The County of Yuba

BOARD OF SUPERVISORS

OCTOBER 5, 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, Roger Abe, and Hal Stocker. Supervisor Mary Jane Griego was absent. Vice Chair Abe presided.

I. PLEDGE OF ALLEGIANCE - Led by Supervisor Abe

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

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, Roger Abe  NOES: None  ABSTAIN: None

A. Administrative Services

1. Adopt resolution approving the limited development of Parcel No. 7 of Parcel Maps 94-10 and 2000-11 for aviation hangar prior to required infrastructure. (Public Facilities Committee recommends approval) (453-10) Adopted Resolution No. 2010-111 which is on file in Yuba County Resolution Book No. 41 entitled "RESOLUTION APPROVING THE LIMITED DEVELOPMENT OF PARCEL NO. 7 OF PARCEL MAPS 94-10 AND 2000-11 FOR AVIATION HANGAR PRIOR TO REQUIRED INFRASTRUCTURE."

2. Authorize Budget Transfer in the amount of $1,067,457 appropriating grant revenue for pavement rehabilitation at Yuba County Airport. (454-10) Approved.

B. Clerk of the Board of Supervisors

1. Reappoint Debbie Byrne to the Fish and Game Advisory Commission as the at-large representative for a term to end October 5, 2014. (455-10) Approved.

C. Community Development and Services

1. Award contract to Knife River Construction, apparent low bidder, for the Miscellaneous Areas Project "A" and authorize Chair to execute same upon review and approval of Counsel. (456-10) Approved.

2. Award contract to Knife River Construction, apparent low bidder, for the Miscellaneous Areas Project "B" and authorize Chair to execute same upon review and approval of Counsel. (457-10) Approved.
D. Human Resources

1. Adopt resolution adopting the departmental position allocation schedule as it relates to Fiscal Year 2010-11 Budget. (458-10) Adopted Resolution No. 2010-112 which is on file in Yuba County Resolution Book No. 41 entitled "RESOLUTION ADOPTING THE DEPARTMENTAL POSITION ALLOCATION IN ITS ENTIRETY."

E. Sheriff-Coroner

1. Approve agreement with Hmong American Association, Inc. for supplemental law enforcement services and authorize Chair to execute same. (459-10) Approved.

IV. CLOSED SESSION: The Board retired into closed session at 6:02 p.m. to discuss the following:

A. Potential litigation pursuant to Government Code §54956.9(b) - Two Claims

The Board returned from closed session at 6:12 p.m. with all present as indicated above. Counsel advised staff was given direction.

V. SPECIAL PRESENTATION

A. Present proclamation declaring Bi-National Health Week October 4 - 15, 2010. (Five minute estimate) (460-10) Supervisor Nicoletti read and presented the proclamation to North Valley Hispanic Chamber of Commerce President Angel Diaz.

B. Present proclamation to Casa De Esperanza, Inc. proclaiming October Domestic Violence Awareness Month. (Five minute estimate) (461-10) Proclaimed.

C. Receive presentation from Superintendent of Schools regarding 4H Camp bi-annual operational review, camp budget, and operations plan for Fiscal Year 2010-11. (Twenty minute estimate) (462-10) Superintendent Ric Teagarden presented a Power Point presentation recapping the 4-H camp outdoor education program, advisory committee, completed work, and needed repairs. Mr. Teagarden responded to Board inquiries.

Board members, Administrative Services Director Doug McCoy, and County Administrator Robert Bendorf commended the Superintendent on improvements to the camp.

VI. PUBLIC COMMUNICATIONS: The following individuals spoke:

Mr. Nick Spaulding, Oregon House, recapped the baseball field construction at the Alcouliffe Community Center.

Mr. Rick Paskowitz, Wheatland, commented on agreement between Recology and San Francisco regarding shipment of refuse to Yuba County.

Ms. Brigit Barnes, Loomis, concurred with Mr. Paskowitz comment's and commented further on the limited review of the associated landfill fees.

Ms. Sandra Gilbert, Rio Oso, concurred with previous comments regarding Recology.

VII. ITEM OF PUBLIC INTEREST

A. Consider request from Tiffany and David Montano to waive Environmental Health fees in the amount of $357.00 for benefit concert for the Veterans Memorial Center to be held October 16, 2010 at the Mervyn's Feather River Pavilion and take action as appropriate. (Ten minute estimate) (463-10) Ms. Montano recapped events and request for fee waiver.

MOTION: Move to approve

MOVED: John Nicoletti
SECOND: Hal Stocker

AYES: John Nicoletti, Hal Stocker, Andy Vasquez, Roger Abe NOES: None ABSTAIN: None
VIII. COUNTY DEPARTMENTS

A. Community Development and Services

1. 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) (Continued from September 28, 2010) Planning Director Wendy Hartman advised questions raised at the last meeting were not directly related to the agreement but of the scopeing analysis following project description and responded to Board inquiries.

The following individuals spoke:
Ms. Barbara Rivenes, Sierra Nevada Club, regarding environmental impacts
Mayor Enita Elphick, Wheatland, regarding safety and noise impacts of rail spur and railway usage
Mr. Barry Costa, Wheatland, notification to the public

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

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

A. Ordinance - Hold public hearing, waive reading, and adopt an ordinance amending Title VIII of the Yuba County Ordinance Code by adding Chapter 8.30 relating to Social Host Responsibility. (Second reading) (439-10) Vice Chair Abe opened the public hearing.

The following individuals spoke in opposition to the ordinance:
Mr. Eric Pedersen, Marysville
Ms. Debra Gaylord, Yuba City

Supervisor Nicoletti responded to public comments.

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

X. CORRESPONDENCE - (464-10)

A. Four Local Agency Biennial Notices advising no amendment is necessary to the conflict of interest code for Plumas Lake Elementary School District; Olivehurst Public Utility District; Yuba County Resource Conservation District; and Dobbins/Oregon House Fire Protection District. Accepted.

B. Letter from California Emergency Management Agency advising the Governor proclaimed a state of emergency for Yuba County due to wildfires which began August 27, 2010. Accepted.

C. Letter from Roger L. Murray regarding the General Plan Update. Accepted.

D. Notice from California Fish and Game Commission regarding proposed emergency regulatory action relating to incidental take of mountain yellow-legged frog. Accepted.

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

Supervisor Vasquez:
- Bi-County Substance Abuse Committee meeting held September 28 regarding disposal of drugs
- Teen challenge fundraiser for Riverside Restoration Center
- VFW and ROTC fundraisers
Supervisor Nicoletti:
• Fishing Derby at Ellis Lake held October 2, 2010
• Commended Assessor Brown on State Board Equalization Assessor's Survey
• Peach Tree Healthcare financial issues due to lack of state budget
• Out-of-state October 6 - 9, 2010

Supervisor Abe:
• Great Valley Leadership Institute held September 29 through October 6, 2010
• Memorial Adjournment - Former Assistant Auditor Al Dehr

County Counsel Angil Morris-Jones: Passage of statewide social host ordinance by Governor

County Administrator Robert Bendorf:
• Established General Reserve Fund
• Modifications to appearance of future budgets
• Initial discussions regarding County and special districts fees to spur economic development
• Review of grant opportunities for Highway 65 corridor infrastructure improvements
• Sheriff's facility project and alternative energy program

At the request of Mr. Bendorf, Vice Chair Abe formed and advisory committee appointing Supervisors Nicoletti and Griego to serve regarding flood preparedness cooperation between the City of Marysville and County activities.

XII. ADJOURN: 8:44 p.m. in memory of Mr. Al Dehr by Vice Chair Abe.

Chair

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

Approved: October 19, 2010