The County of Yuba

BOARD OF SUPERVISORS

AUGUST 3, 2010 - MINUTES

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 6:00 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 Bendolf, Chief Deputy County Counsel Pat Garamone, and Clerk of the Board of Supervisors Donna Stottlemyer. Chair Griego presided.

I. PLEDGE OF ALLEGIANCE - Led by Supervisor Griego

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

Chief Deputy Counsel Pat Garamone requested the Board add one case of potential litigation to closed session as "Item E" pursuant to Government Code §54954.2 (b)(2) as the need to take action arose subsequent to the agenda being posted.

MOTION: Move to add to closed session MOVED: Hal Stocker SECOND: John Nicoletti
AYES: Hal Stocker, Andy Vasquez, John Nicoletti, 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 Consent Agenda MOVED: Hal Stocker SECOND: Andy Vasquez
AYES: Hal Stocker, Andy Vasquez, John Nicoletti, Mary Jane Griego, Roger Abe NOES: None ABSTAIN: None

A. Administrative Services

1. Adopt resolution amending Resolution No. 2010-02 authorizing application for Energy Efficiency Block Grant and expanding scope of work to address eight buildings and the Courthouse HVAC unit. (Public Facilities Committee recommends approval) (340-10)

Adopted Resolution No. 2010-77, which is on file in Yuba County Resolution Book No. 41 entitled: "THE BOARD OF SUPERVISORS HEREBY AMENDS RESOLUTION NO. 2010-02 AUTHORIZING THE DIRECTOR OF ADMINISTRATIVE SERVICES TO APPLY FOR THE ENERGY EFFICIENCY BLOCK GRANT AND FURTHER AGREES TO THE EXPANDED SCOPE OF WORK TO BE ADDRESSED BY THE GRANT TO INCLUDE AN ADDITIONAL EIGHT BUILDINGS AND A VARIABLE FREQUENCY DRIVE FOR A COURTHOUSE HVAC UNIT."
B. **Clerk of the Board of Supervisors**

1. Approve minutes of the meeting of July 13 and 20, 2010. (341-10) Approved as written.


4. Appoint Alyssa Lindman to the Yuba County Trails Commission as the Environmentalist Representative for a term to expire August 3, 2012. (344-10) Approved.

C. **Community Development and Services**

1. Adopt resolution authorizing the Yuba County Housing and Community Services manager to execute letter of consent notifying California Debt Limit Allocation Committee Yuba County is assigning its fair share allocation to the Homebuyers Fund for inclusion into its single family bond pool. (345-10)

   Adopted Resolution No. 2010-78, which is on file in Yuba County Resolution Book No. 41 entitled:

   "RESOLUTION AUTHORIZING THE YUBA COUNTY HOUSING AND COMMUNITY SERVICES MANAGER TO SIGN A LETTER OF CONSENT THEREBY NOTIFYING THE CALIFORNIA DEBT LIMIT ALLOCATION COMMITTEE (CDLAC) THAT YUBA COUNTY IS ASSIGNING THEIR FAIR SHARE ALLOCATION TO THE HOMEBUYERS FUND (CHF) FOR THE INCLUSION INTO THEIR SINGLE FAMILY BOND POOL."

2. Authorize Budget Transfer in the amount of $1,100,000 from Account No. 116-0000-361-6200 (Neighborhood Stabilization Program) to various line items to cover anticipated payments and program administration costs through June 2011. (346-10) Approved.

D. **Library**

1. Adopt resolution declaring Book Buggy Bookmobile surplus property; authorizing sale of surplus property; and authorizing proceeds from sale of Book Buggy deposited in the Yuba County Library Department fund. (Human Services Committee recommends approval) (347-10)

   Adopted Resolution No. 2010-79, which is on file in Yuba County Resolution Book No. 41 entitled:

   "RESOLUTION DECLARING THE BOOK BUGGY BOOKMOBILE SURPLUS COUNTY PROPERTY; AUTHORIZING THE SALE OF THE SURPLUS PROPERTY; AND AUTHORIZING THE PROCEEDS FROM THE SALE OF THE BOOK BUGGY BE DEPOSITED IN THE YUBA COUNTY LIBRARY DEPARTMENT FUND."

