

The County of Yuba

BOARD OF SUPERVISORS



OCTOBER 11, 2011 - MINUTES

The Honorable Board of Supervisors of the County of Yuba met in special session on the above date, commencing at 9:43 a.m., within the Government Center, Marysville, California, with a quorum being present as follows: Supervisors Andy Vasquez, John Nicoletti, Roger Abe, and Hal Stocker. Mary Jane Griego was absent. 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 MOVED: Hal Stocker SECOND: John Nicoletti
AYES: Hal Stocker, John Nicoletti, Andy Vasquez, Mary Jane Griego, Roger Abe
NOES: None ABSENT: None ABSTAIN: None

A. Agricultural Commissioner

1. Authorize expenditure not to exceed \$1,300 from Fish and Game Advisory Commission Account No. 104-9000-427-2300 for the purchase of 100 pheasants to be used for the 2011 California Deer Association Special Needs Pheasant Hunt. (Protective Inspection Committee recommends approval) (433-11) Approved.
2. Adopt resolution ratifying and approving the submittal of an application for a National Rifle Association Grant submittal of a National Rifle Association Grant on behalf of the Fish and Game Advisory Commission to purchase pheasants for 2012 Juniors, Women, and Mobility Impaired Pheasant Hunt and authorizing the Agricultural Commissioner to execute any documents required and/or related to the application and administration of the grant. (Protective Inspection Committee recommends approval) (434-11) Adopted Resolution No. 2011-84, which is on file in Yuba County Resolution Book No. 42 entitled: "RESOLUTION AUTHORIZING THE SUBMITTAL OF AN APPLICATION FOR A NATIONAL RIFLE ASSOCIATION GRANT BY THE YUBA COUNTY AGRICULTURAL COMMISSIONER ON BEHALF OF THE FISH AND GAME COMMISSION TO EDUCATE INDIVIDUALS ABOUT HUNTING SAFETY AND MARKSMANSHIP AND AUTHORIZING THE AGRICULTURAL COMMISSIONER TO EXECUTE ANY DOCUMENTS REQUIRED AND/OR RELATED TO THE APPLICATION AND ADMINISTRATION OF THE GRANT."

B. Board of Supervisors

1. Appoint Al Lassage, Paul Baggett, and Earl Parker for four-year terms and Guisepppe Rioni for a two-year term to the Brophy Water District pursuant to Election Code §10515. (435-11) Approved.

C. Clerk of the Board of Supervisors

1. Approve minutes of the workshop of September 19, regular and final budget hearings of September 20, 2011. (436-11) Approved as written.

D. Community Development and Services

1. Adopt resolution to approve application for grant funds for the California River Parkways Grant for the Sycamore Ranch River Parkway. (437-11) Public Works Director responded to Board inquiries regarding funding for project design.

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

Adopted Resolution No. 2011-85, which is on file in Yuba County Resolution Book No. 42 entitled: "APPROVE APPLICATION FOR GRANT FUNDS FOR THE CALIFORNIA RIVER PARKWAYS GRANT PROGRAM UNDER THE SAFE DRINKING WATER, WATER QUALITY AND SUPPLY, FLOOD CONTROL, RIVER AND COASTAL BOND ACT OF 2006 (PROPOSITION 84)."

E. County Administrator

1. Authorize Budget Transfer in the amount of \$5,548.84 from various Development Impact Fees to Account No. 101-1700-411-2300 (Professional Services) for Five-Year Development Impact Fee Report preparation. (438-11) Approved.

F. Health and Human Services

1. Adopt resolution amending Standards of Aid for General Assistance Program which serves eligible indigent and poor residents. (439-11) Adopted Resolution No. 2011-86, which is on file in Yuba County Resolution Book No. 42 entitled: "RESOLUTION AMENDING THE GENERAL ASSISTANCE TABLE (SECTION 9.6) OF RESOLUTION NO. 2009-91."
2. Adopt resolution approving agreement with State Department of Public Health for STD Prevention and Control Program grant funds. (440-11) Adopted Resolution No. 2011-87, which is on file in Yuba County Resolution Book No. 42 entitled: "AUTHORIZE THE YUBA COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT TO ENTER INTO AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH FOR SEXUALLY TRANSMITTED DISEASE (STD) AWARENESS AND PREVENTION AND CONTROL GRANT FUNDS FOR THE PERIOD OF JULY 1, 2011 THROUGH JUNE 30, 2013; AND FURTHER, AUTHORIZE THE CHAIRMAN TO EXECUTE DOCUMENTS AS REQUIRED BY THE GRANT OR PERTINENT TO THIS PROGRAM AND TO AUTHORIZE THE ACCEPTANCE OF FUNDS."

IV. SPECIAL PRESENTATION

- A. Present proclamation to Casa de Esperanza, Inc. declaring October Domestic Violence Awareness Month. (441-11) Proclamation presented.
- B. Receive presentation on Annual Report from Law Library Board of Trustees. (Ten minute estimate) (442-11) Law Library Board President Carl Lindmark recapped online legal research available for residents.

V. PUBLIC COMMUNICATIONS:

Dr. Douglas Houston, Yuba Community College Chancellor, introduced himself advising a presentation would be coming to the board in the near future regarding an updated District Strategic Plan, commended the Board regarding the campus solar project, and responded to Board inquiries.

Ms. Martha Griese, Red Cross, recapped services provided to residents displaced by the fire at Traveler's Inn and responded to Board inquiries.

