

The County of Yuba

B O A R D O F S U P E R V I S O R S

FEBRUARY 1, 2011 – MINUTES



The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 6:15 p.m, within the Government Center, Marysville, California, with a quorum being present as follows: Supervisors Andy Vasquez, John Nicoletti, Mary Jane Griego, Roger Abe, and Hal Stocker. Also present were County Administrator Robert Bendorf, County Counsel Angil Morris-Jones, and Clerk of the Board of Supervisors Donna Stottlemeyer. Chairman Abe presided.

- I. PLEDGE OF ALLEGIANCE - Led by Supervisor Griego
- II. ROLL CALL - Supervisors Vasquez, Nicoletti, Griego, Abe, Stocker – All Present
- III. CONSENT AGENDA: All matters listed under the Consent Agenda are considered to be routine and can be enacted in one motion.

MOTION: Move to approve Consent Agenda MOVED: Hal Stocker SECOND: Andy Vasquez
 AYES: Hal Stocker, Andy Vasquez, John Nicoletti, Mary Jane Griego, Roger Abe
 NOES: None ABSENT: None ABSTAIN: None

A. Board of Supervisors

1. Appoint Deputy Counsel Christine Dehr as the Board Chairman's designee to the Law Library Board of Trustees. (No background material) (041-11) Approved.

B. Clerk of the Board of Supervisors

1. Appoint Todd Hambrook to the Economic Development Advisory Committee as a District Three Representative to serve at the pleasure of the Board. (042-11) Approved.
2. Approve minutes from meeting of January 11 and 18, 2011. (043-11) Approved as written.
3. Re-appoint Grady Windham to the Fish and Game Advisory Commission as an At-Large Representative for a term to end January 25, 2015. (044-11) Approved.

C. Community Development and Services

1. Adopt resolution authorizing the Director of Environmental Health to apply for CalRecycle Waste Tire Enforcement Grant Fiscal Years 2010/11 to 2015/16 and to execute all grant related documents. (045-11) Adopted Resolution No. 2011-9, which is on file in Yuba County Resolution Book No. 42 entitled: "RESOLUTION AUTHORIZING THE DIRECTOR OF ENVIRONMENTAL HEALTH TO APPLY

FOR CALRECYCLE WASTE TIRE ENFORCEMENT GRANT FISCAL YEARS 2010/2011 THROUGH 2015/2016."

D. County Administrator

1. Approve Letter supporting Reclamation District 784's pursuit of Proposition 1E grant funding for its Regional Drainage Facility project and authorize the Chairman to execute same. (046-11) Approved.

E. Health and Human Services

1. Approve Children's Medical Services (CMS) Plan Guidelines for Fiscal Year 2010-2011 and authorize the Chair to execute CMS Certification Statements included in the plan. (Human Services Committee recommended approval) (047-11) Approved.

F. Child Care Planning Council of Yuba and Sutter Counties

1. Approve Certification Statement regarding composition of Local Planning Council membership and authorize the Chairman to execute same. (048-11) Approved.

IV. PUBLIC COMMUNICATIONS: The following individuals spoke:

Ms. Brigit Barnes, Loomis, regarding the Ostrom Road landfill conditional use permit.

Ms. Janet Marchant, Dobbins, regarding General Plan Update concerns and survey received from Supervisor Hal Stocker regarding the General Plan.

Mr. Greg Crompton, Dobbins, regarding General Plan Update and evacuation routes during wildfire.

Mr. Charles Sharp, Oregon House, regarding General Plan Update Environmental Impact Report inconsistencies.

Ms. Alyssa Lindman, Trails Commission Chair, regarding presentation to the Board at a future date.

V. ORDINANCES AND PUBLIC HEARINGS: The Clerk read the disclaimer.

- A. Public Hearing - Hold public hearing and adopt resolution approving the form and authorizing the execution of certain lease financing documents in connection with financing various solar energy projects throughout the geographic boundaries of the county, and authorizing and directing certain actions. (049-11)

County Administrator Robert Bendorf recapped the solar energy project to provide infrastructure upgrades primarily at the Courthouse, Library, and other energy efficiency projects at other county buildings; and recapped the financing documents recommending the non-self funded option with a term of 16 years with a county contribution not to exceed \$800,000. Mr. Bendorf responded to Board inquiries.

Mr. Jeff Small, Capitol Public Finance Group, and Mr. Ashu Jain, Chevron Energy Solutions Company, recapped the receipt of renewable energy credits and the selling of them by the county on an annual basis.

Treasurer-Tax Collector Dan Meirzwa responded to inquiries regarding the receipt and timing of use of the credits and savings to the County.

Chairman Abe opened the public hearing. The following individual spoke:
Ms. Carmel Garcia, Olivehurst, regarding public notification.

MOTION: Move to approve adopting resolution; authorizing the Chairman to execute all related documents for the Chevron Energy Efficiency Project; and authorizing the Auditor-Controller to process the necessary transfer from Fund 229, Tobacco Securitization, in an amount not to exceed \$800,000.

