

YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

OCTOBER 25, 2005

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 9:45 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 Deputy Clerk of the Board of Supervisors Ellen DeLemos. 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. Artwork Committee

1) Authorized expenditure in an amount not to exceed \$5,000 from Account No. 101-0101-411-5236 (BOS-Special Miscellaneous) for decorative enhancements to entry hall at the Government Center.

AUTHORIZE  
EXPENDITURE

B. Board of Supervisors

1) Appointed Ms. Sue Cejner to the Yuba County Library Advisory Commission to fill an unscheduled vacancy for District Five for a term to expire December 31, 2006.

APPOINT  
REP.

C. Clerk of the Board of Supervisor

1) Approved minutes of the regular and joint meetings of October 11, 2005, as written.

APPROVE  
MINUTES

D. Community Development

1) Authorized Budget Transfer in the amount of \$110,181 from Planning Trust 255 to General Fund for recognition of revenue earned.

BUDGET  
TRANSFER

E. Public Guardian

- 1) Approved Memorandum of Understanding between Sutter-Yuba Mental Health and the Yuba County Public Guardian for Conservatorship Services from July 1, 2005 to June 30, 2008 and authorized the Chair to execute same. APPROVE MOU

F. Public Works

- 1) Approved request to apply for a Sacramento Area Council of Governments Bicycle and Pedestrian Funding Grant and the use of County matching funds. APPROVE REQUEST
- 2) Adopted Resolution No. 2005-263, which is on file in Yuba County Resolution Book No. 36, which is entitled: "RESOLUTION SUPPORTING STATE ACQUISITION ON RIGHT OF WAY ON COUNTY'S BEHALF" ADOPT RESOLUTION NO. 2005-263

G. Superior-Courts/Grand Jury

- 1) Authorized Contingency Fund Transfer in the amount of \$3,400 to Account No. 101-2400-421-2200 (Office Expense) to cover costs of printing and inserting 2004/2005 Grand Jury Final Report and responses in the Appeal-Democrat. AUTHORIZE FUND TRANSFER

SPECIAL PRESENTATION

Sacramento Area Council of Governments (SACOG): SACOG Executive Director Mike McKeever briefly recapped the Metropolitan Transportation Plan for 2030 and responded to Board inquiries. INFO ONLY

PUBLIC COMMUNICATIONS

No one came forward.

BOARD OF SUPERVISORS

- 1) California State Association of Counties: Following Board discussion, upon motion of Supervisor Schrader, seconded by Supervisor Stocker, and unanimously carried, the board appointed Supervisor Griego as Director and Supervisor Logue as Alternate to the California State Association of Counties (CSAC) Board of Directors for one year terms to commence the first day of the CSAC Annual Conference. APPOINT REPS

2) Bureau of Indian Affairs: County Administrator Kent McClain recapped request from Bureau of Indian Affairs to participate as a Cooperating Agency in connection with the Enterprise Rancheria Environmental Impact Statement.

Following Planning Manager Chuck Thistlewaite response to Board inquires regarding Cooperating Agency role, upon motion of Supervisor Schrader, seconded by Supervisor Logue, and unanimously carried, the Board authorized participation as a Cooperating Agency. APPROVE PARTICIPATION

#### COMMUNITY DEVELOPMENT

California State Housing Finance Agency: Upon motion of Supervisor Schrader, seconded by Supervisor Logue and unanimously carried, the Board adopted Resolution No. 2005-264, which is on file in Yuba County Resolution Book No. 36, which is entitled: "APPROVE AN APPLICATION TO THE CALIFORNIA STATE HOUSING FINANCE AGENCY ("CalHFA") FOR THE HELP PROGRAM; TO INCUR INDEBTNESS; THE EXECUTION OF LOAN DOCUMENTS IF SELECTED FOR SUCH FUNDING AND ANY AMENDMENTS THERETO; AND ANY RELATED DOCUMENTS NECESSARY TO PARTICIPATE IN THE HELP PROGRAM." ADOPT RESOLUTION NO. 2005-264

#### ORDINANCES AND PUBLIC HEARINGS

The clerk read the disclaimer.

A. Ordinance/Second Reading/Amend Chapter 2.30 of the Yuba County Ordinance Code to Provide \$300 Per Month/Per Supervisors Reimbursement for In-county Travel: County Counsel Daniel Montgomery recapped the proposed ordinance implementing the budgetary allocation providing a \$300 per month per Supervisor reimbursement for in-County travel.

