The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 9:31 a.m., within the Government Center, Marysville, California, with a quorum being present as follows: Supervisors Andy Vasquez, Mary Jane Griego, Roger Abe, and Hal Stocker. Supervisor John Nicoletti was absent. Also present were County Administrator Robert Bendorf, County Counsel Angil Morris-Jones, and Deputy Clerk of the Board of Supervisors Rachel Ferris. Chairman Abe presided.

I. PLEDGE OF ALLEGIANCE - Led by Supervisor Abe

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

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

A. Administrative Services

1. Approve agreement with Atkins North America for development and implementation of a Flood Preparedness Website for Yuba County and authorize the Chairman to execute same. (Public Facilities Committee recommends approval) (269-11) Approved.

B. Clerk of the Board of Supervisors

1. Approve minutes of the regular meeting of June 14, 2011. (270-11) Approved as written.

C. Community Development and Services

1. Approve agreement with Botanica Landscapes for countywide park and streetscape maintenance and authorize the Chairman to execute same. (271-11) Approved.

2. Approve 2012-2013 Community Services Block Grant Community Action Plan and authorize the Chairman to execute same. (272-11) Approved.

3. Approve plans, specification, and estimate and authorization for advertisement of bids, for Rose Avenue improvement project, with a tentative bid opening date of July 21, 2011 and authorize The Chairman to execute same. (273-11) Approved.
4. Approve agreement with Leonard Shippen for caretaker services at Sycamore Ranch and authorize the Chairman to execute same. (274-11) Approved.

5. Authorize Budget Transfer in the amount of $12,605 from Account No. 101-3600-426-2300 (Professional Services) to Account No. 101-3600-426-0208 (Unemployment Insurance) to cover higher than anticipated unemployment expenditures for Fiscal Year 2010-2011. (275-11) Authorized.

D. County Administrator

1. Authorize Regional Waste Management Authority to submit grant application to the California Department of Resources Recycling and Recovery (CalRecycle) on the County’s behalf for the Used Oil Payment Program for Fiscal Year 2011-2012, by approving submittal of the County Administrator’s letter. (276-11) Authorized.

E. District Attorney

1. Adopt resolution authorizing the District Attorney to apply and enter into agreements with the United States Bureau of Justice Assistance for grant funding and act as the signing authority on behalf of the County to execute required grant documents. (277-11)

Adopted Resolution No. 2011-50 which is on file in Yuba County Resolution Book No. 42 entitled: "RESOLUTION AUTHORIZING THE DISTRICT ATTORNEY OF YUBA COUNTY TO ENTER INTO AGREEMENTS WITH THE UNITED STATES BUREAU OF JUSTICE ASSISTANCE FOR GRANT FUNDING AND ACT AS THE SIGNING AUTHORITY ON BEHALF OF THE COUNTY OF YUBA TO EXECUTE REQUIRED GRANT DOCUMENTS".

IV. PUBLIC COMMUNICATIONS:

Agricultural Commissioner Louis Mendoza advised the Board the 2010/2011 crop report had been released and recapped details.

Yuba Sutter Economic Development Corporation, Chief Operating Officer Brenda Stranix advised of a $300,000 grant award for the lending program, recapped grants received and disbursements which resulted in 277 jobs locally and responded to Board inquiries.

V. ITEM OF PUBLIC INTEREST

A. Consider Tsi-Akim Maidu Tribe request approval for exclusive use of Sycamore Ranch Park October 7 - 10, 2011 for the 13th Annual Indigenous Peoples Days; to block off a portion of the road along Yuba River for runners on October 8, 2011; and to erect a temporary Bark House. (Fifteen minute estimate) (287-11) Ms. Letty Litchfield and Chairman Don Ryberg recapped request for waiver of fees and responded to Board inquiries. Community Development and Services Director Kevin Mallen advised the park had been reserved on behalf of the Tribe and they are working together to coordinate facilities and supplies.

Following Board discussion, Chairman Abe formed the Sycamore Ranch/Tsi-Akim Maidu Tribe Event Ad Hoc Committee to review logistics and fee waiver for the event appointing Supervisors Nicoletti and Stocker as representatives. The matter was continued to July 12, 2011.
VI. COUNTY DEPARTMENTS

A. Auditor-Controller

1. Adopt resolution repealing and enacting certain sections of the Administrative Policy and Procedures Manual regarding Government Accounting Standards. (Ten minute estimate) (278-11) Assistant Director Richard Arrow recapped the necessity for the changes related to the fund balance, contingency reserves and appropriations, and responded to Board inquiries.

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

Adopted Resolution No. 2011-51 which is on file in Yuba County Resolution Book No. 42 entitled: "RESOLUTION REPEALING AND ENACTING CERTAIN SECTIONS OF THE YUBA COUNTY ADMINISTRATIVE POLICY AND PROCEDURES MANUAL."

