The County of Yuba
BOARD OF SUPERVISORS
SEPTEMBER 21, 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 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 Nicoletti

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

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

A. Administrative Services

1. Approve lease agreement with Ace Composites, Inc, and authorize the Chair to execute same. (443-10) Approved.

B. Auditor-Controller

1. Approve list declaring assets to be lost or declared surplus and removed from the County’s inventory. (428-10) Approved.


3. Adopt resolution to determine the appropriations for Special Districts under the County for Fiscal Year 2010-2011. (430-10) Adopted Resolution No. 2010-102 which is on file in Yuba County Resolution Book No. 41 entitled: "RESOLUTION OF THE BOARD OF SUPERVISORS THE COUNTY OF YUBA TO DETERMINE THE APPROPRIATIONS FOR SPECIAL DISTRICTS UNDER THE COUNTY."

C. Board of Supervisors

1. Re-appoint Kathy Woods as the Child Care Provider Representative and Denice Burbach as the Discretionary Representative to the Child Care Planning Council of Yuba and Sutter Counties for terms to end September 30, 2013. (431-10) Approved.
D. Community Development and Services

1. Adopt resolution declaring two pieces of equipment (a lawn mower and weed eater) as surplus county property and pursuant to the Yuba County Public Works recommendation that the county donate said equipment to the Dobbins Oregon House Improvement Foundation for use in maintaining the Alcouffe Community Center, of which they have agreed to maintain, does hereby give surplus equipment to the Foundation as a donation in accordance with the California Government Code §25372. (Land Use and Public Works recommended approval) (432-10)

   Adopted Resolution No. 2010-103 which is on file in Yuba County Resolution Book No. 41 entitled: "A RESOLUTION DECLARING TWO PIECES OF EQUIPMENT (A LAWN MOWER AND WEED EATER) AS SURPLUS COUNTY PROPERTY AND PURSUANT TO THE YUBA COUNTY PUBLIC WORKS RECOMMENDATION THAT THE COUNTY DONATE SAID EQUIPMENT TO THE DOBBINS OREGON HOUSE IMPROVEMENT FOUNDATION FOR USE IN MAINTAINING THE ALCOUFFE COMMUNITY CENTER, OF WHICH THEY HAVE AGREED TO MAINTAIN, DOES HEREBY GIVE SURPLUS EQUIPMENT TO THE FOUNDATION AS A DONATION IN ACCORDANCE WITH THE CALIFORNIA GOVERNMENT CODE §25372."

2. Award contract to M & M Electric, apparent low bidder, for the Traffic Signal Project at Hammonont Smartville Road and Simpson Lane and authorize the Chair to execute same upon review and approval of County Counsel. (433-10) Approved.

E. Emergency Services


F. Health and Human Services

1. Adopt resolution authorizing Health and Human Services Department to enter into agreement with the California Department of Public Health for Public Health Emergency Preparedness and Pandemic Influenza Preparedness funds for the period of July 1, 2010 through August 9, 2011, and further authorize the Chairman to execute documents as required by the agreement and/or related to this program and to accept funds. (Human Services Committee recommends approval) (435-10)

   Adopted Resolution No. 2010-104 which is on file in Yuba County Resolution Book No. 41 entitled: "AUTHORIZE YUBA COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT TO ENTER INTO AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH FOR PUBLIC HEALTH EMERGENCY PREPAREDNESS AND PANDEMIC INFLUENZA PREPAREDNESS FUNDS FOR THE PERIOD OF JULY 1, 2010 THROUGH AUGUST 9, 2011, AND FURTHER, AUTHORIZE THE CHAIRMAN TO EXECUTE DOCUMENTS AS REQUIRED BY THE AGREEMENT AND/OR RELATED TO THIS PROGRAM AND TO ACCEPT FUNDS."

