YUBA COUNTY BOARD OF SUPERVISORS

MAY 20, 2008

9:30 AM

YUBA COUNTY BOARD OF SUPERVISORS - Welcome to the Yuba County Board of Supervisors meeting. As a courtesy to others, please turn off cell phones, pagers, or other electronic devices, which might disrupt the meeting. Thank you.

I. PLEDGE OF ALLEGIANCE - Led by Supervisor Schrader

II. ROLL CALL - Supervisors Logue, Nicoletti, Griego, Schrader, Stocker

III. CONSENT AGENDA: All matters listed under the Consent Agenda are considered to be routine and can be enacted in one motion.

A. Board of Supervisors
   1. Adopt resolution approving the application and authorizing execution of a grant contract with the California Arts Council. (08-267)

B. Clerk of the Board of Supervisors
   1. Approve minutes of the regular meeting of May 6, 2008.
   2. Reappoint Mr. David Hantusch to the In-Home Supportive Services Advisory Committee for a term to expire May 6, 2010. (Continued from May 6, 2008) (08-224)

C. Community Development and Services
   1. Adopt resolution authorizing the County Administrator to execute the Memorandum of Understanding between Sacramento Area Council of Governments and County of Yuba regarding updates to the Beale AFB and Yuba County Airport Land Use Compatibility Plans. (08-268)

D. Emergency Services
   1. Adopt resolution authorizing Director of Emergency Services or his designee to execute and submit an application for the Fiscal Year 2008 Emergency Management Performance Grant and follow through hereon. (08-269)

E. Health and Human Services
   1. Approve agreement with Yuba Community College for Independent Living Program services in the amount of $121,055.00 for the term of January 1, 2008 through June 30, 2009 and authorize Chairman to execute same. (Human Services Committee recommends approval) (08-270)
   2. Adopt resolution authorizing Chairman to execute Memorandum of Understanding with Yuba County Peach Tree Clinic for provision of medical services to the poor and indigent population. (Human Services Committee Recommends Approval) (08-271)
F. Probation

1. Adopt resolution authorizing the Chief Probation Officer to submit application to the Office of Emergency Services pursuant to the Federal Crime Act of 1994 for Fiscal Year 2008/2009 for Anti-Drug Abuse grant funds and authorizing execution of grant award including extensions or amendments thereof. (08-272)

2. Authorize Budget Transfer in the amount of $29,400 from Account No. 101-0000-371-98-99 (Revenue and Recovery Restitution Fund) to Account No. 101-3110-412-62-00 (Fixed Assets) for purchase of software to enhance the delinquent account collections. (08-273)

G. Sheriff-Coroner

1. Adopt resolution authorizing the project director to execute State application for financial aid for the boating program for Fiscal Year 2008-2009; approve contract with Department of Boating and Waterways and authorize Chairman to execute same. (08-274)

IV. PUBLIC COMMUNICATIONS: Any person may speak about any subject of concern provided it is within the jurisdiction of the Board of Supervisors and is not already on today's agenda. The total amount of time allotted for receiving such public communication shall be limited to a total of 15 minutes and each individual or group will be limited to no more than 5 minutes. Prior to this time speakers must fill out a "Request to Speak" card and submit it to the Clerk of the Board of Supervisors. Note: No Board action can be taken on comments made under this heading.

V. COUNTY DEPARTMENTS

A. County Administrator

1. Approve agreement with Benjamin Wirtschafter for public defender services and authorize Chairman to execute same. (Law and Justice Committee recommends approval) (08-275)

ADDENDUM TO AGENDA - ADD THE FOLLOWING:

B. Community Development and Services

1. Interpret retail/commercial development two year levee fee exemption is from the effective date of Ordinance No. 1372, which would make exemption in effect until July 15, 2008, and take action as appropriate. (Ten minute estimate) (08-284)

VI. ORDINANCES AND PUBLIC HEARINGS: If you challenge in court the action or decision of the Yuba County Board of Supervisors regarding a zoning, planning, land use or environmental protection matter made at any public hearing described in this notice, you may be limited to raising only those issues you or someone else raised at such public hearing, or in written correspondence delivered to the Yuba County Board of Supervisors at, or prior to, such public hearing.

A. Ordinance - Hold public hearing, waive reading and introduce ordinance repealing and re-enacting Chapter 10.20 of Title X of the Yuba County Ordinance Code relating to regulating the emplacement of travel trailers and motor homes as temporary residences. (Land Use and Public Works recommends approval) (First reading) (Fifteen minute estimate) (08-276)

B. Ordinance - Hold public hearing, waive reading, and adopt ordinances repealing Ordinance Nos. 1428 - 1436 to terminate development agreement for the purposes of extending entitlements for up to twenty years in exchange for participation in the levee funding program with the following:

1. Plumas Lake Holdings, LLC relative to development known as Three Rivers at Plumas Lake;
2. Cresleigh Homes Corporations relative to development known as Cresleigh Bluff, Cresleigh Meadows, and Cresleigh Riverside;
3. Western Pacific Homes relative to development known as Wheeler Ranch Phase 1, Unit 5 - Prairie Meadows;
4. K. Hovnanian Forecast Homes, Inc. relative to development known as Wheeler Ranch;
5. KB Home Sacramento, Inc. relative to development known as Hawes Ranch Estates/Mapleton and Plumas Lake Cobblestone;
7. Plumas Lake Riverside Meadows, LP relative to development known as Riverside Meadow Village;
8. Meritage Homes relative to development known as Draper Ranch North; and
9. Towne Development of Plumas Lake, LLC relative to development known as River Landing. (Fifteen minute estimate) (08-277)

VII. CORRESPONDENCE (08-278)

VIII. BOARD AND STAFF MEMBERS’ REPORTS: This time is provided to allow Board and staff members to report on activities or to raise issues for placement on future agendas.

