

YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

NOVEMBER 17, 2009

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 9:40 a.m., within the Government Center, Marysville, California, with a quorum being present as follows: Supervisors Andy Vasquez, John Nicoletti, Mary Jane Griego, and Hal Stocker. Supervisor Roger Abe 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.

SPECIAL PRESENTATION

County Administrator Robert Bendorf played a video entitled "Feather River Levee Setback Improvement Documentary."

CONSENT AGENDA

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

A. Community Development and Services: Awarded contract to Integrated Water Services, the apparent low bidder, pending United States Department of Agriculture approval, for River Highlands Wastewater Treatment Plant Project and authorized the Chairman to execute same. AWARD CONTRACT

B. Health and Human Services

1) Adopted Resolution No. 2009-106, which is on file in Yuba County Resolution Book No. 40, which is entitled: "AUTHORIZE YUBA COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT TO ENTER INTO AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH FOR PUBLIC HEALTH PREPAREDNESS, PANDEMIC INFLUENZA, AND PUBLIC HEALTH EMERGENCY RESPONSE FUNDS FOR THE PERIOD OF JULY 1, 2009 THROUGH AUGUST 8, 2010, AND FOR HOSPITAL PREPAREDNESS FUNDS AND PANDEMIC INFLUENZA HEALTHCARE PREPAREDNESS IMPROVEMENT FOR STATES FUNDS ON BEHALF OF LOCAL PARTICIPATING HEALTHCARE FACILITIES FOR THE PERIOD OF JULY 31, 2009 THROUGH JULY 30, 2010 AND FURTHER, AUTHORIZE THE CHAIRMAN TO EXECUTE DOCUMENTS AS REQUIRED BY THE AGREEMENT AND/OR RELATED ADOPT RESOLUITON NO. 2009-106

TO THIS PROGRAM AND TO ACCEPT FUNDS.”

2) Adopted Resolution No. 2009-107, which is on file in Yuba County Resolution Book No. 40, which is entitled: "APPROVE EXTENDED INTERIM PLAN AND AUTHORIZE THE DIRECTOR OF THE YUBA COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT TO EXECUTE AGREEMENTS WITH AGENCIES APPROVED TO RECEIVE CHILD ABUSE PREVENTION PROGRAM FUNDS FOR THE PERIOD OF JULY 1, 2005 – SEPTEMBER 30, 2010 AND TO EXECUTE ANY DOCUMENTS RELATED TO THOSE AGREEMENTS.”

ADOPT
RESOLUITON
NO. 2009-107

SPECIAL PRESENTATION CONTINUED

A. Williams Report: Superintendent of Schools Ric Teagarden recapped the Williams Report, identified low performance schools, required improvements, and responded to Board inquiries.

INFO
RECEIVED

B. Youth Build Program: Director Patty Clary provided a presentation on the Youth Build Program, outlining their partnerships, history, and impacts to the community, and responded to Board inquiries. Mr. Kyle Lyons, participant, shared how he had benefited from the program.

INFO
RECEIVED

PUBLIC COMMUNICATIONS

No one came forward.

COMMUNITY DEVELOPMENT AND SERVICES

Yuba County Parks Master Plan: Community Development and Services Director Kevin Mallen and Parks and Landscape Coordinator Ryan McNally recapped the status on current projects, grant opportunities and future programs and responded to Board inquiries.

RECEIVE
REPORT

Cheyenne Baldarama, United Way, advised they have several programs ready to launch that encourage other family members' participation and offering more parenting classes.

HEALTH AND HUMAN SERVICES

In-Home Supportive Services Program/Funding for Fraud Investigation: Deputy Director Rob Shotwell and District Attorney Pat McGrath provided a recap on the final plan acceptance of state and federal funding for fraud investigation and program integrity for In-Home Supportive Services and responded to Board inquiries.

Upon motion of Supervisor Vasquez, seconded by Supervisor Griego, and carried with Supervisor Abe being absent, the Board approved the In-Home Supportive Services anti-fraud planning proposal and authorized the Chairman to execute same. APPROVE PROPOSAL

Supervisor Griego left the meeting at 11:17 a.m.

ORDINANCE AND PUBLIC HEARINGS

The Clerk read the disclaimer.

1) Public Hearing/Adopt Resolution Establishing Zone of Benefit C within County Services Area 52 (Montrose at Edgewater) and Imposing an Assessment of \$380: Public Works Director Mike Lee recapped the ordinance and responded to Board inquiries.

Assistant County Administrator Randy Margo advised this action does not include the assessment for the Sheriff's Department.

Chairman Nicoletti opened the public hearing. No one came forward.

