The County of Yuba
BOARD OF SUPERVISORS
MARCH 9, 2010 - MINUTES

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 Andy Vasquez, John Nicoletti, Mary Jane Griego, Roger Abe, and Hal Stocker. Also present were County Administrator Robert Tendert, County Counsel Angela Morris-Jones, and Deputy Clerk of the Board of Supervisors Rachel Ferris. Chair Griego presided.

I. PLEDGE OF ALLEGIANCE - Led by Supervisor Nicoletti followed by a moment of silence for those serving in the current conflicts.

II. ROLL CALL - Supervisors Vasquez, Nicoletti, Griego, Abe, Stocker – All present

III. SPECIAL PRESENTATION

Yuba County Library Director Loren McCrory and President Cynthia Fontayne recapped the Friends of the Library Women’s History Tea, themed “Mark Twain’s Women”, that was held on March 6, 2010, and introduced “Mark Twain” portrayed by Mr. Chris Parent and “Joan of Arc” portrayed by Inger Price.

9th Mission Support Group Deputy Commander Paul McLoughlin and Mr. Harl Sanderson, Beale AFB, presented a 9th Mission Support Group coin to Veterans Service Officer Marvin King in recognition of his work assisting veterans and their families obtaining benefits. Health and Human Services Direct Suzanne Nobles accepted the coin on Mr. King’s behalf.

IV. CONSENT AGENDA: All matters listed under the Consent Agenda are considered to be routine and can be enacted in one motion.

MOTION: Move to approve
MOVED: Hal Stocker
SECOND: Andy Vasquez
AYES: Hal Stocker, John Nicoletti, Andy Vasquez, Mary Jane Griego, Roger Abe
NOES: None
ABSTAIN: None

A. Clerk of the Board of Supervisors

1. Approve minutes of the regular meeting of February 23, 2010. (098-10) Approved.

B. Community Development and Services

1. Adopt resolution directing staff to submit a Caltrans Environmental Justice Grant application for the Community of Olivehurst for development of sustainable community and economic revitalization plan. (Land Use and Public Works committee recommends approval) (099-10) Planning Director Wendy Hartman provided a brief recap of the grant and benefits and responded to Board inquiries.

Adopted Resolution No. 2010-20, which is on file in Yuba County Resolution Book No. 41 entitled: "RESOLUTION DIRECTING STAFF TO SUBMIT A CALTRANS ENVIRONMENTAL JUSTICE GRANT APPLICATION FOR THE COMMUNITY OF OLIVEHURST."

C. County Counsel

1. Adopt resolution authorizing the Chair to execute a grant deed conveying real property to Lee and Ann Cunningham to satisfy the final step in the settlement agreement between County and Cunninghams. (100-10)

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Adopted Resolution No. 2010-21, which is on file in Yuba County Resolution Book No. 41 entitled: "RESOLUTION AUTHORIZING THE CHAIR OF THE BOARD TO EXECUTE A GRANT DEED CONVEYING REAL PROPERTY TO LEE AND ANN CUNNINGHAM TO SATISFY THE FINAL STEP IN THE SETTLEMENT AGREEMENT BETWEEN COUNTY AND CUNNINGHAMS."

D. Emergency Services

1. Adopt resolution authorizing the Chair to execute cooperative Fire Protection Agreement Schedule A Dispatch Services Amendment for Fiscal Year 2009/2010 with the California Department of Forestry and Fire Protection. (101-10)

Adopted Resolution No. 2010-22 which is on file in Yuba County Resolution Book No. 41 entitled: "RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE COOPERATIVE FIRE PROTECTION AGREEMENT SCHEDULE A."

E. Health and Human Services

1. Approve Second Amended Joint Exercise of Powers Agreement with member counties of the California Statewide Automated System Consortium IV (C-IV Consortium) and the Revised Memorandum of Understanding between the C-IV Consortium and Yuba County and authorize the Chair to execute same. (Human Services Committee recommends approval) (102-10) Approved.