ADDENDUM TO AGENDA - ADD THE FOLLOWING:

IX. CLOSED SESSION: Any person desiring to comment on any matter scheduled for this closed session may address the Board at this time.

A. Pending litigation pursuant to Government Code §54956.9(a) - In Re: Empire Global Holdings, L.P.
B. Pending litigation pursuant to Government Code §54956.9(a) - In Re: Empire Land, L.L.C.
C. Pending litigation pursuant to Government Code §54956.9(a) - In Re: Empire Residential Construction, L.P.
D. Pending litigation pursuant to Government Code §54956.9(a) - In Re: Empire Construction, L.P.
E. Pending litigation pursuant to Government Code §54956.9(a) – In Re: Aviat Homes, L.P.
F. Pending litigation pursuant to Government Code §54956.9(a) - In Re: Empire Residential Sales, L.P.
G. Pending litigation pursuant to Government Code §54956.9(a) - In Re: Prestige Homes L.P.
H. Pending litigation pursuant to Government Code §54956.9(a) - In Re: Wheeler Land, L.P.
I. Pending litigation pursuant to Government Code §54956.9(a) - In Re: Andrea Nakaishi
J. Pending litigation pursuant to Government Code §54956.9(a) – In Re: John D. and Judith M. Reynen
K. Pending litigation pursuant to Government Code §54956.9(a) – In Re: Dunmore Homes, Inc.

X. ADJOURN

2:00 PM

THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

COMMITTEE MEETINGS - 10:30 A.M.

Land Use and Public Works Committee - (Supervisors Logue and Stocker - Alternate Supervisor Nicoletti)
A. Consider contract with Applied Engineering and Geology Inc for environmental consulting services - Community Services and Development/Environmental Health (Five minute estimate) (08-279)
B. Consider letter indicating the reuse of the Feather River Center (AKA Peach Tree Mall) site is consistent with the site's legal nonconforming status with regard to the Yuba County Airport Comprehensive Land Use Plan. (08-280)
C. Consider reimbursement agreements with Woodside Montrose, Inc. and JMC for improvements constructed beyond necessary to serve Orchard Project - Community Development and Services/Public Works (Five minute estimate) (08-281)

Human Services Committee - (Supervisors Stocker and Griego - Alternate Supervisor Nicoletti)
A. Consider resolution authorizing Director to execute agreements with agencies to receive Child Abuse Prevention, Intervention and Treatment and Community-Based Child Abuse Prevention funds from July 1, 2005 through June 30, 2009 - Health and Human Services (Five minute estimate) (08-282)
Public Facilities Committee - (Supervisors Griego and Stocker- Alternate Supervisor Logue)

A. Consider ordinance amending Section 2.50.030 of Chapter 2.50 to provide that any amendments to the Yuba County Purchasing Contract Policy Manual shall be adopted by resolution rather than by ordinance - Administrative Services (Five minute estimate) (08-283)

In compliance with the American with Disabilities Act, the meeting room is wheelchair accessible and disabled parking is available. If you have a disability and need disability-related modifications or accommodations to participate in this meeting, please contact the Clerk of the Board's office at (530) 749-7510 or (530) 749-7353 (fax). Requests must be made one full business day before the start of the meeting.

To place an item on the agenda, contact the office of the Clerk of the Board of Supervisors at (530) 749-7510.

PUBLIC INFORMATION

PUBLIC COMMUNICATIONS: Members of the public shall be allowed to address the Board of Supervisors on items not appearing on the agenda which are of interest to the public and are within the subject matter jurisdiction of the Board, provided that no action shall be taken unless otherwise authorized by law. The total amount of time allotted for receiving such public communication shall be limited to a total of 15 minutes and each individual or group will be limited to no more than 5 minutes.

AGENDA ITEMS: The opportunity of the public to be heard on an item shall be provided during the consideration of that item. In the interest of time, the Board has limited the length of such comment or input on each item to 15 minutes total, with a limit of no more than 5 minutes per person or group. The period for public comments on a particular item may be extended upon a majority vote of the Board. These time limits do not apply to applicants appearing before the Board on behalf of their applications.

ACTION ITEMS: All items on the Agenda under the headings “Consent,” “County Departments,” “Ordinances and Public Hearings,” “Items of Public Interest,” and “Closed Session,” or any of them, are items on which the Board may take any action at this meetings.

PUBLIC HEARINGS: All members of the public shall be allowed to address the Board as to any item which is noticed on the Board's agenda as a public hearing. The Board has limited each person or group input to no more than 3 minutes. Any person or group may provide the Board with a written statement in lieu of or in supplement to any oral statement made during a public hearing. Written statements shall be submitted to the Clerk of the Board.

ORDINANCES: Ordinances shall not be passed within five days of their introductions, nor at other than a regular meeting or at an adjourned regular meeting. The Board of Supervisors will address ordinances at first readings. The public is urged to address ordinances at first readings. Passage of ordinances will be held at second readings, after reading the title, further reading is waived and adoption of the ordinance is made by majority vote. An urgency ordinance may be passed immediately upon introduction. The Board reserves the right to amend any proposed ordinances and to hold a first reading in lieu of a second reading.

INFORMATIONAL CORRESPONDENCE: The Board may direct any item of informational correspondence to a department head for appropriate action.

SCHEDULED LUNCH BREAK: Between the hours of 12:00 noon and 1:00 p.m. and at the discretion of the Chair, the Board will recess one hour for lunch.

SPECIAL MEETINGS: No public comment shall be allowed during special meetings of the Board of Supervisors, except for items duly noticed on the agenda.

PUBLIC INFORMATION: Copies of §6.7 shall be posted along with agendas.

End