The County of Yuba

BOARD OF SUPERVISORS

September 28, 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 Griego

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 with items 2 and 3 pulled for discussion
MOVED: Andy Vasquez
SECOND: John Nicoletti
AYES: Andy Vasquez, John Nicoletti, Mary Jane Griego, Roger Abe, Hal Stocker
NOES: None
ABSTAIN: None

A. Clerk of the Board of Supervisors

1. Approve minutes of the meetings of August 24, September 2 and 14, 2010. (452-10) Approved as written

B. Community Development and Services

1. Adopt resolution authorizing submission of transportation claim for funds from the Transportation and Development Act of 1971 as amended. (444-10)

   Adopted Resolution No. 2010-109, which is on file in Yuba County Resolution Book No. 41 entitled: "RESOLUTION AUTHORIZING SUBMISSION OF TRANSPORTATION CLAIM FOR FUNDS FROM THE TRANSPORTATION AND DEVELOPMENT ACT OF 1971 AS AMENDED."

2. Approve Amendment No. 1 with David Evans and Associates for the Feather River Boulevard/State Route 70 Interchange project and authorize the Chair to execute same. (445-10)

   Community Development and Services Director Kevin Mallen responded to Board inquiries regarding environmental review, project redesign, and relocation of gas and electrical lines.

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

3. Approve agreement with WRA Environmental Consultants for the Recology Ostrom Road Landfill Rail Spur Project (CUP 2009-001) and authorize the Chair to execute same. (446-10)
Community Development and Services Director Kevin Mallen advised the agreement would keep the same individual consultants under a new company name as the previous business filed bankruptcy.

The following individuals spoke:
Mr. Richard Paskowitz, Yuba Group Against Garbage (YGAG)
Ms. Brigit Barnes, Counsel for YGAG
Ms. Sandra Gilbert, Wheatland

Planner Dan Cucchi responded to Board inquiries regarding the scope of work within the agreement.

Following Board discussion, the Chair continued the matter to October 5, 2010.

5. Authorize Community Development and Services to deed Lot H of the Wheeler Ranch Large Lot Map to Reclamation District 784 and authorize the Chair to execute same. (447-10) Approved

6. Award contract to Freddi’s Grading and Paving, apparent low bidder, for Sycamore Ranch Campground Paving Project and authorize the Chair to execute upon review and approval of County Counsel. (448-10) Approved

IV. PUBLIC COMMUNICATIONS:
Mr. Nick Spaulding, Oregon House, commented on the Draft General Plan regarding land use issues and a 4/5’s passage requirement for amendments to the General Plan.

V. COUNTY DEPARTMENTS

A. Emergency Services

1. Adopt resolution proclaiming termination of a local emergency in the County of Yuba known as the Bullard’s Fire. (Five minute estimate) (449-10)

   Emergency Services Officer Scott Bryan briefly recapped fire occurrence.

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

   Adopted Resolution No. 2010-110 which is on file in Yuba County Resolution Book No. 41 entitled: “RESOLUTION PROCLAIMING TERMINATION OF LOCAL EMERGENCY.”

VI. CORRESPONDENCE - (450-10)

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

   A. Notice from State of California Fish and Game Commission regarding regulatory action relating to marine protected areas.

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

   Supervisor Stocker:
   - Letter from Mr. Roger Murray regarding the General Plan update
   - Article regarding the Sacramento Blueprint
   - Ambulance issues regarding response times
   - Dobbins School dedication
   - Local Government Commission monthly first Thursday meeting addressing economic development and sustainability
Supervisor Abe:
- Regional Council of Rural Counties Annual conference held September 22 - 24, 2010
- Metropolitan Plan/Blueprint Workshop scheduled Monday, October 25, 2010, at Yuba County Government Center

Supervisor Vasquez:
- Review of refuse tonnage (tipping) fees
- Linda town hall meeting on the General Plan Update scheduled October 13, 2010

Community Development and Services Director Kevin Mallen: General Plan Update process, timelines, and public outreach

Supervisor Nicoletti:
- Memorial Adjournment - Mrs. Sara Jane Sullivan
- Memorial Adjournment - Mr. Nick Barbaccia
- Regional Council of Rural Counties Annual conference held September 22 - 24, 2010
- Community Services Commission grant and applicant process
- Yuba County Airport construction
- Air quality issues within the General Plan update process
- Assessment Appeals Board meetings and lack of Assessor participation

Supervisor Griego:
- Attended Feather River Air Quality Management District subcommittee meeting
- First 5 Yuba Commission meeting held September 22, 2010
- South County Improvement Committee meeting held September 23, 2010
- Attending CAL LAFCO Conference October 5 - 9, 2010

Clerk of the Board Donna Stottlemyer: Training requirements on ethics and harassment prevention for Board members

County Administrator (CAO) Robert Bendorf: Commended Assistant CAO Randy Margo on his achievements during his tenure with the County including fiscal and levee financing and congratulated him on his retirement

Administrative Services Director Doug McCoy: Yuba County Airport construction project and impacts to hangar usage and loss of revenue

County Counsel Angil Morris-Jones pulled from closed session discussion one case of potential litigation.

VIII. **ADJOURN**: 10:55 a.m. in memory of Mrs. Sara Sullivan and Mr. Nick Barbaccia by Chair Griego.

[Signature]

Chair

**ATTEST: DONNA STOTTLEMEYER**
**CLERK OF THE BOARD OF SUPERVISORS**

[Signature] [Signature]

Approved: **October 12, 2010**