BOARD OF SUPERVISORS

AGENDA

Meetings are located at:
Yuba County Government Center
Board Chambers, 915 Eighth Street
Marysville, California

Agenda materials are available at the Yuba County Government Center, 915 8th Street, the County Library, 303 Second Street, Marysville, and www.co.yuba.ca.us. Any disclosable public record related to an open session item and distributed to all or a majority of the Board less than 72 hours prior to the meeting is available for public inspection at Suite 109 of the Government Center during normal business hours.

OCTOBER 6, 2009

1:00 P.M. YUBA COUNTY WATER AGENCY CANCELLED

3:30 P.M. THREE RIVERS LEVEE IMPROVEMENT AUTHORITY CANCELLED

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 Stocker

II. ROLL CALL - Supervisors Vasquez, Nicoletti, Griego, Abe, Stocker

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

A. Agricultural Commissioner

   1. Authorize expenditure not to exceed $2,500 from Fish and Game Commission Account No. 104-9000-427-2300 for the purchase of pheasants to be used for the 2009 California Deer Association Special Needs Pheasant Hunt to be held in November 2009. (Protective Inspection Committee recommends approval) (09-467)

B. Clerk of the Board of Supervisors

   1. Approve minutes of the meetings of September 15, and 22, 2009. (09-481)

C. Health and Human Services

   1. Approve California Department of Veteran Affairs Subvention and Medi-Cal Certificate of Compliance for Fiscal Year 2009-2010. (Human Services Committee recommends approval) (09-468)

D. Probation

   1. Adopt resolution authorizing the Chief Probation Officer of Yuba County as the Designated Project Director to make application for funds to the California Emergency Management Agency, on behalf of the County of Yuba pursuant to the Federal Crime Act of 1994 and authorizing execution of necessary documents and agreement. (09-469)

E. Sheriff-Coroner

   1. Accept Inmate Welfare Expenditure Summary for Fiscal Year 2008/2009 pursuant to Penal Code Section 4025(e). (09-470)

   2. Authorize Budget Transfer in the amount of $974.00 from Account No. 108-0000-372-9903 (Operating Transfers) to Account No. 108-2900-423-6200 (Fixed Assets) for the purchase of a refrigerator for jail medical storage of Hepatitis vaccines. (09-471)
IV. **SPECIAL PRESENTATION**

A. Present proclamation recognizing the 2009-2010 Yuba-Sutter United Way Campaign. (Five minute estimate) (09-472)

B. Present proclamation to Casa de Esperanza recognizing October 2009 as Domestic Violence Awareness Month. (Five minute estimate) (09-473)

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 are requested to fill out a "Request to Speak" card and submit it to the Clerk of the Board of Supervisors. Please note: No Board action can be taken on comments made under this heading.

VI. **COUNTY DEPARTMENTS**

A. Administrative Services

1. Approve Memorandum of Understanding with the City of Marysville for custodial services, authorize the Chairman to execute same, and authorize Budget Transfer in the total amount of $26,122 from Account No. 101-0000-363-7404 (Building and Grounds Outside Agency) to various line items to cover costs of extra help employee. (Ten minute estimate) (09-474)

B. Board of Supervisors

1. Appoint individual to the Yuba County Planning Commission as the District 5 Representative for a term to end January 11, 2011. (Five minute estimate) (09-475)

2. Appoint individual to the Yuba Community Services Commission as the District 3 Representative for a term to end December 31, 2012. (Five minute estimate) (09-476)

C. Sheriff-Coroner

1. Approve Amendment No. 2 to the subcontract agreement with San Diego State University Research Foundation for year three of the Enforcing Underage Driving Laws project and authorize the Vice Chair to execute same. (Five minute estimate) (09-477)

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 amending Yuba County Ordinance Code Title X, Chapter 10.05, by adding Section 10.05.150 repair and reconstruction of damaged structures. (Continued from September 22, 2009) (Second reading) (Fifteen minute estimate) (09-460)

B. Ordinance - Hold public hearing, waive reading, and re-introduce ordinance repealing and reenacting as amended Chapter 9.35 of Title IX of the Yuba County Ordinance Code relating regulation of travel on levees. (Continued from September 22, 2009) (First reading) (Fifteen minute estimate) (09-461)

VIII. **CORRESPONDENCE** - (09-478)

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. Pending litigation pursuant to Government Code §54956.9(a) - Ybarra vs. County of Yuba
B. Potential litigation pursuant to Government Code §54956.9(b) - One Case

XI. ADJOURN

5:30 P.M. Public Facilities Committee - (Supervisors Griego and Vasquez - Alternate Supervisor Nicoletti)

A. Consider Budget Transfer in the amount of $851 from account number 101-0900-417-1811 (Buildings and Grounds Government Center) to account number 101-0900-417-6200 (Fixed Assets) for the purchase of a chemical storage cabinet that meets Cal-OSHA requirements - Administrative Services (Five minute estimate) (09-479)

Land Use and Public Works Committee - (Supervisors Abe and Stocker - Alternate Supervisor Nicoletti)

A. Consider ordinance amending Title XIII of Chapter 13 of the Yuba County Ordinance Code by repealing and re-enacting section 13.20.400 relating to Environmental Health Fees - Community Development and Services - Environmental Health (Ten minute estimate) (09-480)

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