2. Adopt resolution authorizing Health and Human Services Department to implement a transitional housing program and further authorizing the Chair to accept funds and authorize the execution of agreements with agencies approved to receive funds commencing in State Fiscal Year 2009/2010 and to execute any pertinent documents related to this program or those agreements. (Human Services Committee recommends approval) (103-10)

Adopted Resolution No. 2010-23, which is on file in Yuba County Resolution Book No. 41 entitled: "AUTHORIZE HEALTH AND HUMAN SERVICES DEPARTMENT TO IMPLEMENT A TRANSITIONAL HOUSING PROGRAM AND FURTHER, AUTHORIZE THE CHAIRMAN TO ACCEPT FUNDS AND AUTHORIZE THE EXECUTION OF AGREEMENTS WITH AGENCIES APPROVED TO RECEIVE FUNDS COMMENCING IN STATE FISCAL YEAR 2009/2010 AND TO EXECUTE ANY PERTINENT DOCUMENTS RELATED TO THIS PROGRAM OR TO THOSE AGREEMENTS"

3. Approve Amendment No. 1 to Memorandum of Understanding between Sutter-Yuba Mental Health Services and the County of Yuba for therapeutic services provided under the Supportive and Therapeutic Options Program (STOP), and authorize the Chair to execute same. (Human Services Committee recommends approval) (104-10) Approved.

F. Library

1. Approve out of state travel for Library Director to attend the Public Library Association Leadership Institute, Navigating the New Library, March 22 - 25, 2010 to be held in Portland, Oregon. (Human Services Committee recommends approval) (105-10) Approved.

G. Personnel/Risk Management

1. Authorize catastrophic leave for employee in Health and Human Services Department. (106-10) Authorized.

V. SPECIAL PRESENTATION - CONTINUED

A. Receive California State Fair Exhibit Award for 2008 and 2009 presented by Marysville High School Future Farmers of America. (Five minute estimate) (107-10)

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Miss Kourtney Wilkinson, Marysville High School Future Farmers of America, presented the 2008 bronze award, 2009 silver award and the Youth Building award to Chair Griego.

Marysville High School Agriculture Instructor Bonnie McGill advised the 2010 State Fair theme is "100 Things to Do" scheduled July 14 through August 1, 2010, which will include an interactive exhibit and invited interested parties to participate.

VI. PUBLIC COMMUNICATIONS:
Economic Development Coordinator John Fleming announced the Yuba-Sutter Manufacturer's Association luncheon scheduled Friday, March 12, 2010 at 11:45 a.m.

Mr. Rick Dais, Yuba City, urged the Board to continue to review the counties increasing unfunded liabilities and PERS pension reform.

County Administrator Robert Bendorf responded to comments made by Mr. Rick Dais regarding pension reform.

VII. COUNTY DEPARTMENTS

A. County Administrator

1. Approve Memorandum of Understanding with Yuba County Office of Education to lease the Olivehurst Community Center for use by Yuba County Seniors as activity center and congregate meal site and authorize Chair to execute same. (Ten minute estimate) (108-10) Administrative Services Director Doug McCoy recapped the lease agreement and responded to Board inquiries.

   The following individuals spoke:
   - Ms. Irene Broome, 6057 Griffith Avenue, Marysville
   - Ms. Ann Lea Middleton, 1113 1 Street, Marysville

   County Administrator Robert Bendorf responded to specific inquiries regarding the lease and inspections.

   MOTION: Move to approve \qquad MOVED: John Nicoletti \qquad SECOND: Andy Vasquez
   AYES: John Nicoletti, Andy Vasquez, Mary Jane Griego, Roger Abe, Hal Stocker NOES: None \qquad ABSTAIN: None

2. Receive and file 2nd Quarter Financial Report for Fiscal Year 2009-2010; receive presentation on budget for balance of Fiscal Year 2009-2010 and budget projections for Fiscal Year 2010-2011; and provide staff direction. (109-10)

   County Administrator Robert Bendorf presented a Power Point presentation and recapped the following:
   - Current fiscal environment in the State
   - County budget shortfall of $6 to $7 million dollars resulting from reductions to major general fund revenues sources such as:
     - Property tax and supplemental property tax
     - Triple flip and property tax in lieu of vehicle license fees
     - General fees and fines
     - Sales taxes
     - Interest earnings
   - Current General Fund expenditures for Fiscal Year 2009-2010 at 44.6 percent of amount budgeted
   - Early retirement incentive resulted in an estimated expenditure savings of $638,000
Mr. Bendof advised based on preliminary budget projections and economic forecasting the following actions are necessary:

