

YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

FEBRUARY 3, 2009

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 6:07 p.m., within the Government Center, Marysville, California, with a quorum being present as follows: Supervisors John Nicoletti, Mary Jane Griego, Roger Abe, and Hal Stocker. Also present were County Administrator Robert Bendorf, Chief Deputy County Counsel Angil Morris-Jones, and Clerk of the Board of Supervisors Donna Stottlemeyer. Chairman Nicoletti presided.

CONSENT AGENDA

Upon motion of Supervisor Griego, seconded by Supervisor Abe, and unanimously carried, the Board took the following actions:

A. Board of Supervisors

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| 1) Declared February 8 through 14, 2009 as Marriage Week in Yuba County and authorized the Chairman to execute a proclamation. | APPROVE
PROC. |
| 2) Appointed Ms. Michele Barker as the District Two Representative to the Yuba County Planning Commission for a term to expire on January 10, 2013. | APPOINT
PC REP. |
| B. <u>Clerk of the Board</u> : Approved the minutes for the regular meeting of January 20, 2009, as written. | APPROVE
MINUTES |
| C. <u>Emergency Services</u> : Adopted Resolution No. 2009-06, which is on file in Yuba County Resolution Book No. 40, which is entitled: "RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE COOPERATIVE FIRE PROTECTION AGREEMENT SCHEDULE "A," for dispatch services for Fiscal year 2008/2009. | ADOPT
RESOLUTION
NO. 2009-06 |

PUBLIC COMMUNICATIONS

Mr. Tom Eres, Hofman Ranch, expressed concern regarding the oversight of expenditures and revenues of Three Rivers Levee Improvement Authority (TRLIA) and the lack of "checks and balances" within the system.

Ms. Frances Hofman, Olivehurst, expressed concern regarding TRLIA's inability to account for Proposition 13 funding expenditures and regarding the preservation of agriculture and the sphere of influence for joint planning with the City of Wheatland.

BOARD OF SUPERVISORS

- 1) Cap-to-Cap: Chairman Nicoletti advised no Board action was required due to TRLIA authorizing travel and expenditures for Supervisor Griego to attend Capt to Cap in Washington, DC, April 24 through 29, 2009. *INFO ONLY*
- 2) Plumas Lake Specific Plan Design Review Committee/Resident Representatives: APPOINT
Upon motion of Supervisor Griego, seconded by Supervisor Stocker, and unanimously REPS.
carried, the Board appointed Donald Rae and Michael Pitzer as the resident representatives to the Plumas Lake Specific Plan Design Review Committee for terms to expire February 3, 2010.
- 3) Fish and Game Advisory Commission/District Three Representative: Upon motion APPOINT
of Supervisor Griego, seconded by Supervisor Stocker, and unanimously carried, the REP.
Board appointed Larry Flynn as the District Three representative for a term to expire December 31, 2012.
- 4) Fish and Game Advisory Commission/District Four Representative: Upon motion APPOINT
of Supervisor Abe, seconded by Supervisor Stocker, an unanimously carried, the REP.
Board appointed Mark Harrison as the District Four representative to the Fish And Game Advisory Commission for a term to expire December 31, 2012.
- 5) Enterprise Rancheria of Maidu Indians: County Administrator Robert Bendorf recapped the request for comments regarding off-reservation gaming activities in the sports and entertainment zone and sought direction on comments for Board approval.

Board discussion included the following inclusion regarding comments:

DIRECTION
PROVIDED

- Job, retail, and recreational opportunities
- Unbiased and factual comments
- Contact school districts for comments
- Result of county-wide advisory measure
- Review short-term and long-term benefits of jobs and other benefits/impacts to the areas of Butte County which have gaming facilities

Following Board discussion, the following individuals spoke:

- Mr. Jim Kennedy, Browns Valley
- Mr. Robert Carr, Operating Engineers

- Mr. John Maier, Attorney representing Rancheria
- Ms. Frances Hofman, Olivehurst

COMMUNITY DEVELOPMENT AND SERVICES

Butte County Community Action Agency/Senior Nutrition Services: Upon motion of Supervisor Griego, seconded by Supervisor Stocker, and carried with Supervisor Abe being absent, the Board adopted Resolution No. 2009-07, which is on file in Yuba County Resolution Book No. 40, which is entitled: "RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OF THE COMMUNITY SERVICES COMMISSION TO EXECUTE CONTRACT WITH THE BUTTE COUNTY COMMUNITY ACTION AGENCY APPROVED TO RECEIVE COMMUNITY SERVICES BLOCK GRANT FUNDING." ADOPT
RESOLUTION
NO. 2009-07

Supervisor Abe left the meeting at 6:49 p.m. and returned at 6:51 p.m.