2. Adopt resolution authorizing Yuba County Health and Human Services Department to enter into agreement with the Sierra Health Foundation Responsive Grant for the Jump Start Program for the period of November 1, 2010 through October 31, 2011, and further authorize the Chairman to execute documents as required by the agreement and/or related to this program and to accept funds. (Human Services Committee recommends approval) (436-10)

   Adopted Resolution No. 2010-105 which is on file in Yuba County Resolution Book No. 41 entitled: "AUTHORIZE YUBA COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT TO ENTER INTO AGREEMENT WITH THE SIERRA HEALTH FOUNDATION RESPONSIVE GRANT FOR THE JUMP START PROGRAM FOR THE PERIOD OF NOVEMBER 1, 2010 THROUGH OCTOBER 31, 2011, AND FURTHER, AUTHORIZE THE CHAIRMAN TO EXECUTE DOCUMENTS AS REQUIRED BY THE AGREEMENT AND/OR RELATED TO THIS PROGRAM AND TO ACCEPT FUNDS."

09/21/10 - BOS
3. Adopt resolution authorizing Yuba County Health and Human Services Department to enter into agreement with the State of California, Department of Public Health, for Immunization Project Subvention funds for the period of July 1, 2010 through June 30, 2011; and authorize the Chair to execute documents as required by the agreement and any pertinent documents related to this program; and to authorize acceptance of funds. (Human Services Committee recommends approval) (437-10)

Adopted Resolution No. 2010-106 which is on file in Yuba County Resolution Book No. 41 entitled: "AUTHORIZE THE YUBA COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT TO ENTER INTO AGREEMENT WITH THE STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC HEALTH, FOR IMMUNIZATION PROJECT SUBVENTION FUNDS FOR THE PERIOD OF JULY 1, 2010 THROUGH JUNE 30, 2011; AND AUTHORIZE CHAIRMAN TO EXECUTE DOCUMENTS AS REQUIRED BY THE AGREEMENT AND ANY PERTINENT DOCUMENTS RELATED TO THIS PROGRAM; AND TO AUTHORIZE ACCEPTANCE OF FUNDS."

IV. PUBLIC COMMUNICATIONS: No one came forward.
V. COUNTY DEPARTMENTS

A. County Administrator

1. Review list of enrolled legislation pertinent to Yuba County; consider taking positions of support or opposition and conveying to Governor. (Ten minute estimate) (438-10)

Legislative Coordinator Russ Brown recapped pending legislation awaiting the Governor’s signature and responded to Board inquiries. Following Board discussion, the Board took the following actions:

MOTION: Move to oppose AB 602 Land Use and Planning
MOVED: John Nicoletti
SECOND: Roger Abe
AYES: John Nicoletti, Roger Abe, Andy Vasquez, Mary Jane Griego, Hal Stocker
NOES: None
ABSTAIN: None

MOTION: Move to oppose AB 2147 Safe Routes to School Construction Program
MOVED: John Nicoletti
SECOND: Roger Abe
AYES: John Nicoletti, Roger Abe, Andy Vasquez, Mary Jane Griego, Hal Stocker
NOES: None
ABSTAIN: None

MOTION: Move to oppose AB 2546 Emergency Medical Services: Regulation
MOVED: Roger Abe
SECOND: Andy Vasquez
AYES: John Nicoletti, Roger Abe, Andy Vasquez, Mary Jane Griego, Hal Stocker
NOES: None
ABSTAIN: None

MOTION: Move to Support AB 2530 Local Government: Williamson Act/Contracts
MOVED: Roger Abe
SECOND: Andy Vasquez
AYES: John Nicoletti, Roger Abe, Andy Vasquez, Mary Jane Griego, Hal Stocker
NOES: None
ABSTAIN: None

VI. ORDINANCES AND PUBLIC HEARINGS: The Clerk read the disclaimer.

A. Ordinance - Hold public hearing, waive reading and introduce an ordinance amending Title VIII of the Yuba County Ordinance Code by adding Chapter 8.30 relating to Social Host Responsibility. (First reading) (Law and Justice Committee) (Twenty minute estimate) (439-10)

County Administrator Robert Bendorf recapped the proposed ordinance which provides a civil remedy for fines and penalties to persons knowingly hosting a social gathering where alcoholic beverages are consumed by or provided to underage persons and responded to Board inquiries. Chair Griego opened the public hearing. No one came forward.

MOTION: Move to waive reading and introduce ordinance
MOVED: John Nicoletti
SECOND: Hal Stocker
AYES: John Nicoletti, Hal Stocker, Andy Vasquez, Mary Jane Griego, Roger Abe
NOES: None
ABSTAIN: None
B. Ordinance - Hold public hearing, waive reading, and adopt ordinance repealing and re-enacting Yuba County Ordinance Code Title VIII, Chapter 8.76 relating to county parks and recreation areas. (Second Reading) (Continued from September 14, 2010) (Five minute estimate) (420-10)
Community Development and Services Director Kevin Mallen recapitulated the ordinance adding Olivehurst Public Utility District and provisions for skate park and spray park facilities. Chair Griego opened the public hearing. No one came forward.

