

# The County of Yuba

## BOARD OF SUPERVISORS



NOVEMBER 15, 2011 – MINUTES

The Honorable Board of Supervisors of the County of Yuba met in special session on the above date, commencing at 9:36 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 Nicoletti
- 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: John Nicoletti  
AYES: Hal Stocker, John Nicoletti, Andy Vasquez, Mary Jane Griego, Roger Abe  
NOES: None    ABSENT: None    ABSTAIN: None

### A. Administrative Services

1. Approve lease amendment with Yuba County Office of Education for additional space at the One Stop facility and authorize the Chair to execute same. (492-11) Approved.

### B. Auditor-Controller

1. Adopt Resolution adopting Final Budget for Fiscal Year 2011-2012. (493-11) Adopted Resolution No. 2011-97, which is on file in Yuba County Resolution Book No. 42 entitled: "RESOLUTION ADOPTING FINAL BUDGET FOR FISCAL YEAR 2011-2012."

### C. Board of Supervisors

1. Appoint Joe Danna for a two-year term to Reclamation District 784 Board of Trustees. (494-11) Approved.

### D. Community Development and Services

1. Adopt resolution to approve agreement with the State of California Office of Traffic Safety for the installation of radar signs at school boundaries and to authorize the Public Works Director to administer the grant and to execute the agreement. (495-11) Adopted Resolution No. 2011-98, which is on file in Yuba County Resolution Book No. 42 entitled: "APPROVE THE AGREEMENT WITH THE STATE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY FOR THE INSTALLATION OF RADAR SIGNS AT SCHOOL BOUNDARIES AND TO AUTHORIZE THE PUBLIC WORKS DIRECTOR TO ADMINISTER THE GRANT AND TO EXECUTE THE AGREEMENT."

2. Adopt resolution authorizing Yuba County Community Development and Services Agency Director or his designee to complete purchase of single family residence APN 008-272-008 as part of the Neighborhood Stabilization program and execute all documents needed for completion of purchase, rehabilitation, and resale. (496-11) Adopted Resolution No. 2011-99, which is on file in Yuba County Resolution Book No. 42 entitled: "RESOLUTION AUTHORIZING YUBA COUNTY COMMUNITY DEVELOPMENT AND SERVICES AGENCY DIRECTOR OR HIS DESIGNEE TO COMPLETE PURCHASE OF SINGLE FAMILY RESIDENCE APN 008-272-008 AS PART OF THE NEIGHBORHOOD STABILIZATION PROGRAM AND EXECUTE ALL DOCUMENTS NEEDED FOR COMPLETION OF PURCHASE, REHABILITATION, AND RESALE."
3. Approve reconveying Lots A and B in Plumas Ranch Village 5, and Lot D in Woodside Village Unit 1 to developer Cresleigh Homes Corporation, abandonment of landscape easement over same, and authorize the Chair to execute Quitclaim deed(s) transferring any ownership rights to Cresleigh. (Land Use and Public Works Committee recommends approval) (497-11) Approved.

E. County Administrator

1. Adopt resolution authorizing the Director of Emergency Services to execute and submit an application for the Fiscal Year 2011 Emergency Management Performance Grant and execute documents as needed to obtain and administer grant funding. (498-11) Adopted Resolution No. 2011-100, which is on file in Yuba County Resolution Book No. 42 entitled: "SIGNATURE RESOLUTION AUTHORIZING THE COUNTY DIRECTOR OF EMERGENCY SERVICES TO SUBMIT AN APPLICATION FOR THE FISCAL YEAR 2011 EMERGENCY MANAGEMENT PERFORMANCE GRANT AND EXECUTE DOCUMENTS AS NEEDED TO OBTAIN AND ADMINISTER GRANT FUNDING."
2. Approve amendment to the Public Defender Services contract with Benjamin Wirtschafter and authorize the Chair to execute same. (499-11) Approved.
3. Approve extending employment for Richard Arrow, Assistant Auditor-Controller through December 31, 2011 for the purpose of coordination of the FY 2010-2011 audit. (500-11) Approved.

