DECEMBER 6, 2005

All meetings are located at:
Yuba County Government Center
Board Chambers
915 Eighth Street, Suite 109A
Marysville, California
unless otherwise indicated.

1:00 P.M. YUBA COUNTY WATER AGENCY
3:30 P.M. THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
6:00 P.M. 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 Griego

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. Administrative Services

1. Adopt resolution regarding policy use of County conference and meeting rooms. (Public Facilities Committee Recommends Approval) (05-706)

2. Declare surplus property and declare date of December 10, 2005 for public auction. (05-707)

3. Approve formal amendments to service agreements for the development of the Yuba County Multi-Hazard Mitigation Plan and authorize Chair to execute same. (05-708)

B. Board of Supervisors

1. Appoint Mr. Ronald Weaver to the Fish and Game Advisory Commission as the District One Representative for a term to expire December 31, 2006. (05-709)

2. Appoint Mr. Schuyler Pennington to the Fish and Game Advisory Commission as the District Three Representative for a term to expire December 31, 2008. (05-710)

C. Clerk of the Board of Supervisors

1. Approve minutes of the regular meetings of November 8 and 15, 2005.

2. Appoint Ms. Ethel Jorgensen to the Yuba County Commission on Aging as the At-large Representative for a term to expire March 4, 2006. (05-711)

3. Appoint William Drake to Yuba County Resource Conservation District for a term to expire November 30, 2007. (05-712)
D. Clerk-Recorder/Elections
   1. Accept certification of the Canvass of Election returns for the Special Election of November 8, 2005. (05-713)
   2. Adopt resolution approving application for funds under the voting Modernization Bond Act of 2002. (05-714)
   3. Adopt resolution approving the application for funds under the Help American Vote Act of 2002. (05-715)

E. Community Development
   1. Authorize Budget Transfer in the total amount of $188,917 from Account No. 101-0000-331-12-00 (Construction Permits) to various lines items for new Plan Checker II position, equipment and new vehicles. (Land Use and Public Works Committee Recommends Approval) (05-716)

F. County Counsel
   1. Approve Petition for Detachment of land from South Yuba Water District identified as Assessor Parcel No. 22-060-003 and authorize Chair to execute same. (Land Use and Public Works Committee Recommends Approval) (05-717)

G. Health and Human Services
   1. Adopt resolution accepting Child Welfare Services Outcome Improvement Project funds and authorizing the Director of Health and Human Services to execute agreements and documents as required by allocation upon review and approval of County Counsel. (Human Services Committee Recommends Approval) (05-718)

H. Public Works
   1. Authorize Budget Transfer in the amount of $150,000 from Account No. 102-9100-431-9000 (Reimbursements) to Account No. 102-9100-431-6200 (Fixed Assets) for purchase of equipment. (05-719)
   2. Adopt resolution establishing escrow account for payment of retention funds for State Route 70/Feather River Boulevard intersection improvement project and authorize chair to execute escrow agreement. (Land Use and Public Works Committee Recommends Approval) (05-720)

I. Risk Management/Personnel
   1. Authorize catastrophic leave request for Assessor Department employee. (05-721)

J. Sheriff-Coroner
   1. Approve Memorandum of Understanding and Letter of Understanding with Clear Channel Communications to provide law enforcement services at Sleep Train Amphitheatre and authorize Chair to execute same. (05-722)

VI. 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. Board of Supervisors
      1. Appoint individual to the Yuba County Planning Commission as the District Three Representative for a term to expire December 31, 2008. (05-723)
      2. Consider settlement agreement of Western Aggregates versus County of Yuba and take action as appropriate. (Continued from November 15, 2005) (05-704)
B. Public Works

1. Provide direction on Measure D annual fund distribution, authorize adjustment of Resource Depletion Surcharge based on previous 12-month Consumer Price Index effective annually January 1 and take action as appropriate. (05-724)

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. Public Hearing - Hold public hearing and consider appeal of Tentative Subdivision Tract Map TSTM 2004-0044 (Meadows Subdivision); consider waiver of $350 appeal filing fee; and take action as appropriate. (05-725)

B. Ordinance - Hold public hearing, waive first reading and introduce Ordinance amending Title 13 of the Yuba County Ordinance Code relating to Community Development fees, including Planning Division, Building Division, Environmental Health Division and Code Enforcement. (First Reading) (05-726)

C. Ordinance - Hold public hearing; adopt resolution declaring results of special election and directing recording of Notice of Special Tax Lien; waive first reading and introduce ordinance levying special taxes within Community Facilities District No. 2005-1 (Orchard/Montrose Public Improvements). (05-727)

D. Public Hearing - Hold public hearing, adopt resolution adopting negative declaration of environmental effect for Ordinance Amendment 2005-0002 (Yuba County); waive reading and adopt Ordinance to add chapter 12.42 to the Yuba County Ordinance Code adding Neighborhood Commercial Zone. (05-728)

E. Public Hearing - Hold public hearing, adopt resolution adopting mitigated negative declaration of environmental effect approving GPA 2004-0003 General Plan Amendment; waive reading and adopt Ordinance to change Official Zoning Map in Section 12.15.010 of the Yuba County Ordinance Code. (05-729)

F. Public Hearing - Hold public hearing, count ballots, and adopt resolution approving the engineer's report and imposing an assessment of $284.09 for County Service Area 61 (Peoria Hills Estates). (05-730)

VII. CORRESPONDENCE (05-731)

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.

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

A. Threatened litigation pursuant to Government Code §54956.9(b) - One Case

X. ADJOURN

COMMITTEE MEETINGS

12/06/05 - 2:30 P.M. Finance and Administration Committee - (Supervisors Griego and Schrader - Alternate Supervisor Stocker)
A. Consider resolution approving 2006 Economic Development Strategic Plan - County Administrator (05-732)

12/06/05 - 2:40 P.M. Protective Inspection Committee - (Supervisors Griego and Nicoletti - Alternate Supervisor Schrader)
A. Consider Title III funding recommendations - Agricultural Commissioner (05-733)
12/06/05 - 2:50 P.M. **Human Services Committee** - (Supervisors Griego and Stocker - Alternate Supervisor Logue)

A. Consider resolution authorizing Director of Health and Human Services to execute Declaration of Intent for Yuba County Rural Health Services Funds - Health and Human Services (05-734)

B. Consider funding for the Child Abuse Prevention, Intervention and Treatment Program, the Community Based Child Abuse Prevention Program and Local Children’s Trust Funds for State Fiscal Years 2005-2008 - Health and Human Services (05-735)

12/06/05 - 3:00 P.M. **Land Use and Public Works Committee** - (Supervisors Stocker and Logue - Alternate Supervisor Nicoletti)

A. Consider resolution approving engineer's report and imposing an assessment of $243 for County Service Area 71 (Normandy Estates) - Public Works (05-736)

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**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.

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