IV. **PUBLIC COMMUNICATIONS:** No one came forward.

V. **ORDINANCES AND PUBLIC HEARINGS:** The Clerk read the disclaimer.

   A. **Public Hearing** - Hold public hearing and adopt resolution adopting the inflationary increase in fire mitigation fees for the Olivehurst Public Utilities District. (Ten minute estimate) (348-10) Chair Griego opened the public hearing. No one came forward.
Adopted Resolution No. 2010-80, which is on file in Yuba County Resolution Book No. 41 entitled: "RESOLUTION ADOPTING THE INFLATIONARY INCREASE IN FIRE MITIGATION FEES FOR THE OLIVEHURST PUBLIC UTILITIES DISTRICT."

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

VI. CORRESPONDENCE  - (349-10)

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

A. Four Local Agency Biennial Notice advising no amendment is required to the conflict of interest code for Marysville Joint Unified School District; Linda Fire Protection District; South Yuba Water District; and Reclamation District 784.

B. Schedule from United State Forest Services, Plumas National Forest of proposed actions to be taken July through September 2010.

C. Two Notices from California Fish and Game Commission regarding proposed regulatory actions related to gear restrictions, waterfowl, and upland game bird/hunting.

VII. BOARD AND STAFF MEMBERS’ REPORTS: Reports were received on the following:

Supervisor Nicoletti:
- Commended John Hollis for service to the seniors and Area 4 Agency on Aging Board
- Peach Tree Healthcare meeting held July 29, 2010 and Healthcare Center Week
- Yuba Sutter Chamber Government Affairs Committee meeting held August 3, 2010
- Yuba Sutter Economic Development Corporation Board meeting held July 28, 2010
- Bi County Juvenile Hall meeting held July 30, 2010
- Transitional Foster Youth Program success
- National Night Out August 3, 2010

Supervisor Abe:
- Emergency Medical Care meeting held July 21, 2010
- Grow Yuba Sutter meeting on July 23, 2010
- North Central Counties Consortium meeting held in Willows on July 29, 2010
- Junior Livestock Auction held July 31, 2010 and purchase of pig for $550 on behalf of Board members from Brownsville student for use at the County Employee appreciation Luncheon

Supervisor Stocker:
- Junior Livestock Auction held July 31, 2010
- Memorial Adjournment - Mr. Raymond Victor Whiteley
- Dobbins-Oregon House Action Committee
• Additional mission coming to Beale Air Force Base
• Commended John Hollis for service to the seniors and Area 4 Agency on Aging Board

VIII. CLOSED SESSION: Chief Deputy Counsel Pat Garamone advised of written comments from Gary Stucky requesting the Board receive the Administrative Law Judge's recommended decision pertaining to the personnel matter however, to postpone making a final decision on this matter until August 10, 2010 to allow Marie Clark, YCEA Local #1 Business Agent who represented employee, to comment on this matter pursuant to the Brown Act prior to the Board rendering a final decision in closed session.

The Board retired into closed session at 6:28 p.m. to discuss the following:

A. Personnel pursuant to Government Code §54957 - Public Employee Discipline/Dismissal/Release
B. Threatened litigation pursuant to Government Code §54956.9(b) - One Case
C. Potential litigation pursuant to Government Code §54956.9(b) - One Case
D. Pending litigation pursuant to Government Code §54956.9(a) - State of California vs. River Highlands Community Services District et al
E. Potential litigation pursuant to Government Code §54956.9(b) - One Case

Supervisor Abe left closed session at 7:00 p.m. to recluse himself during the discussion of one case of potential litigation.

The Board returned from closed session at 7:19 p.m. with all present as indicated above except Supervisor Abe.

Chief Deputy Counsel Pat Garamone advised the personnel matter would be continued to August 10, 2010.

IX. ADJOURN: 7:21 p.m. in memory of Mr. Raymond Victor Whiteley by Chair Griego.

ATTEST: DONNA STOTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

Approved: August 23, 2010