BOARD OF SUPERVISORS
AGENDA
All meetings are located at:
Yuba County Government Center
915 Eighth Street, Board Chambers
Marysville, California
unless otherwise indicated

OCTOBER 28, 2008

8:30 A.M. YUBA COUNTY WATER AGENCY

9:25 A.M. YUBA COUNTY HOUSING AUTHORITY

9:30 A.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 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. Administrative Services

1. Approve Community Development Block Grant Program subrecipient agreement with the Yuba-Sutter Economic Development Corporation and authorize Chairman to execute same. (08-574)

B. Clerk of the Board of Supervisors

1. Adopt resolution repealing and reinstating the Rules and Procedures providing for the Government of the Board of Supervisors preservation of order and transaction of business. (08-575)

2. Approve minutes of regular Board meeting of October 14, 2008.

C. Clerk-Recorder/Elections

1. Adopt resolution appointing members in lieu of election to the Board of Directors for special districts for the November 4, 2008 Special District Election. (08-576)

D. Community Development and Services

1. Adopt resolution approving application for Proposition 84 Grant Funds to purchase river parkway parcels and authorizing Public Works Director to conduct negotiations, execute, and submit all necessary documents including application, agreements and payment requests. (Land Use and Public Works Committee recommends approval) (08-577)

2. Adopt resolution summarily vacating road right of way easement and offer of dedication for a portion of private road, (Coffey/Coward) (08-578)

3. Approve agreement with Olivehurst Public Utilities District for County to pay capacity charge of $7,122 for a 1-inch water service at McGowan Parkway/Powerline Road Park and Ride Facility and authorize Chairman to execute same. (08-579)

4. Authorize Budget Transfer from Trust Fund 255 in the amount of $273,366.62 to various line items in recognition of work performed and revenues earned for July through September 2008. (08-580)
5. Approve maintenance agreement with Yuba County Water Agency for public improvements known as Yuba/Wheatland Canal Project and authorize Chairman to execute same. (08-581)

E. Health and Human Services

1. Adopt resolution authorizing Director of Health and Human Services Department to enter into and execute agreement, and any future revisions of agreement, with the California Department of Social Services for reimbursement of interim assistance payments. (Health and Human Services Committee recommends approval) (08-582)

F. Probation

1. Approve agreement with Wheatland School District providing services of one intervention counselor for the Probation and Schools Success program; authorize Chairman to execute same and authorize Chief Probation Officer to fill position. (08-583)

G. Sheriff-Coroner

1. Approve agreement with Foothill Fire Protection District for office space at the Foothill Fire Station, commonly referred to as the Brownsville Substation, and authorize Chairman to execute same. (08-584)

IV. SPECIAL PRESENTATION

A. Receive information on Gang Prevention Awareness Program from Sheriff, District Attorney, and Probation. (No background material) (Ten minute estimate) (08-585)

B. Receive information on Wheatland Community Plan from City of Wheatland. (Ten minute estimate) (08-586)

V. 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.

VI. COUNTY DEPARTMENTS

A. Administrative Services

1. Authorize General Contingency Fund Transfer in the amount of $140,000 to various line items for short term maintenance related to South Annex and authorize the Director of Administrative Services to instigate repairs. (Five minute estimate) (08-587)

B. Board of Supervisors

1. Appoint California State Association of Counties (CSAC) representative and alternate for term to commence the first day of the CSAC annual conference in San Diego California on December 1, 2008. (Five minute estimate) (08-588)

2. Authorize out-of-state travel for Supervisor Nicoletti to attend the National Call America 2008 - Coordinating America's Local Leaders conference held November 13 - 15, 2008 in Austin, Texas. (Five minute estimate) (08-589)

C. County Administrator

1. Receive report on federal lobbying efforts and provide staff direction as appropriate. (Ten minute estimate) (08-590)

2. Receive and file First Quarter Financial Report for Fiscal Year 2008/2009. (Fifteen minute estimate) (08-591)
VII. **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 adopt ordinance repealing and re-enacting Title X, Chapter 10.05, Section 10.05.095 of the Yuba County Ordinance Code relating to Administrative Provisions. (Second reading) (Continued from October 21, 2008) (Five minute estimate) (08-567)

