YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

FEBRUARY 14, 2006

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 9:30 a.m., within the Government Center, Marysville, California, with a quorum being present as follows: Supervisors John Nicoletti, Mary Jane Griego, Donald Schrader, and Hal Stocker. Supervisor Logue was absent. Also present were County Administrator Kent McClain, County Counsel Daniel Montgomery, and Deputy Clerk of the Board of Supervisors Ellen DeLemos. Chairman Schrader presided.

CONSENT AGENDA

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

A. Community Development: Approved implementation of Win-CAMS Account Receivable and Billing Software in support of Planning Division's new fee schedule.

B. Health and Human Services

1) Approved agreement with California Department of Health Services for Medi-Cal administrative activities and authorized the Chairman to execute same.

2) Approved Memorandum of Understanding between Sutter Yuba Mental Health Services and County of Yuba for provision of HIV testing and counseling services and authorized the Chairman to execute same.

C. Public Works

1) Adopted Resolution No. 2006-15, which is on file in Yuba County Resolution Book No. 37, which is entitled: "RESOLUTION APPROVING YUBA COUNTY TO APPLY FOR GRANT FUNDS FOR THE PER CAPITA GRANT PROGRAM UNDER THE CALIFORNIA CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOOD PARKS, AND COASTAL PROTECTION ACT OF 2002."
2) Approved Cooperative Agreement with Caltrans for right of way interchange project at Feather River Boulevard and State Route 70 and authorized the Chairman to execute same.

D. Sheriff-Coroner

1) Adopted Resolution No. 2006-16, which is on file in Yuba County Resolution Book No. 37, which is entitled: "RESOLUTION AUTHORIZING THE SHERIFF TO EXECUTE THE AGREEMENT WITH THE DEPARTMENT OF CALIFORNIA HIGHWAY PATROL FOR UTILITY SHARING AT THE BROWNSVILLE SUBSTATION."

2) Adopted Resolution No. 2006-17, which is on file in Yuba County Resolution Book No. 37, which is entitled: "RESOLUTION AUTHORIZING THE YUBA COUNTY SHERIFF TO EXECUTE MEMORANDA OF UNDERSTANDING FOR THE PROVISION OF SPECIAL SERVICES PURSUANT TO GOVERNMENT CODE SECTION 53069.8."

SPECIAL PRESENTATION

Sacramento Tree Foundation: Greenprint Program Director Connie Gallippi gave a PowerPoint presentation regarding the Greenprint program, urged Board support to implement program within the County and responded to Board inquiries.

PUBLIC COMMUNICATIONS

Ms. Bonnie Metcalf, Olivehurst, expressed concerns regarding Olivehurst pool.

ARTWORK COMMITTEE

Mural Artwork in Government Center: Artwork Committee Chair Linda Southard recapped artist selection process and cost, provided a sample for the entry way mural, and responded to Board inquiries.

Ms. Bonnie Metcalf, Olivehurst, expressed support for a mural painting which denotes the cultural origins of the County.

Following Board discussion, and upon motion of Supervisor Griego, seconded by Supervisor Stocker and carried with Supervisor Logue being absent, the Board approved allocation of funds in the amount of $3,000 and hiring artist Elizabeth Jane Shepard.

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COUNTY ADMINISTRATOR

Terminate Local Emergency for County of Yuba: Upon motion of Supervisor Griego, seconded by Supervisor Stocker, and carried with Supervisor Logue being absent, the Board adopted Resolution No. 2006-18, which is on file in Yuba County Resolution Book No. 37, which is entitled: "RESOLUTION PROCLAIMING TERMINATION OF A LOCAL EMERGENCY."

ORDINANCES AND PUBLIC HEARINGS

Chairman Schrader read the disclaimer.

Ordinance – Amending Chapter 13 Section 13.00.062 relating to Fees: Following a brief recap from County Counsel Dan Montgomery and Board inquiries, Chairman Schrader opened the public hearing. No one came forward.

