

YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

SEPTEMBER 2, 2003

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 6:00 p.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 Stocker, seconded by Supervisor Griego, and unanimously carried, the Board took the following actions:

1. Administrative Services: Authorized Purchasing Agent to solicit bids for Juvenile Hall/HVAC replacement. AUTHORIZE BIDS
2. Auditor-Controller
 - (a) Adopted Resolution No. 2003-129, which is on file in Yuba County Resolution Book No. 34, and which is entitled: "RESOLUTION FIXING SPECIAL TAX RATES FOR COUNTY, SCHOOL DISTRICT INDEBTEDNESS." ADOPT RESOLUTION NO. 2003-129
 - (b) Adopted Resolution No. 2003-130, which is on file in Yuba County Resolution Book No. 34, and which is entitled: "RESOLUTION FIXING GENERAL COUNTY WIDE TAX RATE." ADOPT RESOLUTION NO. 2003-129
3. Board of Supervisors: Received grievance appeal from Yuba County Employees Association regarding Investigator's December 1999 Letter of Understanding; scheduled special meeting to conduct grievance hearing for 9:30 a.m. on Tuesday, September 30, 2003; and established rules of procedure for grievance hearings. ACCEPT GRIEVANCE
4. Community Development: Approved funding recommendations of Child Abuse Prevention, Intervention and Treatment program and the Community Based Family Resource Support program. APPROVE FUNDING

5. Health and Human Services:

(a) Approved agreement with Skyway House for provision of drug and alcohol treatment services and authorized Chairman to execute same. APPROVE AGRMNT.

(b) Approved Declaration of Intent Not to Apply for Rural Health Services funds for Fiscal Year 2003/2004 and authorized Chairman to execute same. APPROVE DEC.

6. Probation: Approved PASS program agreement with Wheatland School District for placement of PASS officer at Bear River School and authorized Chairman to execute same. APPROVE AGRMNT.

7. Risk Management/Personnel: Approved catastrophic leave request for Health and Human Services employee. APPROVE LEAVE

PUBLIC COMMUNICATIONS

Mr. Wayne Sisco, Western Avenue, recapped recent difficulties regarding personal care services for his spouse.

Chairman Schrader referred the issue to the County Administrator for resolution.

ADMINISTRATIVE SERVICES

Request for Proposal (RFP)/Shad Pad Park Area: Administrative Services Director Bob Meneni briefly recapped the RFP for operation and management of the Shad Pad Park Area and responded to Board inquiries.

Upon motion of Supervisor Logue, seconded by Supervisor Simmons, and unanimously carried, the Board approved the request for proposals for Shad Pad Park Area and authorized the Purchasing Agent to solicit proposals. APPROVE RFP

Chairman Schrader extended the duration of the Shad Pad Advisory Committee until the RFP is rewarded. EXTEND AD HOC

ORDINANCES AND PUBLIC HEARINGS

Chairman Schrader read the disclaimer.

1. Ordinance – Hold public hearing, waive first reading, and introduce ordinance amending Chapter 8.57 of the Yuba County Ordinance Code regarding the special use area

at the Daguerre Point Diversion Dam (First Reading): County Counsel Dan Montgomery recapped the proposed ordinance to disallow gasoline or diesel watercraft on the Yuba River above Daguerre Point Diversion Dam and added the words “federally licensed” to section 8.57.021 advising it does not constitute a substantial change. Mr. Montgomery responded to Board inquiries.

Chairman Schrader opened the public hearing and inquired if anyone wished to address this issue.

Mr. Matt Havlock, Sacramento, opposed the ordinance, however, requested consideration of an alternate location below Highway 20 rather than at the dam.

Following Board discussion, upon motion of Supervisor Stocker, seconded by Supervisor Griego, with Supervisors Stocker and Griego voting in the affirmative and Supervisors Logue, Simmons, and Schrader voting in opposition the motion to make the demarcation point Hammon Grove Park failed. MOTION FAILED

Upon motion of Supervisor Simmons, seconded by Supervisor Logue, and unanimously carried, the Board tabled the proposed ordinance to January 20, 2004. TABLE TO 1/20/04

2. Ordinance – Hold public hearing, waive second reading, and adopt ordinance amending Chapter 2.25 of the Yuba County Ordinance Code relating to Board of Supervisors meetings: Chairman Schrader advised the ordinance would change the time of the third Board meeting of the month to 6:00 p.m. and opened the public hearing and inquired if anyone wished to address this issue. No one came forward.

Upon motion of Supervisor Griego, seconded by Supervisor Simmons, and unanimously carried, the public hearing was closed, the second reading was waived, and the Board adopted Ordinance No. 1317, which is on file in Yuba County Ordinance Book No. 17, and which is entitled: “ORDINANCE AMENDING CHAPTER 2.25 OF THE YUBA COUNTY ORDINANCE CODE RELATING TO BOARD OF SUPERVISORS MEETINGS.” ADOPT ORDINANCE NO. 1317

3. Ordinance – Hold public hearing, waive first reading, and introduce ordinance amending Chapter 5.15 of the Yuba County Ordinance Code relating to tax relief for damaged property (first reading): County Counsel Dan Montgomery advised the proposed ordinance determines timelines for filing an application for reassessment as a result of major misfortune or calamity 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 Logue, seconded by Supervisor Simmons, and unanimously carried, the public hearing was closed. CLOSE
PB. HRG.

Upon motion of Supervisor Simmons, seconded by Supervisor Stocker, and unanimously carried, the Board waived the first reading of an ordinance amending Chapter 5.15 of the Yuba County Ordinance Code relating to tax relief for damaged property. WAIVE
1ST READING

CORRESPONDENCE

A. Letter from California Department of Social Services dated August 18, 2003 regarding County Children's Trust Fund share of Kid's Plate revenue for state fiscal years 2001/2002 and 2002/2003. No action.

B. Agenda from Central Valley Regional Water Quality Control Board for meeting of September 4 and 5, 2003. No action.

BOARD AND STAFF MEMBERS' REPORTS

Reports were received on the following:

Supervisor Logue:

- Requested staff analysis and recommendation regarding Senate Bill 18 (Traditional Tribal Cultural Sites)

County Administrator Kent McClain advised recommendation would be agendized for September 16, 2003.

Supervisor Stocker:

- Yuba County State Fair Exhibit Gold Ribbon
- Out of state from September 3 – 7, 2003

Supervisor Griego:

- Memorial adjournment in memory of Mrs. Mary Redfern

Chairman Schrader:

- Board meetings of October 7 and November 18, 2003 would be cancelled which would be agendized for September 9, 2003

County Counsel Dan Montgomery advised final maps have been prepared by the surveyor regarding Hammonton Road.

CLOSED SESSION

The Board retired into closed session at 7:04 p.m. to discuss pending litigation pursuant to Government Code §54956.9(a) – One Case.

The Board returned from closed session at 7:24 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 7:24 p.m. in memory of Mrs. Mary Redfern by Chairman Schrader.

/s/Donald Schrader, Chairman

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

/s/Donna Stottlemeyer

Approved: September 16, 2003