The County of Yuba

BOARD OF SUPERVISORS

APRIL 6, 2010 - MINUTES

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 6:07 p.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 Bendorf, County Counsel Angil Morris-Jones, and Clerk of the Board of Supervisors Donna Stottlemeyer. Chair Griego presided.

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

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

At the request of Counsel, one case of potential litigation and two real property negotiation matters for the La Porte Road Bridge Replacement Project were added to closed session as the need to take action arose subsequent to the agenda being posted.

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

III. 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: John Nicoletti
AYES: Hal Stocker, John Nicoletti, Andy Vasquez, Mary Jane Griego, Roger Abe
NOES: None ABSTAIN: None

A. Agricultural Commissioner

1. Approve funding levels for Title III projects available from the Secure Rural Schools and Community Self-Determination Act of 2000 (HR 2389 Federal Forest Reserve) for the following:
   a) Fire Safe Council Education and Outreach Coordinator - $48,000
   b) Fire Protection Planner - $19,000
   c) Roadside Clearing - $19,000. (Protective Inspection Committee recommends approval) (135-10) Approved

B. Board of Supervisors

1. Cancel regular Board of Supervisors meeting scheduled April 20, 2010. (136-10) Following Board discussion, the meeting was cancelled.

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

C. Clerk of the Board of Supervisors

1. Approve minutes of the regular meetings of March 16 and 23, 2010. (137-10) Approved
D. Clerk-Recorder/Elections

1. Adopt resolution authorizing the Clerk/Recorder/Registrar of Voters to execute agreement with California Secretary of State for the Help America Vote Act Polling Place Accessibility Training Program upon review and approval of Counsel, and any other documents as required by the grant and authorize acceptance of funds. (138-10)

Adopted Resolution No. 2010-29 which is on file in Yuba County Resolution Book No. 41, which is entitled: "RESOLUTION AUTHORIZING THE YUBA COUNTY CLERk RECORDER-REGISTRAR OF VOTERS TO ENTER INTO AGREEMENT WITH THE CALIFORNIA SECRETARY OF STATE FOR 'HAVA POLLING PLACE ACCESSIBILITY TRAINING PROGRAM' AND AUTHORIZE CLERK-RECORDER-REGISTRAR OF VOTERS TO EXECUTE DOCUMENT AS REQUIRED BY THE GRANT AND ANY PERTINENT DOCUMENTS RELATED TO THIS PROGRAM AND AUTHORIZE ACCEPTANCE OF FUNDS."

E. Community Development and Services

1. Adopt resolution waiving building permit fees for Miguel and Marian Vargas, victims of the August 2009 Yuba Foothills fire which was officially declared as a local emergency by the Board of Supervisors. (139-10)

Adopted Resolution No. 2010-30 which is on file in Yuba County Resolution Book No. 41 entitled: "A RESOLUTION WAIVING BUILDING PERMIT FEES FOR MIGUEL AND MARIAN VARGAS, VICTIMS OF THE AUGUST 2009 YUBA FOOTHILLS FIRE WHICH WAS OFFICIALLY DECLARED AS A LOCAL EMERGENCY BY THE BOARD OF SUPERVISORS."

2. Authorize staff to apply for two First Five Yuba Grants to extend the Recreation Coordinator Pilot program and install children's exercise equipment at POW/MIA Park. (140-10) Approved

3. Approve real estate purchase agreement with Yuba Gardens Associates for acquisition of 2.62 acres for future improvements to the Erte Road Interchange and authorize the Chair to execute same. (141-10) Approved

F. County Administrator

1. Adopt resolution approving membership in the California Rural Home Mortgage Finance Authority (CRHMFA) Joint Powers Authority. (142-10)

Adopted Resolution No. 2010-31 which is on file in Yuba County Resolution Book No. 41 entitled: "RESOLUTION APPROVING MEMBERSHIP IN THE JOINT EXERCISE OF POWERS AGREEMENT FOR THE CRHMFA HOMEBUYERS FUND."

G. Sheriff-Coroner

1. Authorize Budget Transfer in the amount of $2,660 from Account No. 108-0000-372-99-03 (Operating Transfer) to Account No. 108-2700-422-62-01 (Fixed Assets) for purchase of replacement printer in Sheriff's Civil Division. (143-10) Approved.

2. Approve renewal and extension agreement for professional services with Justice Benefits, Inc. to apply for federal reimbursement on behalf of the Sheriff's Department and authorize the Chair to execute same. (144-10) Approved.

IV. SPECIAL PRESENTATION

A. Present proclamation recognizing John Cary Jr. (No background material) (Ten minute estimate) (145-10)

Supervisor Nicoletti read and presented the proclamation to John Cary Jr. recognizing his service to the citizens of Yuba County.

