YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

JUNE 17, 2008

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 9:31 a.m., within the Government Center, Marysville, California, with a quorum being present as follows: Supervisors Dan Logue, John Nicoletti, Mary Jane Griego, Donald Schrader, and Hal Stocker. Also present were County Administrator Robert Bendorf, County Counsel Daniel Montgomery, and Deputy Clerk of the Board of Supervisors Rachel Ferris. Chairman Logue presided.

CONSENT AGENDA

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

A. Board of Supervisors: Adopted Resolution No. 2008-70, which is on file in the Yuba County Resolution Book No. 39, which is entitled: “RESOLUTION AUTHORIZING COUNTY CLERK TO PROVIDE ELECTION SERVICES FOR LOMARICA/BROWNS VALLEY COMMUNITY SERVICES DISTRICT”

B. Community Development and Services: Approved reimbursement agreements with Woodside Montrose Inc. and JMC for improvements constructed beyond necessary to serve the Orchard Project and authorized the Chairman to execute same.

C. County Administrator: Approved an agreement with Yuba Sutter Legal Center for small claims litigant assistance and authorized the Chairman to execute same.

D. District Attorney: Authorized a Budget Transfer in the amount of $6,500 from Account No. 108-2500-421-01-01 (Salaries) to Account No. 108-2500-421-22-00 (Office Expense) for $3,500 and 108-2500-421-29-00 (Travel) for $3,000 to cover year-end short fall.

E. Health and Human Services: Adopted Resolution No. 2008-71, which is on file in the Yuba County Resolution Book No. 39, which is entitled: “AUTHORIZE THE YUBA COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT TO ENTER INTO AGREEMENT WITH THE STATE OF CALIFORNIA, DEPARTMENT OF HEALTH CARE SERVICES, FOR PARTICIPATION IN THE MEDI-CAL ADMINISTRATIVE ACTIVITIES (MAA) PROGRAM FOR THE PERIOD OF JULY 1, 2008 TO JUNE 30,”
2011, AND AUTHORIZE THE CHAIRMAN TO EXECUTE DOCUMENTS AS REQUIRED BY THE AGREEMENT, AND ANY PERTINENT DOCUMENTS RELATED TO THIS PROGRAM, AND AUTHORIZE THE ACCEPTANCE OF FUNDS."

F. **Probation:** Authorized a Budget Transfer in the amount of $10,000 from Account No. 101-0000-361-56-03 (Title IV-E) to Account No. 101-3100-423-28-00 (Probation Special) to allocate funds for the Child Welfare Outcome Improvement Project made available from the State of California.

G. **Sheriff-Coroner**

1) Approved agreement with San Diego University Research Foundation for Year 2 of the project entitled “Enforcing Underage Drinking Laws in Marysville/Beale,” authorized the Chairman to execute same, and authorized appropriation of grant funds in the amount of $61,000.

2) Authorized a Budget Transfer in the total amount of $351,498 for the reprogramming of various Sheriff’s Department funds to cover current and projected shortages for Fiscal Year 2008/2009.

**PUBLIC COMMUNICATIONS**

In response to an inquiry from Ms. Freda Calvert, Hammonton Road, County Administrator Robert Bendorf advised the appeal regarding the Bureau of Land Management and Operating Engineers Training Center in the Yuba Gold Fields was defeated.

**COUNTY ADMINISTRATOR**

1) **Fiscal Year 2008/2009 Proposed Budget:** County Administrator Robert Bendorf provided a recap on the following Budget inclusions and responded to Board inquires:

- Secured Property Tax Revenue decline of 3 to 6 percent
- No new General Fund positions recommended
- 53 vacant positions and 7 filled positions deleted
- One fee based position to manage County Service Areas in the Community Development and Services Department
- Soft hiring freeze
- Delayed State Budget and possible impacts on the County budget
- Funding of key programs and projects

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Following Board discussion, upon motion of Supervisor Schrader, seconded by Supervisor Stocker, and unanimously carried, the Board approved the Proposed Budget for Fiscal Year 2008/2009 and directed that be the County Interim Spending Plan until a final budget is approved; and

- Set Date for Final Budget Hearings to start August 12, 2008 commencing at 1:30 p.m.;
- Directed County Administrative Officer to withhold authorization of expenditures for supplemental requests recommended in Proposed Fiscal Year 2008/2009 Budget until final budget is adopted; and
- Directed County Administrative Officer to implement a “soft” hiring freeze for all County Departments.

2) Senate Bill 1500 and 1617, and Assembly Bill 2447/Fire Protection in State Responsibility Area: Communication Legislative Affairs Coordinator Russ Brown recapped the legislation regarding fees and safety zone within the fire protection areas and responded to Board Inquiries.

Upon motion of Supervisor Stocker, seconded by Supervisory Nicoletti, and unanimously carried, the Board opposed Senate Bill 1500 and Assembly Bill 2447, unless amended, and Senate Bill 1617 and authorized the Chairman to execute correspondence.

3) Marysville Peach Festival: Following a brief recap from County Administrator Robert Bendorf and Board inquires, upon motion of Supervisor Logue and seconded by Supervisor Stocker, and carried with Supervisor Nicoletti abstaining the Board authorized an expenditure in the amount of $5,000 for the Marysville Peach Festival from Account No. 101-0101-411-23-32 (Tourism Promotion).

