

YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

SEPTEMBER 9, 2003

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 Courthouse, 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 Clerk of the Board of Supervisors Donna Stottlemeyer. Chairman Schrader presided.

CONSENT AGENDA

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

1. Board of Supervisors: Cancelled regular meetings of October 7 and 21 and November 18, 2003, and called a Special Meeting for Tuesday, October 21, 2003 at 6:00 p.m. to be held at Lake Francis Grange Hall in Dobbins. CANCEL MEETINGS
2. Clerk of the Board
 - (a) Approved minutes of the regular meetings of August 19 and 26, 2003, as written. APPROVE MINUTES
 - (b) Reappointed Richard Kohler to the Yuba County Assessment Appeals Board No. II for a term to expire September 4, 2006. APPOINT AAB REP.
3. Emergency Services: Authorized Budget Transfer in the amount of \$28,000 from Account No. 101-4200-427-2804 to various line items to appropriate Weapons of Mass Destruction Grant funds. AUTHORIZE B/T \$28,000
4. Health and Human Services: Adopted Resolution No. 2003-131, which is on file in Yuba County Resolution Book No. 34, and which is entitled: "AUTHORIZE THE YUBA COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT TO ENTER INTO AGREEMENT WITH THE STATE OF CALIFORNIA, OFFICE OF CHILD ABUSE PREVENTION, FOR FATHER INVOLVEMENT INITIATIVE SITE PREPARATION GRANT FOR THE PERIOD OF JULY 1, 2003 - SEPTEMBER 30, 2003, AND AUTHORIZE CHAIRMAN TO EXECUTE DOCUMENTS AS REQUIRED BY THE ADOPT RESOLUTION NO. 2003-131

AGREEMENT AND ANY PERTINENT DOCUMENTS RELATED TO THIS PROGRAM, AND TO AUTHORIZE THE ACCEPTANCE OF FUNDS.”

5. Public Works

(a) Approved the Spenceville Road Reconstruction and Resurfacing project for advertisement of bids and set a tentative bid opening date of October 2, 2003 subject to CalTrans approval. APPROVE BID

(b) Awarded contract to Richard A. Heaps Electrical Contractor Inc., apparent low bidder, for the North Beale Road Pedestrian Safety project and authorized Chairman to execute contract upon submittal of required bonds and insurance documents and approval of County Counsel. AWARD CONTRACT

6. Sheriff-Coroner: Approved agreement with Robert Escovedo to conduct pre-employment background investigations for Sheriff’s Department and authorized Chairman to execute same. APPROVE AGRMNT.

SPECIAL PRESENTATION

Community Challenge Grant/Friday Night Live: Friday Night Live Executive Director Janet Siller briefly recapped Community Challenge Grant program areas which included:

- Prevention Education;
- Male Involvement;
- Mentoring; and
- Community Awareness and Mobilization

PUBLIC COMMUNICATIONS

No one came forward.

COMMUNITY DEVELOPMENT

Entitlements/Southwestern Yuba County: County Administrator Kent McClain and Assistant Community Development Director Peter Calarco recapped preliminary information regarding the Bear River levee and Union Pacific interceptor canal levee lacking adequate freeboard as required by Federal standards, advising a study has been started with regard to remediation, and recommended establishing an interim policy regarding entitlements. Mr. McClain and Mr. Calarco responded to Board inquiries

(End of Tape No. 1654 Side B)

The following individuals commented on the stage of development of their current projects and recommended a non-recorded disclosure and requirement for flood insurance purchased by the developer for the first year:

- Mr. Gerry Kamilos, Plumas Lake Owners Group
- Mr. Allan Goodwin, Beazer Homes
- Mr. Ron Erny, Cresly Homes
- Mr. Sam Nesham, Rio Ranch

(End of Tape No. 1655 Side A)

Following Board discussion, upon motion of Supervisor Schrader, seconded by Supervisor Simmons, and unanimously carried, the Board adopted Resolution No. 2003-132, which is on file in Resolution Book No. 34, and which is entitled: “A RESOLUTION OF YUBA COUNTY BOARD OF SUPERVISORS APPROVING COUNTY POLICY ADDRESSING INTERIM ACTIONS REGARDING ENTITLEMENTS IN THE PRE-FEMA AFFECTED AREA OF THE SOUTHWESTERN REGION OF YUBA COUNTY,” which included Alternative C as amended.

ADOPT
RESOLUTION
NO. 2003-132

RECESS

The Board recessed at 10:51 a.m. and reconvened at 11:02 a.m. with all Board and staff members present as indicated above.

ORDINANCES AND PUBLIC HEARINGS

Chairman Schrader read the disclaimer.

1. Ordinance – Hold public hearing, waive second reading and adopt ordinance amending Chapter 5.15 of the Yuba County Ordinance Code relating to tax relief for damage property: Chairman Schrader opened the public hearing and inquired if anyone wished to address this issue. No one came forward.