F. Health and Human Services

1. Approve memorandum of understanding with Sutter-Yuba Mental Health for CalWORKS participants and authorize the Chair to execute same. (Human Services Committee recommends approval) (501-11) Approved.

G. Library

1. Adopt resolution increasing the revolving cash fund for the Yuba County Library from twenty five dollars to two-hundred dollars. (502-11) Adopted Resolution No. 2011-101, which is on file in Yuba County Resolution Book No. 42 entitled: "RESOLUTION INCREASING THE REVOLVING CASH FUND FOR THE YUBA COUNTY LIBRARY FROM TWENTY-FIVE DOLLARS TO TWO-HUNDRED DOLLARS."

H. Probation

1. Adopt resolution authorizing the Chief Probation Officer of Yuba County to enter into memorandum of understanding with Sutter-Yuba Mental Health for mental health services for out of county residents housed at the Maxine Singer Youth Guidance Center, and approve renewal of the current Memorandum of Understanding and authorize the Chair to execute same. (503-11) Adopted Resolution No. 2011-102, which is on file in Yuba County Resolution Book No. 42 entitled: "RESOLUTION AUTHORIZING THE CHIEF PROBATION OFFICER OF YUBA COUNTY TO ENTER INTO MEMORANDUM OF UNDERSTANDING WITH SUTTER-YUBA MENTAL HEALTH FOR MENTAL HEALTH SERVICES FOR OUR OF COUNTY RESIDENTS HOUSED AT THE MAXINE SINGER YOUTH GUIDANCE CENTER."





VIII. RECESS: 10:13 a.m. and reconvened at 10:23 a.m. with all present as indicated above.

IX. BOARD OF SUPERVISORS WORKSHOP

- A. Receive presentation regarding Yuba County's Solid Waste Franchise Agreement.(No background material) (60 minute estimate) (506-11) County Administrator Robert Bendorf provided a Power Point presentation recapping solid waste disposal and the following:
- Current Franchise Agreement expires December 31, 2011
  - Process for reviewing agreement and negotiating parties
  - Joint Powers Authority for Regional Waste Management Authority
  - Funding the services - Rate Payers, Transfer Station, Recyclable Sales
  - Calculation of Rates
  - Current Residential Rates - \$24.77 monthly
  - Rate Stabilization and Capitalization Fund - \$2.1 million balance
  - Franchise Fees based on five percent of Recology's gross revenues
  - Host Fees - City of Marysville \$4.40 per ton
  - Host Fees - Yuba County \$4.40 per ton
  - County Benefits
  - Summary of Proposed Franchise Agreement Terms
    - Eight-year term with option for extension
    - Indexed rate adjustment for three years
    - New methodology for indexed rate review
    - Detailed rate review every 4 years
    - Continue rate stabilization funds
  - Road fee - paid directly by Recology
  - Program areas remain the same
  - Bulky Item pick-up for single family dwellings
  - Calculation of Rates - Proposed Agreement
  - Refuse Rate Index Methodology
  - Items for Consideration
    - Franchise Fees
    - Rate Stabilization and Capitalization Fund - Control of Funds/Weighted Voting
    - Agreement to extend service with Recology

Mr. Dave Vaughn, Recology General Manager, responded to Board inquiries regarding the road maintenance fee and reducing the amount of recoverables to landfill.

Mr. Bendorf responded to Board inquiries regarding host fee increase and the refuse rate index.

Assistant City Manager Steve Kreggar, Yuba City, responded to Board inquiries regarding services provided to Yuba City and future development of transfer station.

Regional Waste Management Manager Keith Martin responded to Board inquiries regarding surcharge increases.

