

YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

JULY 28, 2009

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 9:33 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. Supervisor Mary Jane Griego was absent. Also present were County Administrator Robert Bendorf, County Counsel Angil Morris-Jones, and Deputy Clerk of the Board of Supervisors Rachel Ferris. Chairman Nicoletti presided.

Upon motion of Supervisor Abe, seconded by Supervisor Vasquez, and carried with Supervisor Griego being absent, the Board added to the agenda under County Departments to receive an update from the County Administrator regarding State Budget issues and take action as appropriate. ADDED TO AGENDA

CONSENT AGENDA

Upon motion of Supervisor Stocker, seconded by Supervisor Abe, and carried with Supervisors Griego being absent, the Board took the following actions:

- A. Administrative Services: Approved an agreement with Day Wireless for repeaters at Wolf Mountain and Oregon Peak sites and authorized the Chairman to execute same. APPROVE AGRMNT
- B. Clerk of the Board of Supervisors: Approved the minutes of the special and regular meetings of July 14, 2009, as written. APPROVE MINUTES
- C. Community Development and Services: Approved Request for Proposal for a housing consultant for the Neighborhood Stabilization Program grant. APPROVE REQUEST
- D. County Administrator
- 1) Authorized a Regional Waste Management Authority (RMWA) grant application on the County's behalf for the Used Oil Recycling Program by approving submittal of the County Administrator's letter. APPROVE APPLICATION

2) Adopted Resolution No. 2009-62, which is on file in Yuba County Resolution Book No. 40, which is entitled: "RESOLUTION PERTAINING TO TAX REVENUE EXCHANGE – LAFCO FILE NUMBER 2009-02," accepting property tax exchange from North Yuba Water District (Soper-Wheeler). ADOPT RESOLUTION NO. 2009-62

E. Health and Human Services: Approved an agreement with Yuba College for learning disability assessment and counseling services for the CalWORKs program and authorized the Chairman to execute same. APPROVE AGRMNT

C. Library: Adopted Resolution No. 2009-63, which is on file in Yuba County Resolution Book No. 40, which is entitled: "RESOLUTION AUTHORIZING THE YUBA COUNTY LIBRARY TO APPLY TO THE FIRST FIVE YUBA COMMISSION FOR THE FUNDING OF SPANISH AND BILINGUAL MATERIALS AND, AUTHORIZING THE CHAIRMAN OF THE BOARD TO EXECUTE DOCUMENTS AS REQUIRED BY THE GRANT AND ANY PERTINENT DOCUMENTS RELATED TO THIS PROGRAM, AND AUTHORIZE THE ACCEPTANCE OF FUNDS." ADOPT RESOLUTION NO. 2009-63

#### COUNTY ADMINISTRATOR

State Budget Update: County Administrator Robert Bendorf advised the State Budget had been signed by Governor Schwarzenegger, provided a recap on budget cuts and deferrals, and responded to Board inquiries.

#### PUBLIC COMMUNICATIONS

The following individuals spoke in support of the expansion of Oregon House community boundaries:

- Mr. Peter Morrow, Oregon House Planning Committee
- Mr. Nick Spaulding, Rices Texas Hill Road
- Mr. Tom Richards, Oregon House
- Mr. Erik Johnson, Oregon House

#### CORRESPONDENCE

Upon motion of Supervisor Stocker, seconded by Supervisor Abe, and carried with Supervisor Griego being absent, the Board accepted the following correspondence:

A. Letter from the Office of the Secretary of State Debra Bowen seeking designation of historical records commission museum for County historical records.

- B. Notice from California Fish and Game Commission regarding proposed regulatory action relating to the commercial herring fishery. REFER TO STAFF

Referred to Fish and Game Advisory Commission

- C. Resolution from Reclamation District 784 approving the Basin C Master Drainage Plan for Reclamation District 784.

- D. Letter from City of Wheatland regarding the passing of former County Counsel Dan Montgomery.

- E. Three Letters from State of California Emergency Management Agency regarding notification of deobligation for Fiscal Years 1997, 1998 and 1999 Flood Mitigation Assistance Grants for non-compliance in the total amount of \$39,400 and the appeal process. REFER TO STAFF

Referred to Auditor-Controller for future Board meeting.

- F. Notice from California Department of Fish and Game regarding Bay Delta Sport Fishing Enhancement Stamp Program and workshop to be held August 3, 2009 in Davis.

- G. Letter from Senator Sam Aanestad regarding Assembly Bill 1409 relating to procurement procedures for street and road repairs and upkeep.

- H. Letter from Shindhi Heir regarding a code enforcement action at 7606 Oroville Highway.

#### BOARD AND STAFF MEMBERS' REPORTS

Reports were received on the following:

Supervisor Stocker:

- Brownsville Fire Department Ladies Auxiliary Thrift Shop
- Rehabilitation project on La Porte Road
- Challenge Cut Off Road project
- Increased fire hazard due to roadside herbicide spraying
- Oregon House citizens and Fire Safe Council opposition to proposed boundary change
- Condition and integrity of the levees on the lower Yuba River
- Resignation of 5<sup>th</sup> District Planning Commissioner
- Veterans of Foreign Wars monthly meeting in Brownville

- Correction of Yuba Feather Museum sign on La Porte Road
- Brush clearing at Brownsville Community Center
- Receiving information on dredging of rivers
- Memorial adjournment – Mr. Thomas “Tom” F. Chesney

Supervisor Vasquez:

- 73 law enforcement officer deaths this year
- Fundraiser for Airman Colten Read August 6, 2009 from 5:00 to 9:00 p.m. in Live Oak
- Linda Community Clean up scheduled October 3, 2009
- Business Licensing Ordinance

Supervisor Nicoletti:

- Memorial adjournment – Mr. George Howard
- State Water Quality Board regarding report on weeds in the water system, consolidation of districts, and discharging into the river system
- Social Host Ordinance

Deputy Clerk of the Board Rachel Ferris:

- Supervisor Abe to present Championship 4-H Swine award at Yuba Sutter Fair, August 1, 2009

County Counsel Angil Morris-Jones: Commended Chief Deputy Counsel Pat Garamone’s performance during absence

County Administrator Robert Bendorf:

- Final state budget
- Commended staff who worked on the General Plan Update for professionalism and level of customer service provided

Community Development and Services Director Kevin Mallen:

- Working with Fire Safe Council to create fire safety policies for Yuba County
- General Plan Update guiding principles and map alternatives to be posted on the website and presentation to Board of Supervisors August 25, 2009

CLOSED SESSION

The Board retired into closed session at 11:11 a.m. to discuss the following:

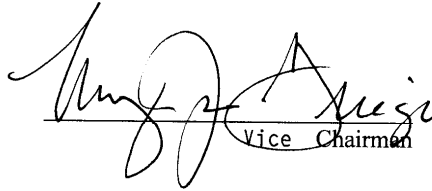
- A. Personnel pursuant to Government Code §54957(a) – Labor Negotiations – DDA/

DSA/MSA/YCEA/Unrepresented and County of Yuba  
Supervisor Andy Vasquez joined closed session at 11:18 a.m.

The Board returned from closed session at 11:55 a.m. with all Board and staff members present as indicated above. There was no announcement.

ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, Chairman Nicoletti adjourned the meeting at 11:55 a.m. in memory of Mr. Thomas "Tom" F. Chesney and Mr. George Howard.

  
Vice Chairman

ATTEST: DONNA STOTTLEMEYER  
CLERK OF THE BOARD OF SUPERVISORS

 Approved:   
By: Rachel Ferris, Deputy Clerk