- Additional expenditure reductions
- Meeting with departments and labor representatives to discuss anticipated shortfalls and potential impacts

Following additional Board discussion the following direction was provided:

- Suspend overnight travel
- Continue hiring freeze
- Authorized labor negotiations

MOTION: Move to approve  
MOVED: Hal Stocker  
SECOND: Andy Vasquez  
AYES: Hal Stocker, Andy Vasquez, John Nicoletti, Mary Jane Griego, Roger Abe  
NOES: None  
ABSTAIN: None

VIII. CORRESPONDENCE - (110-10)
B. Notice from State of California Fish and Game Commission of receipt of petition to list the Mountain Yellow-Legged Frog as an endangered species.
C. Letter from Department of Veterans Affairs commending Veterans Service Officer Marvin King for work done securing benefits for local veterans and their families.
D. Memorandum from Yuba County Planning Department regarding the development of draft policies and visions for the Yuba County 2030 General Plan update.
E. Letter from Reclamation District 784 regarding Upper Yuba River Levee Improvement Project report from the Board of Senior Consultants.
F. Four Resolutions from Reclamation District 784 regarding Impact Fees for Drainage Basin A, B, and C and amended Joint Exercise of Powers Agreement of Golden State Risk Management Authority

Mr. Tom Eres, representing Hofman Ranch, urged the letter from RD 784 to be presented to the full board as a public hearing.

Mr. Don Rae, Plumas Lakes, advised the letter from RD 784 revealed several issues and requested the board consider a request for a management audit of Three Rivers Levee Improvement Authority.

Mr. Don Schrader, District 10, advised the patrol road belongs to the Army Corp of engineers and permission would have to be obtained from them for access.

MOTION: Move to accept and file  
MOVED: Hal Stocker  
SECOND: Andy Vasquez  
AYES: Hal Stocker, Andy Vasquez, John Nicoletti, Mary Jane Griego, Roger Abe  
NOES: None  
ABSTAIN: None

IX. BOARD AND STAFF MEMBERS' REPORTS: Reports were received on the following:

Supervisor Stocker:
- Memorial Adjournment - Mrs. Helen Title and Mr. Roger Rapp
- Attended spaghetti dinner in Loma Rica on March 6, 2010

Supervisor Abe:
- Attended Local Area Formation Commission (LAFCO) meeting held March 3, 2010
- Commended Peace Officers of the Year Deputy Joe Pomeroy and Probation Officer Tom Samson

Supervisor Nicoletti:
- Attended 33rd annual Peace Officer Award Banquet March 6, 2010
- Aroma Catering lease agreement

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• Attended Business Development Breakfast held March 4, 2010
• Enhanced mapping process for monitoring wells in District 10
• North Yuba Levee Project Negative Declaration meeting held March 8, 2010
• Attended Vulnerable Populations meeting held March 4, 2010

Supervisor Griego:
• Attended LAFCO meeting March 3, 2010
• Attended the Yuba College Board of Directors meeting held March 3, 2010
• Sacramento Area Council of Governments (SACOG) Transportation Committee meeting on March 4, 2010
• Attended the 33rd annual Peace Officer Award Banquet March 6, 2010
• Met with the Policy Ad hoc committee for First Five Yuba March 8, 2010
• North Yuba Levee Project Negative Declaration meeting held March 8, 2010

Assistant County Randy Margo advised he would be out of the office March 15 - 19, 2010.

X. CLOSED SESSION: The Board retired into closed session at 12:46 p.m.

A. Threatened litigation pursuant to Government Code §54956.9(b) - One Claim

The Board returned from closed session at 12:52 p.m. with all present as indicated above. County Counsel Angil Morris-Jones advised staff was provided settlement direction on one case of threatened litigation.

XI. ADJOURN: - 12:54 p.m. in memory of Mrs. Helen Tittle and Mr. Roger Rapp by Chair Griego.

ATTEST: DONNA STOTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

Approved: March 23, 2010