The County of Yuba
BOARD OF SUPERVISORS
APRIL 12, 2011 - MINUTES

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 9: 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, Chief Deputy County Counsel Pat Garamone, and Deputy Clerk of the Board of Supervisors Rachel Ferris. Chair Abe presided.

I. PLEDGE OF ALLEGIANCE - Led by Supervisor Vasquez

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

A. Administrative Services

1. Approve lease agreement with Yuba County Office of Education for space occupied by the Public Guardian at the One Stop in Marysville and authorize the Chairman to execute same. (Public Facilities Committee recommends approval) (147-11) Pulled from agenda.

2. Authorize Budget Transfer in the total amount of $142,970 to appropriate revenue and adjust budget expenditures for the County Airport. (148-11) Authorized.

B. Agricultural Commissioner

1. Adopt resolution authorizing the Agricultural Commissioner to execute certain contracts and agreements for Fiscal Year 2011/2012. (Protective Inspection Committee recommends approval) (149-11)
Adopted Resolution No. 2011-28, which is on file in Yuba County Resolution Book No. 42 entitled: "RESOLUTION AUTHORIZING THE AGRICULTURAL COMMISSIONER TO EXECUTE CERTAIN CONTRACTS/AGREEMENTS/COOPERATIVE AGREEMENTS FOR FY 2011/2012 OR MULTI YEAR."
C. Community Development and Services

1. Adopt resolution authorizing the Community Development and Services Director to complete purchase of single family residence APN 019-433-009 as part of the neighborhood stabilization program and to execute all documents needed for completion of purchase, rehabilitation, and resale. (150-11)

Adopted Resolution No. 2011-29, which is on file in Yuba County Resolution Book No. 42 entitled: "RESOLUTION AUTHORIZING YUBA COUNTY COMMUNITY DEVELOPMENT AND SERVICES AGENCY DIRECTOR TO COMPLETE PURCHASE OF SINGLE FAMILY RESIDENCE APN 019-433-009 AS PART OF THE NEIGHBORHOOD STABILIZATION PROGRAM AND EXECUTE ALL DOCUMENTS NEEDED FOR COMPLETION OF PURCHASE, REHABILITATION AND RESALE."

2. Adopt resolution approving engineer's report and declaring intention to levy and collect assessments with Gledhill Landscaping and Lighting District for Fiscal Year 2011/2012. (151-11)

Adopted Resolution No. 2011-30, which is on file in Yuba County Resolution Book No. 42 entitled: "RESOLUTION TO ADOPT ENGINEER'S REPORT AND DECLARE INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN GLEDHILL LANDSCAPING AND LIGHTING DISTRICT."

3. Adopt resolution certifying the 2010 County Maintained Mileage. (152-11)

Adopted Resolution No. 2011-31, which is on file in Yuba County Resolution Book No. 42 entitled: "RESOLUTION CONCERNING THE COUNTY MAINTAINED MILEAGE."

4. Approve plans and specifications for Wheeler Ranch Phase 1 Project at Feather River Boulevard and Arboga Road, authorize the Chairman to execute same, and authorize Public Works to solicit bids with a tentative bid opening date of May 4, 2011. (153-11) Approved.

D. Health and Human Services

1. Authorize Budget Transfer in the amount of $22,859 from Account No. 100-5200-451-2300 (Professional Services) to Account No. 100-5200-451-6200 (Fixed Assets), for purchase of fixed assets to be used at points of dispensing and alternate care sites. (Human Services Committee recommends approval). (154-11) Authorized Budget Transfer.

E. Sheriff-Coroner

1. Approve cooperative agreement with United States Forest Service to provide campground patrols on United States forestland and authorize the Chairman to execute same. (155-11) Approved agreement.