4/6/10 - BOS

MINUTE BOOK NO. 66 PAGE 48
B. Receive presentation and demonstration from Wildlife Rehabilitation and Release regarding needs and goals for 2010. (Ten minute estimate) (146-10)

Treasurer Beverly Myers briefly recapped the organizational purpose and outreach and introduced two educational birds, Chester, a great horned owl, and Tecumseh, a red-tailed hawk.

C. Present proclamation proclaiming April 2010 as Child Abuse Prevention Month. (Ten minute estimate) (147-10)

Following Supervisor Nicoletti presenting a proclamation to Executive Director Marsha Krouse-Taylor recapped activities celebrating Child Abuse Prevention Month.

V. PUBLIC COMMUNICATIONS:

Ms. Frances Hoffman expressed concern regarding use of outside consultants rather than county staff.

VI. COUNTY DEPARTMENTS

A. Administrative Services

1. Consider resolution in support of the lease amendment and the anticipated expansion of the Peach Tree Clinic at the Packard Avenue Facility - Administrative Services (Ten minute estimate) (148-10) Assistant Director Tara Repka-Flores recapped the interest of the clinic in expanding to add pediatric practice.

   Adopted Resolution No. 2010-32 which is on file in Yuba County Resolution Book No. 41 entitled:

   "RESOLUTION IN SUPPORT OF THE LEASE AMENDMENT AND THE ANTICIPATED EXPANSION OF THE PEACH TREE CLINIC AT THE PACKARD AVENUE FACILITY."

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

VII. CORRESPONDENCE - (149-10)

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

A. Four letters from California Fish and Game Commission providing notice of proposed regulations relating to marine protected areas and mammal hunting regulations; final consideration of the Pacific fisher as endangered or threatened species; and finding that the California tiger salamander warrants listing to threatened species status.

B. Letter from Enterprise Rancheria Estom Yumeka Mi'adu Tribe regarding letter from Mooretown Rancheria dated February 8, 2010.

C. Letter from California Rural Legal Assistance Inc. regarding the revised 2008-2013 Housing Element.

D. Letter from Steve Enos, Grass Valley Neighbors regarding potential impacts related to the Enterprise Rancheria proposed casino.

E. Letter from United States Homeland Security, FEMA Region IX regarding submittal of data and documentation required to accredit the levee system.

F. Letter from Donald A. Rae regarding participating in meetings regarding Reclamation District 784 issues.

H. Notice from Central Valley Salinity Alternatives for Long-term Sustainability announcing public input regarding development of regulatory and non-regulatory programs to manage salt and nitrate in central valley water bodies.

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

Supervisor Stocker:
- Business Perspectives 2010 scheduled April 23, 2010
- Natural areas of occurring asbestos in the foothills and location of high school to be built

Supervisor Abe:
- Correspondence to Mayor Enita Elphick regarding leave of absence
- Regional Council of Rural Counties and California State Association of Counties Board of Directors opposed Proposition 16 regarding Two-Thirds Requirement for Local Public Electricity Providers Act

Supervisor Vasquez: Requested an item on the agenda regarding a ten percent cut to the Board of Supervisors salary

Supervisor Nicoletti:
- Community Service Commission meeting regarding funding allocations
- Yuba Sutter Arts Council activities
- Peach Tree Health Clinic expansion in services
- Yuba Sutter Economic Development Corporation regarding ways of improving local economy
- Integrity of levee projects
- Marysville Joint Unified School District Bond Oversight Committee and Measure P bond
- Marysville Postal Distribution Facility closing
- Red Cross Heroes Breakfast held March 30, 2010

Supervisor Griggs:
- Perspectives 2010 key note speaker
- Memorial Adjournment - Mrs. Jacqueline Yerkes
- Sacramento Area Council of Governments (SACOG) Transportation Committee meeting held April 1, 2010
- SACOG Blueprint Review held April 2, 2010
- Feather River Air Quality Management District meeting held April 5, 2010
- Youth Education for Safe Schools program for Arboga Elementary School project

County Counsel Angil Morris Jones: Out of office April 7 and 8, 2010

County Administrator Robert Bendorf: Economic Development Advisory Committee

IX. CLOSED SESSION: The Board retired into closed session at 7:32 p.m. to discuss the following:

A. Potential litigation pursuant to Government Code §5496.9(b) - One Case

B. Conference with Real Property Negotiator pursuant to Government Code §54956.8 - Property: APN 050-250-016 (Hayashi) and APN 050-240-003 (McAllister) Negotiating Parties: County of Yuba/Mike Lee Negotiation: Terms of Payment

The Board returned from closed session at 7:54 p.m. with all present as indicated above.

Counsel advised staff was given direction in regards to terms and condition on the property negotiation matter and regarding potential litigation staff was authorized to initiate litigation in that matter. There were no other announcements.
X. **ADJOURN** - 7:57 p.m. in memory of Mrs. Jacqueline Jerkes by Chair Griego.

ATTEST: DONNA STOTTLEMEYER  
CLERK OF THE BOARD OF SUPERVISORS

Approved: April 27, 2010