YUBA COUNTY, CALIFORNIA
BOARD OF SUPERVISORS
OCTOBER 26, 2004

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, Bill Simmons, 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 Cynthia Slayton. Chairman Simmons presided.

CONSENT AGENDA

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

A. Clerk of the Board of Supervisors: Approved minutes for the regular meeting of October 12, 2004 as written.

B. Health and Human Services: Approved the Agreement with the Children's Home Society for Stage I Child Care Services for the CalWORKS program and authorized the Chairman to execute same.

C. Public Works: Adopted Resolution No. 2004-156, which is on file in Yuba County Resolution Book No. 35, and which is entitled: “RESOLUTION APPROVING FINAL MAPS OF TRACT MAP NO. 2004-10, RIO DEL ORO VILLAGE 6 AND FINAL MAP OF TRACT MAP NO. 2004-11, RIO DEL ORO VILLAGE 8 AND ASSOCIATED SUBDIVISION IMPROVEMENT AGREEMENTS WITH PLUMAS LAKE HOLDINGS LLC.”

D. Sheriff-Coroner: Approved appropriation and use of AB 443 Rural and Small County Law Enforcement funds including allocation of three new Deputy III positions.

SPECIAL PRESENTATION

A. Master Gardener Proclamations: Chairman Simmons presented proclamations to University of California Cooperative Extension Master Gardeners Ken Bumgarner, Betty Lou Dillingham, Lesley Harvell, Lynette Stevens, Jill Thompson, and Jan Kendel in recognition of their contributions to the community.
B. **Health and Human Services**: Director Suzanne Nobles provided a Power Point presentation recapping departmental staffing, workload and funding issues, and responded to Board inquiries.

C. **Yuba Sutter Chamber of Commerce Tourism Program**: Tourism Director John Walisek and Chamber of Commerce Executive Director and Chief Executive Officer Laura Nicholson recapped activities and funding issues to promote tourism in the Yuba County region and responded to Board inquiries.

**PUBLIC COMMUNICATION**

Jim Cohen, Counsel for Enterprise Rancheria, voiced concerns for continued Board of Supervisors support of the Memorandum of Understanding with the tribe.

Glenda Nelson, Enterprise Rancheria Treasurer, urged support of the transfer of land into trust by the Bureau of Indian Affairs.

**FISH AND GAME ADVISORY COMMISSION**

1) **Fish and Game UHF Radio**: Assistant Planner Brandy Fox recapped the Fish and Game Advisory Commission recommendation to purchase a UHF radio for use by Fish and Game Wardens in Yuba County and responded to Board inquiries.

   Upon motion of Supervisor Schrader, seconded by Supervisor Stocker, and unanimously carried, the Board denied the expenditure by the Fish and Game Advisory Commission to purchase a UHF radio for use by California Department of Fish and Game Wardens working in Yuba County.

2) **2004 Junior Pheasant Hunt**: Assistant Planner Brandy Fox recapped the Fish and Game Advisory Commission recommendation to purchase pheasants for the 2004 Junior Pheasant Hunt and responded to Board inquiries.

   Upon motion of Supervisor Schrader, seconded by Supervisor Griego, and unanimously carried, the Board authorized the expenditure of $3,843.75 by the Fish and Game Advisory Commission for the purchase of 375 pheasants for the 2004 Junior Pheasant Hunt.

**LOCAL AGENCY FORMATION COMMISSION**

**Property Tax Exchange Agreement**: Local Agency Formation Commission Executive Officer Chuck Thistlethwaite recapped Revenue and Taxation Code Section 99(b) regarding property tax exchanges with the Olivehurst Public Utilities District and responded to Board inquiries.
Upon motion of Supervisor Logue, seconded by Supervisor Griego, and unanimously carried, the Board adopted Resolution No. 2004-157, which is on file in Yuba County Resolution Book No. 35, and which is entitled: “MASTER PROPERTY TAX REVENUE EXCHANGE RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF YUBA TO ESTABLISH A DISTRIBUTION OF PROPERTY TAX REVENUE ON ANNEXATIONS AND DETACHMENTS OF PROPERTY TO THE OLIVEHURST PUBLIC UTILITY DISTRICT.”