IV. SPECIAL PRESENTATION

A. Recognize Beale Air Force Base Officer of the Year Master Sergeant Pierre Carre. (No background material) (Ten minute estimate) (156-11) Captain Jose LaBron, 9th Mission Support Group Commander recapped outstanding efforts by Master Sergeant Pierre Carre, 9th SFS Delta Flight Chief, during an attack by Taliban fighters at Bagram Air Base on May 19, 2010. Master Sergeant Pierre Carre was recognized by the Board of Supervisors as the Beale Air Force Base Officer of the Year.

Supervisor Nicoletti presented a letter of appreciation to Master Sergeant Pierre Carre.

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

A. Administrative Services

1. Approve and authorize the creation of a Capital Improvement Project Manager position; and approve Human Resources to post and recruit the position. (Ten minute estimate) (157-11) Administrative Services Director Doug McCoy recapped the request and responded to Board inquiries.

County Administrator Robert Bendorf advised the projects pending are unique and complex and require someone with project managing skills and experience.

MOTION: Move to approve

MOVED: John Nicoletti SECOND: Hal Stocker

AYES: John Nicoletti, Hal Stocker, Andy Vasquez, Mary Jane Griego, Roger Abe

NOES: None ABSENT: None ABSTAIN: None

2. Approve creation of two capital improvement accounts for the County-wide Chevron energy efficiency project; as well as the new Sheriff Facility project and direct the Auditor's Office to establish same. (164-11)

MOTION: Move to approve

MOVED: Mary Jane Griego SECOND: Hal Stocker

AYES: Mary Jane Griego, Hal Stocker, Andy Vasquez, John Nicoletti, Roger Abe

NOES: None ABSENT: None ABSTAIN: None

B. Community Development and Services

1. Approve town hall meetings in each of the Supervisorial Districts to educate the public on the redistricting process. (Ten minute estimate) (158-11) Community Development and Services Director Kevin Mallen recapped discussions and determinations made by the Redistricting Committee on the necessity of town hall meetings to educate the public on the process of redistricting and to encourage participation and responded to Board inquiries.

MOTION: Move to approve

MOVED: Mary Jane Griego SECOND: Hal Stocker

AYES: Mary Jane Griego, Hal Stocker, Andy Vasquez, John Nicoletti, Roger Abe

NOES: None ABSENT: None ABSTAIN: None

C. Probation

1. Adopt resolution proclaiming April 10-16, 2011 National Crime Victims' Rights Week in celebration of service to victims of crime and commending Yuba County Probation and other units of government for providing exemplary service to victims of crime. (Twenty minute estimate) (159-11) Program Manager Jason Roper recapped the candle light vigil held Sunday, April 10, 2011, the pictorial display in the atrium of the Government Center and recognized the following individuals for their exemplary service to crime victims of Yuba County:

- Fremont-Rideout Nurses Cleo Moffit and Kat Raddigan
- Marysville Police Officer Randy Breceda
- Yuba County Detective Jason Nakamura
- Brad Enos, Yuba County District Attorney's Office
MOTION: Move to adopt  
MOVED: Mary Jane Griego  
SECOND: John Nicoletti  
AYES: Mary Jane Griego, John Nicoletti, Andy Vasquez, Roger Abe, Hal Stocker  
NOES: None  
ABSENT: None  
ABSTAIN: None  

Adopted Resolution No. 2011-32, which is on file in Yuba County Resolution Book No. 42 entitled: "RESOLUTION PROCLAIMING APRIL 10 - 16, 2011 NATIONAL CRIME VICTIMS RIGHTS WEEK IN CELEBRATION OF SERVICE TO VICTIMS OF CRIME AND COMMENDING YUBA COUNTY PROBATION AND OTHER UNITS OF GOVERNMENT FOR PROVIDING EXEMPLARY SERVICE TO VICTIMS OF CRIME."