COUNTY ADMINISTRATOR

1) Second Quarter Financial Report/Fiscal Year 2008/2009: Assistant County Administrator Randy Margo recapped lower revenue taxes received advising of an estimated \$1 million less than projected revenues at yearend. Mr. Margo further advised of a significant reduction in permit fees and proposed state reductions which adversely affect the County's budget. *INFO
ONLY*

2) Midyear Budget Report/General Fund Contingency Transfers/\$153,625 and \$202,541: Assistant County Administrator Randy Margo recapped the following recommended budgetary changes for the fiscal year:

- Personnel changes regarding deletion of 20 positions including eight filled positions
- General Fund subsidy for Planning Department activities
- Contingency fund transfer for approved budget changes

County Administrator Robert Bendorf recapped State budget recommendations to defer various tax, transportation, and social services payments to counties through August 2009 and potential County impacts.

The following employees spoke regarding personnel impacts:

- Mrs. Terry Peterson
- Mrs. Misty Alvarez

Following Board discussion, the Board retired into closed session at 8:03 p.m. and returned at 8:29 p.m. with all Board and staff members present as indicated above.

Counsel Angil Morris-Jones made the following announcement:

"For the record, the Board retired into closed as part of the matter that had been scheduled in regards to negotiations, and in specific to legal questions that needed to be answered in regard to that matter."

Upon motion of Supervisor Griego, seconded by Supervisor Stocker, and unanimously carried, the Board took the following actions: APPROVE MIDYEAR BUDGET ACTIONS

- Received the midyear budget report for Fiscal Year 2008/09;
- Authorized Midyear Budget Transfers from the General Fund Contingency in the total amount of \$153,625;
- Authorized a General Fund Contingency Appropriation in the amount of \$202,541 for Planning Department services; and
- Approved midyear personnel actions to delete 20 positions
- Provide update at the Board meeting of February 17 regarding proposed development projects and status of proposal to unions

CORRESPONDENCE

Upon motion of Supervisor Stocker, seconded by Supervisor Griego, and unanimously carried the Board accepted the following:

A. Letter from Board of Forestry and Fire Protection enclosing policy statement regarding: Guidance on the Certified Rangeland Manager Program.

B. Letter from State Board of Equalization advising Taxpayers' Bill of Rights Hearings scheduled including Tuesday, March 17, 2009 in Sacramento. REFER TO STAFF

Referred to Community Development and County Administrator

C. Two Notices from the State of California Fish and Game Commission noticing hearing dates for proposed regulatory action regarding the California brown pelican, and recreational fishing for federal ground fish and associated species.

Referred to Fish and Game Advisory Commission

BOARD AND STAFF MEMBERS' REPORTS

Reports were received on the following:

Supervisor Stocker: Memorial adjournment in memory of Mr. Jack Bartlett

Supervisor Griego:

- Letter of support for ShoEi Foods USA, Inc. Museum and Cultural Center
- American Society of Civil Engineers Flood Control Project of the Year Award on the Bear River Setback Project

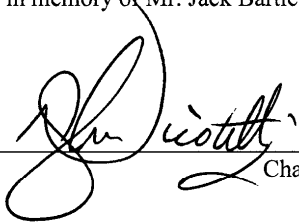
Supervisor Nicoletti:

- Out-of State February 4 and 6 through 16, 2009
- Summary of revenues and expenditures on funding for levee projects
- Letter of support for COPS Program Funding
- Rainfall percentages and possible drought conditions
- Press release on midyear budget review


Counsel Angil Morris-Jones: Upcoming training on the Brown Act and Public Records Act for special districts and county staff

ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, Chairman Nicoletti adjourned the meeting at 8:46 p.m. in memory of Mr. Jack Bartlett.


Chairman

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS



Approved: 