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 13, 2009

8:30 A.M.  YUBA COUNTY WATER AGENCY

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 Vasquez

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.  Administrative Services

1.  Authorize Budget Transfer in the amount of $851 from Account No. 101-0900-417-1811 (Buildings and Grounds Government Center) to Account No. 101-0900-417-6200 (Fixed Assets) for the purchase of a chemical storage cabinet that meets Cal-OSHA requirements.  (Public Facilities Committee recommends approval) (09-482)

B.  Board of Supervisors

1.  Cancel the regular Board meeting scheduled November 3, 2009. (No background material) (09-483)

C.  Clerk of the Board of Supervisors

1.  Reappoint Walter Shackelford to the Smartsville Cemetery District for a term to end October 13, 2013. (09-484)

2.  Appoint Kevin Hinckley to the Substance Abuse Advisory Board for a term to end September 23, 2011.  (09-485)

3.  Appoint Felix Mata to the Area 4 Agency on Aging Advisory Council for a term to end June 30, 2011.  (09-486)

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 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.

V.  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 reenacting as amended Chapter 9.35 of Title IX of the Yuba County Ordinance Code relating to regulation of travel on levees. (Continued from September 22 and October 6, 2009) (Second reading) (Five minute estimate) (09-461)

B. **Ordinance** - Hold public hearing, waive reading, and introduce ordinance amending Chapter 9.15 of Title IX of the Yuba County Ordinance Code regarding vehicle traffic speed limits on County Service Area No. 14 roads. (Land Use and Public Works Committee recommends approval) (Five minute estimate) (09-487)

C. **Ordinance** - Hold public hearing, waive reading, and introduce 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. (Land Use and Public Works Committee recommends approval) (Ten minute estimate) (09-488)

D. **Ordinance** - Hold public hearing, waive reading, and introduce ordinance amending Title VII of Chapter 7 of the Yuba County Ordinance Code by adding section 7.13 prohibiting trash scavenging from refuse and recycling receptacles. (Five minute estimate) (09-489)

E. **Public Hearing** - Hold public hearing and adopt findings of fact, conclusions of law and orders authorizing the assessment of administative and abatement costs and penalties in the amount of $61,361.50 and the recording of a lien located at 5576 Cottonwood Avenue, West Linda (Anchak, Albert A.) (Ten minute estimate) (09-490)

VI. **COUNTY DEPARTMENTS**

A. Board of Supervisors

1. Appoint California State Association of Counties representative and alternate for one-year terms to commence with the first day of the CSAC annual conference. (Five minute estimate) (09-491)

VII. **CORRESPONDENCE** - (09-492)

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

B. Threatened litigation pursuant to Government Code §54956.9(b)(3)(E) - One Claim

C. Conference with Real Property Negotiator pursuant to Government Code §54956.8 - Property: APN 008-010-030-000 Negotiating Parties: Cruz and County of Yuba/Doug McCoy Negotiation: Terms of Payment

D. Conference with Real Property Negotiator pursuant to Government Code §54956.8 - Property: APN 019-230-052-000 Negotiating Parties: Inderbitzen and County of Yuba/Robert Bendorf Negotiation: Terms of Payment

E. Personnel pursuant to Government Code §54957 - Public Appointment/Public Guardian

X. **RECESS**

1:00 P.M. **Community Development and Services**

A. Provide staff direction regarding consideration of the Magnolia Ranch and Woodbury projects for the Preferred Land Use Alternative and take action as appropriate. (Sixty minute estimate) (09-493)

XI. **ADJOURN**

2:00 P.M. **THREE RIVERS LEVEE IMPROVEMENT AUTHORITY**
11:30 A.M.  **Finance and Administration Committee** - (Supervisors Nicoletti and Griego - Alternate Supervisor Abe)

A. Consider resolution authorizing execution and delivery of purchase and sale agreement related to sale of Proposition 1A receivables from the state to California Communities that is operating the Proposition 1A securitization bonding process - Treasure-Tax Collector (Ten minute estimate) (09-494)

**10-13-09 4:30 P.M. Wheatland City/County Liaison Committee**
Wheatland City Hall
111 C Street
Wheatland, California
A. General Plan Update
B. Ostrom Road Landfill
C. Wheatland Town hall Meeting, October 19, 2009
D. Other Reports
E. Adjourn

**10-14-09 5:00 P.M. Linda Liaison Committee**
Linda Fire Protection District
1286 Scales Avenue
Marysville, California
A. Lindhurst Cleanup
B. Town hall Park Meeting
C. Drug Awareness Presentation
D. Other Reports
E. Adjourn

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