B. **Ordinance** - Hold public hearing, waive reading and introduce an ordinance repealing and re-enacting as amended Chapter 11.25 of Title XI of the Yuba County Ordinance Code relating to Grading, Drainage and Erosion Control. (Land Use and Public Works Committee recommended approval) (Five minute estimate) (08-592)

C. **Ordinance** - Hold public hearing, waive reading, and introduce ordinance adding Section 13.76 to Title XIII of the Yuba County Ordinance Code relating to Levee Fees. (First Reading) (Five minute estimate) (08-593)

D. **Public Hearing** - Hold public hearing and adopt findings of fact, conclusions of law and orders authorizing the assessment of administrative and abatement costs and penalties in the amount of $9,025.25 and the recording of a lien regarding property located at 1774 Baugh Street, Olivehurst (Comstock, Susan). (Ten minute estimate) (08-594)

E. **Public Hearing** - Hold public hearing and adopt findings of fact, conclusions of law and orders authorizing the assessment of administrative and abatement costs and penalties in the amount of $11,560.50 and the recording of a lien regarding property located at 5872 E’ Riverside Drive, West Linda (Cozine, W.D. Jr. and Juanita). (Ten minute estimate) (08-595)

F. **Public Hearing** - Hold public hearing and adopt findings of fact, conclusions of law and orders authorizing the assessment of administrative and abatement costs and penalties in the amount of $12,564 and the recording of a lien regarding property located at 1805 Eighth Avenue, Olivehurst (Seaton, Neoma). (Ten minute estimate) (08-596)

G. **Public Hearing** - Hold public hearing and adopt findings of fact, conclusions of law and orders authorizing the assessment of administrative and abatement costs and penalties in the amount of $7,554 and the recording of a lien regarding property located at 5603 ’E’ South Gledhill Avenue, West Linda (Martin, Robert N. and Carole L./Harper, Roberta). (Ten minute estimate) (08-597)

H. **Public Hearing** - Hold public hearing and adopt findings of fact, conclusions of law and orders authorizing the assessment of administrative and abatement costs and penalties in the amount of $8,541 and the recording of a lien regarding property located at 10452 Marysville Road, Dobbins (Hood, Jeff). (Ten minute estimate) (08-598)

I. **Public Hearing** - Hold public hearing and adopt resolution adopting a Mitigated Negative Declaration and Mitigation Monitoring Plan and adoption of the Yuba County Airport Master Plan Report. (Ten minute estimate) (08-599)

VIII. **CORRESPONDENCE** - (08-600)

IX. **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.

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

A. Personnel pursuant to Government Code §54957 - Performance Evaluations - Agricultural Commissioner/Sealer of Weights and Measure and Library Director

B. Pending litigation pursuant to Government Code §54956.9(a) - Cooper vs. County of Yuba

C. Threatened litigation pursuant to Government Code §54956.9(b) - Two Claims

XI. **ADJOURN**
COMMITTEE MEETINGS

11:30 A.M.  Finance and Administration Committee - (Supervisors Logue and Nicoletti - Alternate Supervisor Griego)

A. Consider resolutions amending the position allocation schedule and basic salary schedule as it relates to Administrative Services and County Administrator's Office - Administrative Services/County Administrator/Personnel-Risk Management (Ten minute estimate) (08-601)

Human Services Committee - (Supervisors Stocker and Griego - Alternate Supervisor Nicoletti)

A. Consider a resolution authorizing agreement with the California Department of Public Health Emergency Preparedness and Pandemic Influenza funds and authorizing the Chairman to execute documents as required by the grant - Health and Human Services (Ten minute estimate) (08-602)

8:30 A.M. - 10/31/08  Bi-County Juvenile Hall/Mental Health Committee
Juvenile Hall Administration Building
Conference Room
1023 Fourteenth Street
Marysville, California

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.