Upon motion of Supervisor Logue, seconded by Supervisor Stocker, and unanimously carried, the public hearing was closed, the second reading was waived, and the Board adopted Ordinance No. 1318, which is on file in Yuba County Ordinance Book No. 17, and which is entitled: “AN ORDINANCE AMENDING CHAPTER 5.15. OF THE YUBA COUNTY ORDINANCE CODE RELATING TO TAX RELIEF FOR DAMAGED PROPERTY.”

ADOPT
ORDINANCE
NO. 1318

2. Public Hearing – Hold public hearing to review proposed expenditures for Federal Local Law Enforcement Block grant Funds and adopt resolution authorizing County Administrator to execute award documents upon receipt from Federal Government and County Counsel approval: Chairman Schrader continued the hearing to September 16, 2003. CONTINUE TO 9/16/03

3. Public Hearing – Hold public hearing and adopt resolution approving application and contract execution for funding from the enterprise fund component of the Economic Development Allocation of the State Community Development Block grant program and authorizing the execution of a grant agreement and any amendments thereto with the State of California for purpose of this grant: Enterprise Zone Manager Mary Hansen and Economic Development Corporation Executive Director Tim Johnson recapped the proposed grant application and responded to Board inquiries. Chairman Schrader opened the public hearing and inquired if anyone wished to address this issue. No one came forward.

Upon motion of Supervisor Simmons, seconded by Supervisor Stocker, and unanimously carried, the public hearing was closed and the Board adopted Resolution No. 2003-133, which is on file in Yuba County Resolution Book No. 34, and which is entitled: “A RESOLUTION APPROVING AN APPLICATION AND CONTRACT EXECUTION FOR FUNDING FROM THE ENTERPRISE FUND COMPONENT OF THE ECONOMIC DEVELOPMENT ALLOCATION OF THE STATE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM AND AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO WITH THE STATE OF CALIFORNIA FOR THE PURPOSES OF THIS GRANT.” ADOPT RESOLUTION NO. 2003-133

4. Public Hearing – Hold public hearing and adopt resolution adopting Negative Declaration and approval of Specific Plan Amendment No. 2003-02(Yuba County/Plumas Lake Specific Plan: Principal Planner Charles Thistlethwaite recapped the proposed amendments to the circulation map, landscape corridors map, drainage map, and design standards and text and responded to Board inquiries.

Following Board discussion and upon motion of Supervisor Simmons, seconded by Supervisor Logue, and unanimously carried, the public hearing was closed and the Board adopted Resolution No. 2003-134, which is on file in Yuba County Resolution Book No. 34, and which is entitled: “RESOLUTION ADOPTING A NEGATIVE DECLARATION AND APPROVAL OF AN AMENDMENT TO THE PLUMAS LAKE SPECIFIC PLAN (SPECIFIC PLAN AMENDMENT 2003-02).” ADOPT RESOLUTION NO. 2003-134

CORRESPONDENCE

- A. Annual Report from National Association of Counties for 2002/2003. No action.

BOARD AND STAFF MEMBERS REPORTS

Reports were received on the following:

Supervisor Griego:

- Memorial adjournment in memory of Mr. George Brundage Sr.
- Requested consideration of Code Enforcement activities be overseen by John Kelsey on an interim basis

Chairman Schrader referred the issue to the County Administrator for response by September 23, 2003

Supervisor Griego:

- Requested an update on the recycling program
- Requested a report on the surveillance dumping program conducted by Environmental Health

Supervisor Logue:

- Requested a resolution opposing removal of Englebright Dam
- Requested a resolution opposing federal designation of wild and scenic on the Yuba River

Chairman Schrader directed preparation and consideration for September 23, 2003 regarding Englebright Dam.

Supervisor Stocker:

- Requested analysis of National Association of Counties membership for future consideration
- Memorial adjournment in memory of Mr. Ivan J. Rood
- Requested Board initiated amendment to General Plan to change three lots adjacent to Brownsville Airport from Public to Agricultural/Residential

Following Board consensus, Chairman Schrader referred amending the General Plan to Community Development for Board action on September 23, 2003.

Supervisor Schrader:

- Sacramento Area Council of Governments regarding loss of CalTrans funding for various projects effecting Highway 70 and 99

CLOSED SESSION

The Board recessed at 12:26 p.m. and reconvened in closed session at 12:41 p.m. to discuss the following:

A. Pending litigation pursuant to Government Code §54956.9(a) – Yuba County Employees Association vs. County of Yuba

B. Personnel pursuant to Government Code §54957 – Public Employment – Community Development Director

The Board returned from closed session at 1:13 p.m. with all Board and staff members present as indicated above. There was no announcement from closed session.

ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 1:13 p.m. in memory of Mr. George Brundage Sr. and Mr. Ivan Rood by Chairman Schrader.

/s/Donald Schrader, Chairman

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

/s/Donna Stottlemeyer

Approved: September 23, 2003