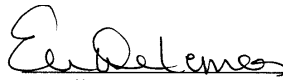
- Supports Advisory Committee in regards to FEMA remapping
- Provided updates regarding FEMA remapping Community Workshops

ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 11:20 a.m. in memory of Ms. Harriett Thompson, Mrs. Mazie Mazerolle, Mr. Donald Lindsay, and Dr. Shojiro Tom Taketa by Chairman Schrader.


Chairman

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS


By: Ellen DeLemos, Deputy Clerk

Approved: 10 24 06