B. Board of Supervisors

1. Adopt amended resolution establishing a compensation reduction for management employees and elected officials of the County of Yuba including Board of Supervisors. (Ten minute estimate) (282-11) County Administrator Robert Bendorf recapped amended resolution and responded to Board inquiries.

Following Board discussion, Mr. Bendorf advised each Board member could choose a 10 percent reduction to their health benefit or an equivalent reduction to salary.

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

Adopted Resolution No. 2011-52 which is on file in Yuba County Resolution Book No. 42 entitled: "RESOLUTION ESTABLISHING A COMPENSATION REDUCTION FOR MANAGEMENT EMPLOYEES AND Elected OFFICIALS OF THE COUNTY OF YUBA."

2. Receive information on Memorandum of Understanding regarding Sacramento Area Council of Governments (SACOG) sustainable communities' regional planning grant and take action as appropriate. (Fifteen minute estimate) (279-11) County Administrator Robert Bendorf recapped the necessity of signing the Memorandum of Understanding and responded to Board inquiries. Data Services Manager Joe Concannon, SACOG, responded to Board inquiries regarding impacts to AB32 and AB375 regarding greenhouse gasses and transportation plans, and benefits of participation in the program.

3. Approve letter of support to City of Wheatland regarding Wheatland Urban Greening Grant Application and authorize Chairman to execute same. (Ten minute estimate) (290-11) Following a brief recap from County Administrator Robert Bendorf, Planning Director Wendy Hartman recapped changes proposed to the letter.

MOTION: Move to approve as amended MOVED: Andy Vasquez SECOND: Mary Jane Griego
AYES: Andy Vasquez, Mary Jane Griego, Roger Abe, Hal Stocker
NOES: None ABSENT: John Nicoletti ABSTAIN: None
C. Community Development and Services

1. Establish a policy on Public Works participation in the proposed Lower Yuba River Access Coalition. (Ten minute estimate) (280-11) Public Works Director Mike Lee recapped request and responded to Board inquiries.

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

D. Library

1. Adopt interim hours of operation for the Library starting July 5, 2011 and ending December 31, 2011. (Ten minute estimate) (281-11) Community Development Director Kevin Mallen recapped the following interim hours and responded to Board inquiries.

   Monday     Closed
   Tuesday    10:30 a.m. to 6:00 p.m.
   Wednesday  10:30 a.m. to 6:00 p.m.
   Thursday   12:00 p.m. to 6:00 p.m.
   Friday     12:00 p.m. to 6:00 p.m.
   Saturday   10:30 a.m. to 6:00 p.m.
   Sunday     Closed

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

E. Sheriff-Coroner

1. Adopt resolution authorizing the imposition of booking fees through the Yuba County Sheriff's Department from arresting agencies pursuant to California Government Code Section 29550. (Fifteen minute estimate) (286-11) Sheriff Durfor recapped request advising notice was provided to agencies affected.

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

   Adopted Resolution No. 2011-53 which is on file in Yuba County Resolution Book No. 42 entitled: "RESOLUTION AUTHORIZING THE IMPOSITION OF BOOKING FEES THROUGH THE YUBA COUNTY SHERIFF'S DEPARTMENT FROM ARRESTING AGENCIES PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 29550."

F. County Administrator

1. Extend employment for Richard Arrow, Assistant Auditor-Controller from July 1, 2011 through September 30, 2011 for the purpose of conducting year-end close activities and beginning the
coordination of the Fiscal Year 2010-2011 audit. (Ten minute estimate) (289-11) County Administrator Robert Bendorf recapped limited term employment request for Mr. Arrow.

The Board recessed at 11:25 a.m. and returned at 11:31 a.m. with all present as indicated above.

Chairman Abe continued the matter to 1:00 p.m.

VII. ORDINANCES AND PUBLIC HEARINGS: The Deputy Clerk read the disclaimer.

A. Ordinance - Hold public hearing, waive reading, and introduce ordinance repealing and reenacting Chapter 8.79 of the Yuba County Ordinance Code for Hammon Grove Park and Sycamore Ranch and resolution to establish reservation processing and fees at same. (Land Use and Public Works Committee recommends approval) (Ten minute estimate) (283-11) Public Works Director Mike Lee recapped changes to day use hours, overnight camping, occupancy, and fees and responded to Board inquiries.

Chairman Abe opened the public hearing. No one came forward

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

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

Adopted Resolution No. 2011-55 which is on file in Yuba County Resolution Book No. 42 entitled: "RESOLUTION ADOPTING A RESERVATION PROCESS AND ESTABLISHING FEES AT HAMMON GROVE AND SYCAMORE RANCH."

B. Public Hearing - Hold public hearing and adopt findings of fact, conclusions of law and orders authorizing the assessment of administrative and abatement costs and penalties in the amount of $15,719.40 and the recording of a lien located at 7655 State Highway 70, Marysville (Rajinder S. and Paramdeep Chohan). (Ten minute estimate) (284-11) At the request of County Administrator Robert Bendorf the item was postponed to a future date.