VI. COUNTY DEPARTMENTS

A. Administrative Services

1. Approve Timber Harvest Plan and authorize Budget Transfer in the amount of \$2,405.94 from 4H Camp Trust Fund for cost of development of plan. (Five minute estimate) (443-11) Administrative Services Director Doug McCoy recapped the need for a timber harvest plan and responded to Board inquiries.

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

B. Board of Supervisors

1. Consider eight claims for refund of property taxes from Fellowship of Friends and take action as appropriate. (Continued from September 14, 2010 and September 27, 2011) (Fifteen minute estimate) (425-11) Ms. Katherine Lutton, Counsel on behalf of the Fellowship, recapped the request for refund based on a religious, welfare exemption.

County Counsel Angil Morris-Jones recapped the history of the request advising the grounds submitted are not within the grounds for statutory requirements and responded to Board inquiries.

Ms. Lutton requested a two-week postponement on the claim for refund.

Mr. Greg Holman, Fellowship President, responded to Board inquiries.

Public Comment: Ms. Mary Battista, Browns Valley, urged a two week postponement

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

C. Community Development and Services

1. Authorize Budget Transfer in the amount of \$45,000 from the Fifth Street Bridge Contingency Fund to Account No. 101-0101-411-23-07 for county share to install median safety barrier. (Five minute estimate) (444-11) Public Works Director Mike Lee recapped maintenance required and responded to Board inquiries.

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

2. Adopt resolution approving acquisition of real property at 4667 Skyway Drive, APN 013-560-050, and designate for use as the primary corporation yard, along with adjacent County owned parcel APN 013-560-051. (Ten minute estimate) (445-11) Public Works Director Mike Lee recapped the purchase and responded to Board inquiries.

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

Adopted Resolution No. 2011-88, which is on file in Yuba County Resolution Book No. 42 entitled: "RESOLUTION AUTHORIZING THE PURCHASE OF REAL PROPERTY (APN 013-560-050) FROM CITIZENS BANK OF NORTHERN CALIFORNIA AND AUTHORIZING THE PUBLIC WORKS DIRECTOR TO EXECUTE ALL DOCUMENTS REQUIRED TO FINALIZE THE PURCHASE OF THE REAL PROPERTY."

VII. CORRESPONDENCE - (446-11)

- A. Letter from Yuba Sutter United Way regarding 2011-2012 Campaign. Accepted.
- B. Three notices from California Fish and Game Commission regarding proposed regulatory action regarding the taking of abalone, Oroville-Thermalito Complex Regulations for take of Non-Indigenous Coho Salmon and south coast marine protected areas. (Copy provided to Fish and Game Advisory Commission) Accepted.

VIII. BOARD AND STAFF MEMBERS' REPORTS: Reports were received on the following:

Supervisor Stocker:

- o Memorial Adjournment - Mrs. Cynthia Jean Newlin
- o Local Government Commission First Thursday Dinner and presentation by Planning Director Wendy Hartman
- o Indigenous Peoples Days held at Sycamore Ranch Park on October 7, 2011
- o Increase in economic growth in Yuba County

Supervisor Griego:

- o Local Government Commission First Thursday Dinner and presentation by Planning Director Wendy Hartman
- o Feather River Air Quality Management District Directors meeting and air quality hearing
- o LAFCO meeting held October 5, 2011
- o Sacramento Area Council of Governments Directors meeting and additional meetings regarding flood control

Supervisor Nicoletti:

- Memorial Adjournment - Ms. Pam Saucier
- Homelessness of mothers and children
- Community Services Commission grant awards
- Mini grants for school supplies
- 100 year celebration for Taiwan
- Indigenous Peoples Days held at Sycamore Ranch Park on October 7, 2011
- Appointment of Charlton "Chuck" Bonham as Director of California Department of Fish and Game
- Feather River Air Quality Management District Directors meeting October 3, 2011

Supervisor Vasquez:

- Effects of marijuana on children and ordinance to regulate medical marijuana growth

Supervisor Abe:

- Tour of Naumes, Inc. held September 29, 2011
- Feather River Air Quality Management District Directors meeting October 3, 2011
- LAFCO meeting held October 5, 2011
- Indigenous Peoples Days held at Sycamore Ranch Park on October 7, 2011
- Memorial Adjournment - Mrs. Virginia Valles

County Administrator Robert Bendorf:

- Tour of Naumes, Inc. held September 29, 2011
- Upcoming agenda items regarding legislation, public defender first conflict agreement, and quarterly financial report
- Continued discussion on franchise agreement extension for collection and disposal with Recology

IX. CLOSED SESSION: The Board retired into closed session at 10:56 a.m. to discuss the following:

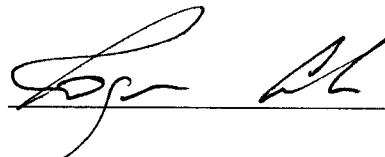
- A. Personnel pursuant to Government Code §54957(a) - Labor Negotiations - MSA/County of Yuba
- B. Personnel pursuant to Government Code §54957 - Department Head Evaluation/County Counsel

Counsel Angil Morris Jones left closed at 10:59 a.m. during discussion of evaluation.

The Board returned at 11:19 a.m. with all Board and staff present as listed above.

Chairman Abe advised direction was provided on Item A, and on item B the Board decided not to perform an evaluation at this time.

X. ADJOURN: 11:20 a.m. in memory of Mrs. Cynthia Jean Newlin, Ms. Pam Saucier, and Mrs. Virginia Vales by Chairman Abe.


Chair

ATTEST: DONNA STOTTEMEYER
CLERK OF THE BOARD OF SUPERVISORS



Approved: October 25 2011