Following Board discussion, Madam Chair Griego, opened the public hearing. No one came forward.

Upon motion of Supervisor Schrader, seconded by Supervisor Nicoletti, and carried, with Supervisor Logue voting in opposition, the public hearing was closed and the Board adopted Ordinance No. 1356, which is on file in Yuba County Ordinance Book No. 18, which is entitled: "AN ORDINANCE AMENDING CHAPTER 2.30 OF THE YUBA COUNTY ORDINANCE CODE RELATING TO SUPERVISOR'S COMPENSATION, MILEAGE AND BENEFITS." ADOPT ORDINANCE NO. 1356

- B. Public Hearing – Hold public hearing/Brophy Water District Conflict of Interest Code: County Counsel Dan Montgomery recapped the District’s Conflict of Interest Code and responded to Board inquiries. Madam Chair Griego opened the public hearing. No one came forward. APPROVE AMENDMENT

Upon motion of Supervisor Stocker, seconded by Supervisor Schrader and unanimously carried, the public hearing was closed and the Board approved Amended Conflict of Interest Code for Brophy Water District.

ITEM OF PUBLIC INTEREST

Marysville Christmas Parade: City of Marysville, Police Department Volunteer Coordinator Caroline Johnson recapped financial sponsorship opportunities for the Marysville Christmas Parade.

Following Board discussions, with no further Board support forthcoming, the matter died.

CORRESPONDENCE

- A. Letter from United States Department of Agriculture regarding Schedule of Proposed Actions for Plumas National Forest. No action.
- B. Agenda from Central Valley Regional Water Quality Control Board for meetings on October 20 and 21, 2005 in Rancho Cordova, California. No action.
- C. Letter from California State Senate regarding 2005 Statewide Special Election in November. No action.
- D. Three letters from Governor’s Office of Emergency Services advising of disaster designation for contiguous counties due to agriculture losses which included Yuba County. No action.
- E. Memo from Dr. Cassidy notifying out-of-country vacation from December 27, 2005 through January 4, 2006. No action.
- F. Letter from Office of Homeland Security advising of Notification of Payment. REFER TO STAFF

Referred to Emergency Services

BOARD AND STAFF REPORTS

Reports were received on the following:

Supervisor Stocker:

- Economic Development Corporation meeting on October 24, 2005

Supervisor Schrader:

- Marysville Postal Distribution Facility Closure

Supervisor Nicoletti:

- Memorial adjournment in memory of Ms. Rosa Parks

Supervisor Greigo:

- Memorial adjournment in memory of Mr. Bill Robertson

County Administrator Kent McClain:

- Reclamation Board meeting on October 21, 2005 regarding Executive Director Report
- Received consensus for the Chair to execute joint letters from the Water Agency and Three Rivers Improvement Levee Authority to Congressional Delegation and Senators in support of the Yuba Basin Project.

CLOSED SESSION

The Board retired into closed session at 10:43 a.m. to discuss the following:

A. Personnel pursuant to Government Code §54957 - Public Employee Performance Evaluation - County Counsel

B. Personnel pursuant to Government Code §54957 - Public Employee Appointment - Emergency Services Coordinator Manager

C. Pending litigation pursuant to Government Code §54956.9(a) - Western Aggregates vs. County of Yuba

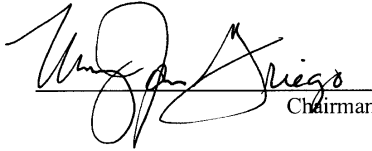
The Board returned from closed session at 11:48 a.m. with all Board and staff members present as indicated above.

County Counsel Daniel Montgomery made the following announcement:

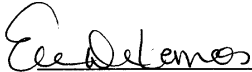
“Madam Chair, the Board has unanimously elected to reappoint County Counsel effective May 16, 2006 for another four year term. No further Announcements.”

ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 11:49 a.m. in memory of Ms. Rosa Parks and Mr. Billy Robertson.

  
Chairman

ATTEST: DONNA STOTTLEMEYER  
CLERK OF THE BOARD OF SUPERVISORS

  
By: Ellen DeLemos, Deputy Clerk

Approved: 11/8/05