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

Supervisor Stoker:

- Memorial Adjournment - Mrs. Ivadene Leech and Mr. Willie Toon
- Ceremony at Museum of Forgotten Warriors held November 10, 2011
- Marysville Veterans Day Parade

Supervisor Griego:

- Marysville Veterans Day Parade
- Olivehurst Community Plan
- The Lords Gym in Linda
- Feather River Air Quality Management District, Sacramento Council of Governments, and Yuba Sutter Transit Authority Directors' meetings scheduled November 17, 2011

Supervisor Nicoletti:

- Memorial Adjournment - Miss Julianna Villa-Hopkins
- Marysville Veterans Day Parade
- County Library computers
- Bethel AME historic presentation on November 14, 2011
- Corps of Engineers easement and encroachment of property in Linda
- Flood insurance program kickoff held November 14, 2011

Supervisor Vasquez:

- Linda cleanup held November 5, 2011 at Yuba County Airport
- Hmong New Year Celebration held November 13, 2011
- Ceremony at Museum of Forgotten Warriors held November 10, 2011
- The Lords Gym fundraiser
- Marysville Veterans Day Parade
- Appeal Democrat article "A Father's Love"

County Counsel Angil Morris Jones: Restriction of marijuana use for persons under 18 years

Supervisor Abe:

- Marysville Veterans Day Parade
- Ceremony at Museum of Forgotten Warriors held November 10, 2011
- Hallwood Women's Club Breakfast held November 13, 2011
- Flood insurance program kickoff held November 14, 2011
- Award of Congressional Gold Medal Award to Japanese-American World War II veterans of the 100th Infantry Battalion, 442nd Regimental Combat Team and the Military Intelligence Service
- Memorial Adjournment – Mr. Francis M. Rush Jr.

Interim Library/Community Development Director Kevin Mallen:

- Library Open House to debut new computers on December 8, 2011 at 5:30 p.m.

County Administrator Robert Bendorf: City of Marysville proposal to amend sphere of influence

Chairman Abe formed an Ad Hoc committee appointing Supervisors Vasquez and Nicoletti regarding the City of Marysville sphere of influence amendment.

Supervisor Abe left the meeting at 12:38 p.m. and returned at 12:41 p.m.

Environmental Health Director Tej Maan: AB 885 Onsite Wastewater Regulations and written comments to State Water Resources Control Board

XI. CLOSED SESSION: The Board retired into closed session at 12:46 p.m. to discuss the following:

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

The Board returned from closed session at 1:10 p.m. with all present as indicated above.

Counsel advised direction and authorization for settlement was provided by unanimous vote of the Board.

The Board recessed at 1:11 p.m. and reconvened at 2:20 p.m. in closed session with all members present as indicated above to discuss the following:

B. Personnel pursuant to Government Code §54957 - Public Appointment/Auditor-Controller

The Board returned from closed session at 3:09 p.m. with all present as indicated above.

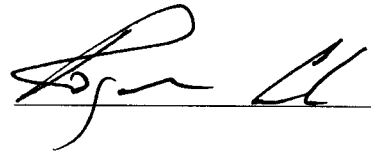
Chairman Abe advised Item B would be continued to Friday, November 18th at 12:30 p.m.

The Board reconvened on November 18<sup>th</sup> at 12:30 p.m. with all present as listed above and retired into closed session to continue discussion on Item B as listed above.

The Board returned from closed session at 1:21 p.m. with all present as indicated above.

Counsel advised the Board by unanimous vote made a selection regarding the Auditor-Controller appointment and gave direction to carry out the selection process.

- XII. ADJOURN: 1:22 p.m. on November 18, 2011 in memory of Miss Julianna Villa-Hopkins, Mrs. Ivadene Leech, Mr. Willie Toon, and Mr. Francis M. Rush Jr. by Chairman Abe.



Chair

ATTEST: DONNA STOTTEMEYER  
CLERK OF THE BOARD OF SUPERVISORS



Approved: 12-6-2011