4) Joint Powers Authority between County of Yuba and Yuba County Water Agency (YCWA) for issuance of Joint Permanent Financing to fund $46.6 million of local match required for the Feather River Levee Setback Project: County Administrator Robert Bendorf recapped the following financial options for financing the $46.6 million of local match required for the Feather River Levee Setback Project and responded to Board inquires:

- Proposed Joint Powers Authority financial team comprised of Yuba County Water Agency General Manager Curt Aikens, Yuba County Treasurer-Tax Collector James Kennedy and County Administrator;
- Option 1A Joint Bond Anticipation Note (BAN) and Take-Out Financing structure is similar to a construction loan structured as a bond anticipation note with three years of capitalized interest. Permanent financing would be structured over a 30
year period and would split the annual debt service equally between the County and YCWA;

- Option 1B Joint Permanent Financing is structured with six years of capitalized interest with the first debt service payment in 2015. Permanent financing would be structured over a 30 year period and would split the annual debt service equally between the County and YCWA.

Financial Consultant Jeff Small recapped conditions and provisions for early repayment and Water Agency re-licensing.

Following Board discussion, upon motion of Supervisor Griego, seconded by Supervisor Stocker, and unanimously carried, the Board approved Option 1B Joint Permanent Financing.

ADMINISTRATIVE SERVICES

Aircon Energy: Administrative Services Director Doug McCoy introduced Jeff Wagoner, Executive Vice President of Aircon Energy. Mr. Wagoner provided Power Point presentation and responded to Board inquiries on the following:

- Lower operating costs
- Procurement mechanisms defined in Government Code § 4217
- Requirements over the life of the project
- Services provided
- Background on Aircon Energy and references
- Cost Profile and Cash Flow analysis

ORDINANCE AND PUBLIC HEARINGS

Chairman Logue read the disclaimer.

1) Ordinance/Amending Chapter 7.35 of Title VII of the Yuba County Ordinance Code relating to Abandoned, Wrecked, Dismantled or Inoperative Vehicles (Second Reading): Chairman Logue opened the public hearing. No one came forward.

Upon motion of Supervisor Schrader, seconded by Supervisor Stocker, and unanimously carried, the public hearing was closed, the reading was waived, and the Board adopted Ordinance No. 1457, which is on file in Yuba County Ordinance Book No. 20, which is entitled: "AN ORDINANCE AMENDING CHAPTER 7.35 OF TITLE VII OF THE YUBA COUNTY ORDINANCE CODE REGARDING ABANDONED, WRECKED, DISMANTLED OR INOPERATIVE VEHICLES."

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2) Ordinance/Amending Chapter 7.36 of Title VII of the Yuba County Ordinance Code relating to Summary Abatements (Second Reading)/Ordinance Amending the Yuba County Ordinance Code by adding Section 7.36.311 relating to Maintenance of Vacant Properties: Chairman Logue opened the public hearing. No one came forward.

Upon motion of Supervisor Stocker, seconded by Supervisor Nicoletti, and unanimously carried, the public hearing was closed, the reading was waived, and the Board took the following actions:

- Adopted Ordinance No. 1457, which is on file in Yuba County Ordinance Book No. 20, which is entitled: "AN ORDINANCE AMENDING CHAPTER 7.36 OF THE YUBA COUNTY ORDINANCE CODE RELATING TO SUMMARY ABATEMENTS"; and
- Adopted Ordinance No. 1459, which is on file in Yuba County Ordinance Book No. 20, which is entitled: "AN ORDINANCE AMENDING THE YUBA COUNTY ORDINANCE CODE RELATING TO PROPERTY MAINTENANCE BY ADDING SECTION 7.36.311 RELATING TO MAINTENANCE OF VACANT PROPERTIES"

CORRESPONDENCE

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

A. News release from United States Forest Service/Plumas National Forest regarding monitoring tours for Herger Feinstein Quincy Library Group Pilot Project for summer and fall of 2008.


Referred to Auditors-Controller


D. Letter from California Department of Child Support Services regarding 24-hour availability of support information via the phone or website.

E. Letter from Reclamation District No. 784 advising Rick Brown was elected President at the June 3, 2008 meeting.
F. Letter from California State Governor Arnold Schwarzenegger regarding Child Welfare Services (CWS) and Adult Protective Services (APS) program funds.


BOARD AND STAFF MEMBERS’ REPORTS

Reports were received on the following:

Supervisor Stocker
• Proclamation for the 25th Anniversary of the Foothill Lions Club
• Removal of vacant Robbins Mini-Mart in Dobbins
• Through Board consensus, cost analysis for abatement of the Mini-Mart was referred to Building Inspection.

Supervisor Schrader
• Reclamation District 10 voter approval of assessment fee for levee maintenance

Supervisor Griego
• Memorial adjournment in memory of Mrs. Oneta J. Oswood
• New Sign at the Yuba County Airport
• Fire danger due to dry conditions and upcoming 4th of July holiday

Chief Webb advised fire departments are working closely with the Sheriff’s Department in regards to illegal fireworks and the preparation of a press release.
ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 11:48 a.m. in memory of Mrs. Oneta Oswood by Chairman Logue.

[Signature]
Chairman

ATTEST: DONNA STOTLLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

[Signature]
By: Rachel Ferris, Deputy Clerk

Approved: July 5, 2008