Upon motion of Supervisor Stocker, seconded by Supervisor Schrader and carried with Supervisor Logue being absent, the public hearing was closed, the second reading was waived and the Board adopted Ordinance No. 1363 "ORDINANCE AMENDING ACTION TAKEN ON DECEMBER 13, 2005 AMENDING TITLE 13, CHAPTERS 13.00.020, 13.00.048, AND 13.00.062 OF THE YUBA COUNTY ORDINANCE CODE RELATING TO COMMUNITY DEVELOPMENT DEPARTMENT FEES."

CORRESPONDENCE

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

A. Letter from Yuba Sutter Fair requesting sponsorship for 2006 fair. No action.

B. Letter from Governor’s Office of Emergency Services advising of United States Department of Agriculture disaster designation for contiguous counties due to agriculture losses caused by cold weather from February 14, 2005 through February 26, 2005 which includes Yuba County. No action.

C. Letter from United States Department of the Interior advising of workshop on social and economic aspects of public lands on March 1, 2006 in Amador County. No action.

BOARDS AND STAFF MEMBERS' REPORTS

Reports were received from the following:

Supervisor Nicoletti:
- Memorial adjournment in memory of Mr. Dean Miller

Supervisor Griego:
- Proclamation in honor of Ms. Ambrosia Dias celebrating her 100th birthday
- Memorial adjournment in memory of Mr. Eugene "Ping" Pennington

Supervisor Schrader:
- Introduced new County Administrator Robert Bendorf
- Northern California Water Agency meeting on February 16, 2006

County Counsel Dan Montgomery:
- Received Board direction to schedule closed session meeting with Grand Jury to discuss Fiscal Year 2004/05 Grand Jury responses

CLOSED SESSION

At the request of County Counsel Daniel Montgomery, and upon motion of Supervisor Stocker, seconded by Supervisor Nicoletti and carried with Supervisor Logue being absent, one case of threatened litigation was added to closed session as the need to take action arose subsequent to the agenda being posted.

The Board retired into closed session at 10:49 a.m. to discuss the following:

A. Personnel pursuant to Government Code §54957 - Public Employment/Administrative Services Director

B. Labor negotiations pursuant to Government Code §54957.6(a) - Yuba County Employees Association/Deputy Sheriffs Association/Management Sheriffs Association/Unit 8 and County of Yuba/Beverly Barnes

C. Personnel pursuant to Government Code §54957 - Public Employment/County Administrator (Continued from January 17, 24 and February 7, 2006)

D. Personnel pursuant to Government Code §54957 - Department Head Evaluation/Clerk of the Board of Supervisors

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E. Pending litigation pursuant to Government Code §54956.9(a) - Olivehurst Public Utility District vs. County of Yuba (Continued from February 7, 2006)

F. Threatened litigation pursuant to Government Code §54956.9(b) - Two Cases

The Board returned from closed session at 11:40 a.m. with all Board and staff members present as indicated above, except Supervisor Stocker.

County Counsel Daniel Montgomery made the following announcement:

“Yes Mr. Chairman, announcements from closed session with reference to hiring of the County Administrator, your Board has retained services under written contract of Robert Bendorf. Your Board did not discuss in closed session salary. The contract provides its salary will be that which is prescribed by the County rules and index. The index amount provided in the contract is the base index, however, with Mr. Bendorf’s prior service to the County, his actual starting salary is $12,694 per month.

With reference to threatened claims, in one case your Board has by a 4/0 vote authorized us to retain services of Porter, Scott, Weberg, and Delehant as necessary to defend the matter.

And with reference to the other threatened litigation claim that was added to the agenda today, by a 4/0 vote your Board has also authorized retention of Porter, Scott, Weberg, and Delehant to defend that matter. No further announcements.”

ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 11:44 a.m. in memory of Mr. Dean Miller, Mr. Eugene "Ping" Pennington by Chairman Schrader.

Chairman

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS
By: Ellen DeLemos, Deputy Clerk

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