ORDINANCES AND PUBLIC HEARINGS

Chairman Simmons read the disclaimer.

Ordinance/Assessor Plat Map Fees/Second Reading: Chairman Simmons opened the public hearing and inquired if anyone wished to address this issue. No one came forward.

Upon motion of Supervisor Schrader, seconded by Supervisor Logue, and unanimously carried, the public hearing was closed, the second reading was waived, and the Board adopted Ordinance No. 1332, which is on file in Yuba County Ordinance Book No. 18, which is entitled: ‘ORDINANCE AMENDING YUBA COUNTY ORDINANCE CODE SECTION 13.00.036 REGARDING ASSESSOR FEES OF THE YUBA COUNTY ORDINANCE CODE.”

CORRESPONDENCE

A. Two Letters from the Federal Emergency Management Agency enclosing Conditional Letter of Map Revisions for River Glen Unit 1 and River Glen Unit 2. Referred to Community Development and Public Works

B. Letter from the United States Forest Service providing the fourth quarter 2004 Schedule of Proposed Actions. No action.

C. Revised reports from Carlos E. Soler, CPA responding to California Department of Community Services and Development request for reimbursement. No action.

BOARD AND STAFF MEMBERS’ REPORTS

Reports were received on the following:

Supervisor Logue:
- Update of Edgewater subdivision lots within floodplain
Supervisor Griego:
- October 23, 2004 Olivehurst Avenue redesign meeting
- October 23, 2004 Global Hawk presentation

Supervisor Stocker:
- Yuba County Water District oversight
- Article regarding Galt commercial building lagging behind residential
- Article regarding campaign contributions and setting local government limits

Supervisor Simmons:
- Memorial Adjournments in memory of Mrs. Alpha M. Cubbler, Mr. Gene A. Davis, Mr. Walter Herger Sr., Mrs. Jacqueline Streeter, Mr. Stefan S. Walczak Sr.

Supervisor Schrader:
- City of Sacramento requested regional support of an intermotal transportation center through Sacramento Area Council of Governments

Assessor Dave Brown:
- California Department of Fish and Game has not paid in lieu fees for two years

County Counsel Dan Montgomery announced regarding the closed session item of October 19, 2004, Personnel pursuant to Government Code §54957 – Public Employee Discipline. “The Board adopted unanimously the Administrative Law Judge’s opinion and decision.”

County Administrator Kent McClain:
- Yuba River Levee contractor achieved completion of clay core, cap, and finished elevation, and will provide a walk-through of the work November 5, 2004

The Board recessed at 11:25 a.m. and reconvened at 11:44 a.m. with all Board and staff members noted above.

CLOSED SESSION

The Board retired into closed session at 11:45 a.m. to discuss:

A. Personnel pursuant to Government Code §54957 - Department Head Evaluation/County Administrative Officer

B. Personnel pursuant to Government Code §54957 - Department Head Evaluation/County Counsel
C. Personnel pursuant to Government Code §54957 - Department Head Evaluation/ Agricultural Commissioner

D. Personnel pursuant to Government Code §54957 - Department Head Evaluation/ Health Officer

The Board returned from closed session at 1:50 p.m. with all Board and staff members present as mentioned above.

County Counsel Dan Montgomery made the following announcement:

“The Board of Supervisors has completed the evaluations of the County Administrative Officer and County Counsel.”

ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 1:51 p.m. in memory of Mrs. Alpha M. Cubbler, Mr. Gene A. Davis, Mr. Walter Herger Sr., Mrs. Jacqueline Streeter, Mr. Stefan S. Walczak Sr., by Chairman Simmons.

/s/Bill Simmons, Chairman

ATTEST: DONNA STOTTLMEYER
CLERK OF THE BOARD OF SUPERVISORS

By: Cynthia Slayton, Deputy Clerk  Approved: November 9, 2004