

# BOARD OF SUPERVISORS AGENDA

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



Agenda materials are available at the Yuba County Government Center, 915 8<sup>th</sup> Street, the County Library, 303 Second Street, Marysville, and [www.co.yuba.ca.us](http://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.

**FEBRUARY 24, 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 Stocker
- II. **ROLL CALL** - Supervisors 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. Approve lease with Heer Atwal Orchards to conduct farming activities on airport property and authorize Chairman to execute same. (Public Facilities Committee recommends approval) (09-078)
    2. Adopt resolution authorizing County Administrative Officer to execute signature card for request of funds from the Economic Development Allocation of the State Community Development Block Grant Program, Grant 06-EDBG-2770. (09-079)
  - B. **Agricultural Commissioner**
    1. Authorize out-of-state travel for Agricultural Commissioner Louie Mendoza to represent Yuba County at the California Agricultural Commissioners and Sealers Association delegation in Washington, DC, March 8 through 11, 2009. (09-081)
  - C. **Clerk of the Board of Supervisors**
    1. Approve minutes for the regular meeting of February 10, 2009.
  - D. **Community Development and Services**
    1. Approve contract with Applied Engineering and Geology, Inc. for environmental consulting services under the approved Emergency, Abandoned and Recalcitrant (EAR) Grant received from the State Water Quality Control Board and authorize Chairman to execute same. (Land Use and Public Works committee recommends approval) (09-082)
    2. Authorize advertisement of bids for La Porte Road Pavement Rehabilitation pending State and/or Federal approval of funding. (09-083)

## **ADDENDUM TO AGENDA - ADD PERSONNEL/RISKMANAGEMENT TO CONSENT AGENDA**

- E. **Personnel/Risk Management**
  1. Relieve Assistant County Administrator Randy Margo and appoint Assistant Personnel Director Teri Smith as a Board Member for CSAC-EIA. (09-087)

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. **COUNTY DEPARTMENTS**

A. **Administrative Services**

1. Adopt resolution approving Amendment No. 5 to the lease agreement with Hampac LLC in order to authorize the construction of additional building space for the Peach Tree Clinic and approve the corresponding increase of the monthly rental amount for such construction and rental space for clinic. (09-080)

B. **Board of Supervisors**

1. Receive presentation on Smart Growth Conference held January 22 - 24, 2009. (No background material) (Fifteen minute estimate) (09-084)
2. Appoint individual to the Yuba County Planning Commission as the District Three representative for a term to expire January 10, 2013. (Five minutes estimate) (09-086)

C. **County Administrator**

1. Continue discussions on Fiscal Year 2008/2009 Midyear Review and take action as appropriate. (Continued from February 17, 2009) (Ten minute estimate) (09-074)

**ADDENDUM TO AGENDA - ADD TO COUNTY DEPARTMENTS COUNTY ADMINISTRATOR**

2. Approve deferrals of Employee Salary and Benefit increases for Fiscal Year 2009/2010 for Board of Supervisors; Deputy Sheriff's Association; unrepresented Sheriff's Department Managers; unrepresented Miscellaneous Managers; elected officials; safety category elected officials; and unrepresented confidential employees; and authorize Chairman to execute Side Letter of Agreement. (Fifteen minute estimate) (09-088)
3. Adopt resolution permitting Auditor-Controller to allow Non-General Funds to operate with a deficit cash balance and to permit the Treasurer-Tax Collector to temporarily transfer funds to cover and deficient cash balances as provided for under Article XVI Section 6 of the California Constitution and provide further direction as appropriate. (Twenty minute estimate) (09-089)

VI. **CORRESPONDENCE** - (09-085)

VII. **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.

VIII. **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 - Labor Negotiations - DSA/MSA/YCEA/Unrepresented and County of Yuba

B. Conference with Real Property Negotiator pursuant to Government Code §54956.8 - Property Location: Corner of Erle Road and Griffith Avenue Negotiating Parties: County of Yuba Negotiation: Terms of Payment

**ADDENDUM TO AGENDA - CHANGE ITEM C UNDER CLOSED SESSION TO READ:**

C. Potential litigation pursuant to Government Code §54956.9(b) - Two Cases

IX. **ADJOURN**

2:00 P.M. **THREE RIVERS LEVEE IMPROVEMENT AUTHORITY - SPECIAL MEETING**

## NO COMMITTEE MEETINGS

### ADDENDUM TO AGENDA

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**