Following Chair Griego calling an emergency meeting on June 17, 2010, Clerk of the Board Donna Stottlemeyer notified by phone and fax the following:

- Supervisors Vasquez, Nicoletti, Abe, and Stocker
- Appeal Democrat News Room
- KUBA News Room

All County Department Heads and Managers were notified by email only.

The agenda was posted on June 17, 2010 at 4:12 p.m. on the internet and at the Government Center.

The Honorable Board of Supervisors of the County of Yuba met in emergency session on the above date, commencing at 8:00 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 Clerk of the Board of Supervisors Donna Stottlemeyer. Chair Griego presided.

I. **ROLL CALL** - Supervisors Vasquez, Nicoletti, Griego, Abe, Stocker - Supervisor Nicoletti by conference call from Booneville, California. Supervisor Abe absent.

II. **COUNTY DEPARTMENTS**

A. **Board of Supervisors**

1. Consider authorizing litigation in the Postal Service matter and take action as appropriate. (No background material)

Chair Griego advised the county has been working on the matter of the closing of the Olivehurst Distribution Facility and was given assurances in a meeting with the Deputy Post Master General regarding transparency and ability to review supporting documentation and to date have failed to keep a dialog. Ms. Griego was advised by Postal Union Workers President Rick Page that facility machinery would be removed on Saturday, June 19th, and this is why we are requesting an injunction.

Counsel Angil Morris-Jones advised the County does not have standing to file an action in this matter in relationship to economic issues; however, under the Constitution, the basis would be to protect the health and safety of the community. There would be two issues; one is air quality issues stating a report was prepared but to date has not been received for review and comment and the County would be harmed in this endeavor. The second is the lack of agricultural inspection which there could be harm if not performed. Ms. Morris
Jones advised the risks involved to file a petition and injunction in Federal Court are to preserve the status quo until a hearing was held and perhaps a preliminary standing order.

Chair Griego stated the postal office have been resistant to speak with the county regarding environmental and air quality issues.

In response to inquiries by Supervisor Nicoletti, Counsel advised if the injunction were granted it will stay any closure and preserves the status quo further advising temporary restraining order typically remains in place until a temporary hearing is held. Ms. Morris-Jones stated a preliminary injunction would be requested and without strong opposition that hearing would be two to three weeks down the road. Costs to the County would be approximately $10,000 to $15,000 for the temporary injunction, and if able to show merit and overcome opposition for a preliminary injunction another $10,000, but felt costs would not exceed $25,000.

Chair Griego further advised the injunction would request mediation between the Post Office and County.

County Administrator Robert Bendorf stated the air quality and inspection issues affect other communities as well and would seek the assistance from the entities with associated costs. Mr. Bendorf concurred the process had been frustrating and our concerns rest with those laid out by Counsel which is the health and safety of our communities.

Agricultural Commissioner Louie Mendoza advised inspections have been preformed for the past 30 years with all carriers holding packages for inspections. Inspections are not mandated but up to the commissioner to decide to perform those inspection Mr. Mendoza advised Yolo County does not have the resources to perform inspections which poses a risk to eight counties. Mr. Mendoza advised of a Contra Costa County pilot program for statewide canine inspection teams and expressed concern regarding any county action affecting the program due to the number of pests found.

In response to an inquiry from Supervisor Vasquez, Mr. Mendoza advised all eight counties have issued letters of support regarding the continuation of inspections.

Counsel advised the requested Board action is to authorize Counsel to initiate action against the United States Postal Service in this matter and refer to Porter Scott to prepare the pleadings.

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

III. **ADJOURN:** 8:22 a.m. by Chair Griego.

Chair

ATTEST: DONNA STOTTERMAYER
CLERK OF THE BOARD OF SUPERVISORS

Approved: July 6, 2010

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