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

Adopted Ordinance No. 1498 which is on file in Yuba County Ordinance Book No. 22 entitled: "AN ORDINANCE REPEALING AND RE-ENACTING YUBA COUNTY ORDINANCE CODE TITLE VIII, CHAPTER 8.76 RELATING TO COUNTY PARKS AND RECREATION AREAS."

VII. CORRESPONDENCE - (440-10)
A. Notice from Fish and Game Commission regarding proposed regulatory action relating to recreational and commercial groundfish fishing. Accepted

B. Seven Local Agency Biennial Notices advising no amendment is necessary to the Conflict of Interest Codes for Cordua Irrigation District, Camptonville Community Services District, Ramirez Water District, Smartsville Fire Protection District, Three Rivers Levee Improvement Authority, Browns Valley Irrigation District, and Wheatland School District. Accepted

C. Petition from residents of Vega Way, Emerald Way, and Regent Way, Oregon House requesting their neighborhood be annexed into the Dobbins-Oregon House Community Boundary and rezoned to A/RR5. Accepted

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

Supervisor Stocker:
- Memorial Adjournment - Mr. Carl Kolbar
- Fundraiser at the Alcove Community Center held Saturday, September 18, 2010
- Ambulances services within the foothill communities
- Employee Appreciation Picnic held Friday, September 17, 2010
- Infrastructure improvements at foothill schools

Supervisor Abe:
- Yuba Sutter Emergency Medical Services meeting held Wednesday, September 15, 2010 regarding change in ambulance crew location to Highway 20 and response times
- North Central Counties Consortium meeting held Thursday, September 16, 2010 and appointment of Interim Director Nancy Crook
- Employee Appreciation Picnic held Friday, September 17, 2010

Supervisor Vasquez:
- Freedom Walk on September 11, 2010
- Yuba Sutter Transit meeting held September 16, 2010
- Tour of Fremont Rideout Cancer Center
- Employee Appreciation Picnic held Friday, September 17, 2010
- Naturalization Ceremony for new Yuba Sutter citizens held September 19, 2010
Supervisor Nicoletti:
- Benefit of training development opportunities for employees
- Employee Appreciation Picnic held Friday, September 17, 2010
- Marysville Levee groundbreaking ceremony held September 20, 2010
- Sister City meeting held September 20, 2010 and membership invitations to Board members
- Attending Regional Council of Rural Counties annual conference September 22 - 24, 2010
- Beale Air Force Base activities and tour scheduled October 22, 2010
- Yuba Gardens School dedication of gymnasium and library held September 20, 2010
- Pepsi Refresh Video at Friday Night Live, September 21, 2010 at 4:00 p.m.
- Community Services Commission regarding funding applications

Supervisor Griego:
- Local Government Commission Healthy Yuba County Committee meeting held September 20, 2010
- Yuba Sutter Transit meeting held September 16, 2010
- Employee Appreciation Picnic held Friday, September 17, 2010
- Naturalization Ceremony for new Yuba Sutter citizens held September 19, 2010
- Yuba Gardens School dedication of gymnasium and library held September 20, 2010

County Administrator Robert Bendorff:
- Employee Appreciation Picnic held Friday, September 17, 2010
- Federal Emergency Management Services conference held September 13 - 16, 2010
- Commended Chief Webb regarding efforts during the Bullard's Bar Fire
- Retirement of county employees

IX. CLOSED SESSION: The Board retired into closed session at 10:54 a.m. to discuss the following:

A. Personnel pursuant to Government Code §54957 - Department Head Evaluation/County Administrator

B. Potential litigation pursuant to Government Code §54956.9(b) - One Case Postponed to September 28, 2010 at the request of County Counsel Angil Morris-Jones

The Board returned from closed session at 1:32 p.m. with all members present as indicated above. There was no announcement.

X. ADJOURN: 1:32 p.m. in memory of Mr. Carl Kolbar by Chair Griego.

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

Approved: October 12, 2010