VII. CORRESPONDENCE - (160-11) 

A. Letter from Yuba Sutter Farm Bureau regarding Recology Ostrom Road landfill rail spur project. Referred to Community Development and Services Agency. Accepted

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

Supervisor Stocker:
• Memorial Adjournment - Mr. Alfred A. Lindenau
• Memorial Adjournment - Ms. Ann E. Butler
• General Plan 2030 survey regarding foothills community plan

Supervisor Griego:
• Memorial Adjournment - Mr. Cecil Willis
• Three River Levee Improvement Authority community outreach meeting for the Upper Yuba Levee Improvement Project held April 6, 2011
• Sacramento Area Council of Governments committee meeting held April 7, 2011
• Bike to Work month May 2011
• First 5 Yuba Commission meeting held April 10, 2011 concerning 2011/2012 budget
• Invited to be on the panel for Leadership Sacramento, Thursday, April 14, 2011
• Star Bend meeting with local fisherman Saturday April 16, 2011
• Sacramento Metro Chamber meeting April 12, 2011 for Cap to Cap trip

Supervisor Nicoletti:
• Three River Levee Improvement Authority community outreach meeting for the Upper Yuba Levee Improvement Project held April 6, 2011
• Yuba Sutter Arts Council collaboration with Shady Creek event held Saturday, April 9, 2011
• AMGEN tour meeting April 12, 2011 at 3:00 p.m. in the Wheatland Room
• 2011 Perspectives to be held April 29, 2011

Supervisor Vasquez:
• Commended Linda Fire Department, Bi-County Ambulance, and Sheriff’s Department
• Commended Jason Roper for work with National Crime Victims’ Week
• California Redistricting Board meeting held Sunday April 10, 2011
• Budget concerns for Fiscal Year 2011/2012

Supervisor Griego left the meeting at 11:04 a.m. and returned at 11:08 a.m.

Supervisor Abe:
• Sierra Sacramento Valley EMS meeting held April 8, 2011
• Memorial Adjournment - Mr. Carlin Hofman
• Memorial Adjournment - Ms. Frances Owen

IX. CLOSED SESSION: The Board retired into closed session at 11:09 a.m. to discuss the following:

A. Pending litigation pursuant to Government Code §54956.9(a) – regarding the following:
   1) Broughton v. Shotwell and County of Yuba
   2) Carter v. Comar and County of Yuba
   3) Cox v. County of Yuba
   4) Martinov v. County of Yuba
   5) Donahoe v. Yuba-Sutter Transit and County of Yuba
   6) Hernandez v. County of Yuba
   7) Holston v. Debranca and Spadini
   8) Justice v. County of Yuba
   9) Lindsay v. Fryson and County of Yuba
  10) Saechao v. County of Yuba
  11) Ybarra v. County of Yuba

B. Conference with Real Property Negotiator pursuant to Government Code §54956.8 - Property: APN 016-350-003 Negotiating Parties: Kevin Mallen, Mike Lee, and Robert Bendorf Negotiation: Terms, Conditions and/or Purchase Price

C. Personnel pursuant to Government Code §54957(a) - Labor Negotiations - DDA/DSA/MSA/YCEA/Unrepresented and County of Yuba

D. Personnel pursuant to Government Code §54957 - Department Head Evaluation/Agricultural Commissioner

E. Personnel pursuant to Government Code §54957 (b) (1) - Public Employee: Discipline/Dismissal/Release

The Board recessed at 12:30 p.m. and reconvened at 1:47 p.m. with all members present as indicated above.

The Board returned from Closed Session at 3:43 p.m. will all members present as indicated above.

Chief Deputy County Counsel Pat Garamone advised the Board gave authority for defense of appeal in the matter of Donoho vs. Yuba Sutter Transit; Personnel/Department Head matter was continued to May 10, 2011; and the Real Estate matter was continued to April 26, 2011.
X. **ADJOURN:** at 3:45 p.m. in memory of Ms. Ann E. Butler, Ms. Frances Owen, Mr. Alfred A. Lindenau, Mr. Cecil Willis, and Mr. Carlin Hofman by Chairman Abe.

ATTEST: DONNA STOTTLEMEYER  
CLERK OF THE BOARD OF SUPERVISORS

[Handwritten signature]

Approved: April 26, 2011

BY: Rachel Ferris, Deputy Clerk