MOVED: John Nicoletti SECOND: Andy Vasquez
AYES: John Nicoletti, Andy Vasquez, Mary Jane Griego, Roger Abe, Hal Stocker
NOES: None ABSENT: None ABSTAIN: None

Adopted Resolution No. 2011-10, which is on file in Resolution Book No. 42 entitled: "RESOLUTION APPROVING THE FORM AND AUTHORIZING THE EXECUTION OF CERTAIN LEASE FINANCING DOCUMENTS IN CONNECTION WITH THE FINANCING OF VARIOUS SOLAR ENERGY PROJECTS THROUGHOUT THE GEOGRAPHIC BOUNDARIES OF THE COUNTY AND AUTHORIZING AND DIRECTING CERTAIN ACTIONS WITH RESPECT THERETO."

VI. RECESS: 7:29 p.m. and reconvened at 7:31 p.m. with all present as indicated above.

VII. ITEM OF PUBLIC INTEREST

- A. Approve Second Hand Dealer's permit from Kimerli Rempp dba Yellow Ribbons Thrift and Gift Shop / Central Valley Homeless Veterans Assistance Program located at 5876 Lindhurst Avenue and take action as appropriate. (051-11) Ms. Kimerli Rempp advised of operation under a new non-profit organization and need for a new permit rather than a renewal.

MOTION: Move to approve MOVED: Mary Jane Griego SECOND: John Nicoletti
AYES: Mary Jane Griego, John Nicoletti, Andy Vasquez, Roger Abe, Hal Stocker
NOES: None ABSENT: None ABSTAIN: None

VIII. CORRESPONDENCE - (052-11)

MOTION: Move to accept and file MOVED: John Nicoletti SECOND: Hal Stocker
AYES: John Nicoletti, Hal Stocker, Andy Vasquez, Mary Jane Griego, Roger Abe
NOES: None ABSENT: None ABSTAIN: None

- A. Letter from Federal Energy Regulatory Commission regarding Scoping Document 1 for the Yuba River Hydroelectric Project, P-2246 and scoping meeting on February 2, 2011 at 1:00 p.m. and 7:00 p.m. in the Government Center.
- B. Schedule of Proposed Actions from the United States Forest Service regarding Plumas National Forest for the period of January 1, 2011 to March 31, 2011.
- C. Email from Mr. Jim Flurry commending Adult Services Division Case Worker Mr. Chou Her for the excellent service he provided.
- D. Letter from the Brophy Farming Community regarding services offered at The Joshua House.
- E. Area 4 Agency on Aging 2009-2010 Annual Report.
- F. Notice from State of California Fish and Game Commission regarding a petition to list cedars wild buckwheat as endangered under the California Endangered Species Act.

IX. BOARD AND STAFF MEMBERS' REPORTS: Report were received on the following:

Supervisor Stocker:

- Memorial Adjournments - Mrs. Laura Jean Crabtree and Mr. Bowe Jay Heath
- Recognition of Mr. Ned Speiker regarding donating the Pavilion on the Yuba River
- First 5 Yuba sponsored program for youth on exercise and nutrition

Supervisor Griego:

- Sacramento Area Council of Governments (SACOG), First 5 Yuba, and Yuba Sutter Transit Director's meeting held January 20, 2011
- South County Economic and Improvement Committee meeting and Local Government Commission Conference Call held January 27, 2011
- SACOG Housing and Land Use Committee meeting held February 1, 2011

Supervisor Nicoletti:

- Memorial Adjournment - Ms. Sandy Fonley, Mr. Jeffrey McKoy, General Vang Pao
- County Medical Services Program meeting held January 27, 2011
- Yuba Sutter Arts Council Board, Marysville Joint Unified School District Bond Review Committee, and Beale Enhancement Team meetings held January 26, 2011
- Regional Waste Management Authority meeting held January 20, 2011
- Economic Development Advisory Committee and Manufacturers Association meetings held January 21, 2011
- Fifth Street Bridge Replacement meeting held January 31, 2011
- County Administrator meeting with Library staff
- Corps of Engineers funding cut to Marysville Ring Levee Project

Supervisor Abe:

- Unmet transit needs meeting held January 18, 2011
- Regional Council of Rural Counties meeting held January 19, 2011
- Economic Development Advisory Committee meeting and High Sierra Resource meeting held January 21, 2011

Supervisor Vasquez:

- Candlelight vigil for General Vang Pao
- Quick response of County Council regarding ordinance code changes

County Administrator Robert Bendorf:

- Review of draft audit, host fees, and impact fees
- Notification of grant receipt of \$100,00 for public safety interoperable equipment
- County marketing video nearing completion

X. CLOSED SESSION: The Board retired into closed session at 8:01 p.m. to discuss the following:


- A. Personnel pursuant to Government Code §54957 - Department Head Evaluation/Agricultural Commissioner
- B. Threatened litigation pursuant to Government Code §54956.9(b) - One Claim

Supervisor Abe left closed session at 8:06 p.m. during discussion of the department head evaluation.

The Board returned from closed session at 8:12 p.m. with all present as indicated above except Supervisor Griego.

County Counsel Angil Morris-Jones advised the Board unanimously approved a settlement in the matter of threatened litigation.

- XI. ADJOURN: 8:13 p.m. in memory of Mrs. Laura Jean Crabtree, Ms. Sandy Fonley, and Mr. Bowe Jay Heath, Mr. Jeffrey McKoy, and General Vang Pao by Chairman Abe.


Chair

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS



Approved: February 15, 2011