Following additional Board discussion, upon motion of Supervisor Vasquez, seconded by Supervisor Stocker, and carried with Supervisors Griego and Abe being absent, the Board adopted Resolution No. 2009-108, which is on file in Yuba County Resolution Book No. 40, which is entitled: "RESOLUTION ESTABLISHING ZONE OF BENEFIT C WITHIN COUNTY SERVICE AREA 52 AND IMPOSING AN ASSESSMENT (MONTROSE AT EDGEWATER)." ADOPT RESOLUTION NO. 2009-108

2) Public Hearing/Adopt Resolution of Application Requesting the Local Agency Formation Commission of Yuba County to Initiate Proceedings for the Annexation of the Sheriff's Facility and County Corporation Yard/and Amending the Linda County Water District's Sphere of Influence: Assistant Planning Director Ed Palmeri recapped the application and responded to Board inquiries.

Chairman Nicoletti opened the public hearing.

County Administrator Robert Bendorf responded to specific questions from Brophy Water District Director Earl Parker, advising the County would continue to work with the both Brophy Water District and the Yuba County Water Agency to discuss long term impacts and identify potential future uses.

Following additional Board discussion, upon motion of Supervisor Stocker, seconded by Supervisor Vasquez, and carried with Supervisors Griego and Abe being absent, the Board adopted Resolution No. 2009-109, which is on file in Yuba County Resolution Book No. 40, which is entitled: "RESOLUTION OF APPLICATION BY THE BOARD OF SUPERVISORS OF THE COUNTY OF YUBA REQUESTING THE LOCAL AGENCY FORMATION COMMISSION OF YUBA COUNTY TO INITIATE PROCEEDINGS FOR A SPHERE OF INFLUENCE CHANGE AND A REORGANIZATION FOR A GOVERNMENT FACILITY SITE LOCATED ON 15.46 ACRES AT THE SOUTHWEST CORNER OF ERLE ROAD AND GRIFFITH AVENUE."

ADOPT
RESOLUTION
NO. 2009-109

CORRESPONDENCE

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

- A. Letter from Auditor Controller enclosing audit for Linda County Water District dated June 30, 2009.
- B. Three Letters from California Emergency Management Agency Hazard Mitigation Grants notifying the Federal Emergency Management Agency re-obligated two grants totaling \$30,800 and withdrawal of one grant for \$9,500.
- C. Notice from California Fish and Game Commission regarding proposed emergency regulatory action relating to the California tiger salamander.

BOARD AND STAFF MEMBERS' REPORTS

Reports were received on the following:

Supervisor Stocker:

- Meeting at Gary's Place regarding business licenses
- Attended Veterans Parade on November 11, 2009
- Yuba Tackles Obesity ad hoc committee meeting Thursday, November 19, 2009
- Attended Veterans dinner in Loma Rica on November 14, 2009
- Camptonville Community Services District meeting Monday, November 23, 2009

Supervisor Vasquez:

- Commended Community Development and Services Director Kevin Mallen and Teichert Aggregates for the completed sidewalk on Feather River Boulevard
- Attended Veterans Day Parade, November 11, 2009
- New business opened in Linda, Farmers Insurance

Supervisor Nicoletti:

- 119 entries in the Veterans Day Parade on Wednesday, November 11, 2009
- Inspected completed sidewalk on Feather River Boulevard
- Sacramento Area Council of Governments funded five of six funding requests for Yuba County
- Japanese Prison Authority Director interested in Probation programs
- Out of state November 19 – 22, 2009
- Sacramento Area Council of Governments jobless rate in north state slowing down
- Economic Development Committee meeting Monday, November 23, 2009

Supervisor Nicoletti on behalf of Supervisor Griego:

- Chairperson Leslie McBride Sacramento Area Council of Governments
- Child Obesity ad hoc committee policies and objectives
- Local Area Formation Commission Board of Directors regional approach to decision making
- Attended Veterans Day Parade, November 11, 2009
- Article in Comstock's magazine regarding Yuba County Levees
- 2010 First Five calendar
- Dr. Cassidy has posted an H1N1 update on website
- Out of town November 17 – 20, 2009 for California State Association of Counties

CLOSED SESSION

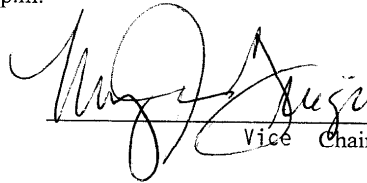
The Board retired into closed session at 11:45 a.m. to discuss the following:

- A. Pending litigation pursuant to Government Code §54956.9(a) – In Re: David Gray
- B. Potential litigation pursuant to Government Code §54956.9(b) – Three Claims


The Board returned from closed session at 12:08 p.m. with all Board and staff members present as indicated above. Counsel advised staff was given direction from the Board.

ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, Chairman Nicoletti adjourned the meeting at 12:08 p.m.


Vice Chairman

ATTEST: DONNA STOTTEMEYER
CLERK OF THE BOARD OF SUPERVISORS


By: Rachel Ferris, Deputy Clerk

Approved: Dec 8, 2009