C. Public Hearing - Hold public hearing and adopt resolution for an amended Community Development Block Grant (CDBG) Program Income Reuse Plan governing program income from CDBG assisted activities. (Ten minute estimate) (285-11) Administrative Technician Linda Monroe read the Notice of Public Hearing.

Chairman Abe opened public hearing. No one came forward.

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

Adopted Resolution No. 2011-54 which is on file in Yuba County Resolution Book No. 42 entitled: "ADOPT AN AMENDED CDBG PROGRAM INCOME REUSE PLAN, A REUSE PLAN GOVERNING PROGRAM INCOME FROM CDBG ASSISTED ACTIVITIES."
VIII. CORRESPONDENCE - (288-11)

A. Memorandum from Sutter Yuba Mental Health Board enclosing annual report for Fiscal Year 2010-11. Accepted.

B. Area 4 Agency on Aging Financial Statements and Supplementary Information for Year Ending June 30, 2010. Accepted.

C. Memorandum from Agricultural Commissioner enclosing the Yuba County Agricultural Crop Report for 2010. Accepted.

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

Supervisor Griego:
- Memorial Adjournment - Mr. Oakley Barrett
- Sacramento Area Council of Governments meeting held June 23, 2011
- First Five Yuba Commission meeting held June 23, 2011
- Yuba County Water Agency Administration Committee meeting held June 23, 2011
- CALAFCO Board of Directors meeting Friday, June 24, 2011

Supervisor Abe left the meeting at 11:45 a.m. and returned at 11:47 a.m.

Supervisor Vasquez:
- Naturalization Ceremony held Friday June 24, 2011
- Yuba Gardens School fundraiser

Supervisor Abe:
- Memorial Adjournment - Dr. Yukata Toyoda
- Memorial Adjournment - CMSgt. Lee Matisse III and Mr. Taylor Minton

County Counsel Angil Morris-Jones: Yuba County to serve as the host county for the naturalization ceremony in 2012

County Administrator:
- State budget update included potential surcharge to rural property owners for CalFire services
- Opposed changes in legislative rules on AB109 Criminal Justice Alignment

Community Development and Service Director Kevin Mallen: Handouts detailing water safety available and provided to citizens at recreational areas along the Yuba river and to Beale personnel

Legislative Affairs Coordinator Russ Brown: AB1178 Place of Origin regarding landfills

X. CLOSED SESSION: The board retired into closed session at 12:03 p.m.

A. 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
B. Personnel pursuant to Government Code §54957 - Public Appointment/Instructions/Library Director

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

D. Pending litigation pursuant to Government Code §54956.9(a) - Sprint Telephony PCS, L.P., et al v. California State Board of Equalization, et al. San Francisco County Superior Court Case No. CGC-11-511398

County Administrator Robert Bendorf left closed session at 12:12 p.m. during discussion on DDA Labor Negotiations, and returned at 12:20 p.m.

The Board returned from closed session at 12:27 p.m. with all members present as above. Counsel advised direction was given on matters A through C, and authority was provided to defend the matter of pending litigation by unanimous vote.

The Board recessed at 12:25 a.m. and reconvened in closed session at 12:54 p.m. on item E.

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

The Board returned from closed session at 1:05 p.m. with all members present as above. Chairman Abe advised Item E Department Head Evaluation had been continued to July 12, 2011.

XI. COUNTY DEPARTMENTS:

County Administrator

A. Extend employment for Richard Arrow, Assistant Auditor-Controller from July 1, 2011 through September 30, 2011 for the purpose of conducting year-end close activities and beginning the coordination of the Fiscal Year 2010-2011 audit. (Ten minute estimate) (289-11) Mr. Bendorf requested to amend the time frame for the position to end October 31, 2011, and responded to Board inquiries. Auditor-Controller Dean Sellers and Assistant Auditor-Controller Richard Arrow responded to Board inquiries.

Following Board discussion Mr. Bendorf advised Mr. Arrow would provide the Board monthly progress reports on the yearend closeout.

MOTION: Move to approve through October 31, 2011 MOVED: Mary Jane Griego SECOND: Hal Stocker
AYES: Mary Jane Griego, Hal Stocker, Andy Vasquez, Roger Abe
NOES: None ABSENT: John Nicoletti ABSTAIN: None
XII. **ADJOURN** 1:37 pm by Chairman Abe in memory of Mr. Oakley Barrett, Dr. Yataka Toyoda, CMSgt Lee Matisse III, and Mr. Taylor Minton.

[Signature]
Chair

ATTEST: DONNA STOTTERMeyer
CLERK OF THE BOARD OF SUPERVISORS

[Signature]
By: Rachel Ferris, Deputy Clerk

Approved: **July 26, 2011**