The County of Yuba

BOARD OF SUPERVISORS

JULY 26, 2011 – MINUTES

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 Mary Jane Griego was absent. Also present were County Administrator Robert Bendorf, Deputy County Counsel Pat Garamone, and Deputy Clerk of the Board of Supervisors Rachel Ferris. Chairman Abe presided.

I. PLEDGE OF ALLEGIANCE - Led by Supervisor Vasquez

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

MOVED: Hal Stocker
SECOND: John Nicoletti

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

A. Administrative Services

1. Authorize Budget Transfer in the amount of $157,310 to allocate grant funds received for completion of the Airport Construction Project. (314-11) Authorized.

B. Clerk of the Board of Supervisors


C. Community Development and Services

1. Award contract to Escheman Construction the apparent low bidder, for Rose Avenue Improvement Project and authorize the Chair to execute same upon County Counsel review and approval. (316-11) Approved.

PULLED FOR DISCUSSION ITEMS D, E, AND F

D. Health and Human Services

1. Adopt resolution authorizing Yuba County Health and Human Services Department to enter into agreement with the State of California for Multipurpose Senior Services Funds for the term of July 1, 2011 through June 30, 2012 and authorize the Chair to execute documents as required by the agreement.
and any pertinent documents related to this program and to authorize the acceptance of funds. (Health and Human Services Committee recommends approval) (317-11) Supervisor Nicoletti recapped services the program provides.

Adopted Resolution No. 2011-59 which is on file in Yuba County Resolution Book No. 42 entitled: "AUTHORIZE YUBA COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT TO ENTER INTO AGREEMENT WITH THE STATE OF CALIFORNIA FOR MULTIPURPOSE SENIOR SERVICES FUNDS FOR THE TERM OF JULY 1, 2011 THROUGH JUNE 30, 2012 AND AUTHORIZE THE CHAIR TO EXECUTE DOCUMENTS AS REQUIRED BY THE AGREEMENT AND ANY PERTINENT DOCUMENTS RELATED TO THIS PROGRAM AND TO AUTHORIZE THE ACCEPTANCE OF FUND."

E. Sutter-Yuba Mental Health

1. Approve Mental Health Services Act Workforce Education and Training Component Five Year Program and Expenditure Plan Fiscal Years 2011/12 through 2015/16. (318-11)

Following Board discussion and responding to inquiries, Mental Health Program Director Brad Luz, agreed to review program goals related to Proposition 63 Mental Health Services Act.

F. Yuba Sutter Economic Development Corporation

1. Adopt resolution approving the 2011-2012 Comprehensive Economic Development Strategy (CEDS) and Program Projection for the Yuba Sutter Economic Development District and authorizing submittal to the Economic Development Administration. (319-11) Economic Development Corporation Brenda Stranix provided a brief recap on the necessity of CEDS document for funding.

Adopted Resolution No. 2011-60 which is on file in Yuba County Resolution Book No. 42 entitled: "RESOLUTION APPROVING THE 2011-2012 COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY AND PROGRAM PROJECTION FOR THE YUBA-SUTTER ECONOMIC DEVELOPMENT CORPORATION AND THE COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY COMMITTEE."

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

IV. PUBLIC COMMUNICATIONS:

Chairman Abe directed Planning Department staff to prepare a time extension ordinance to Urgency Ordinance No. 1506 for the August 2, 2011 meeting.

V. COUNTY DEPARTMENTS

A. Administrative Services

1. Adopt resolution terminating the memorandum of understanding between the County and Yuba County Office of Education for lease of the Olivehurst Community Center. (Fifteen minute estimate) (320-11) Assistant Director Tara Repka Flores recapped request to terminate the memorandum of understanding and responded to Board inquiries.
Responding to inquiries Mr. John Floe, Sutter-Yuba Mental Health, and Office of Education Superintendent Scotia Sanchez-Holmes advised work is in progress with multiple agencies to support the seniors.

The following individuals spoke:
- Ms. Daisy Shelton
- Ms. Irene Bloom

County Administrator Robert Bendorf advised the rents through September had been approved in the 2011-12 budget and arrangements were made with Office of Education for the remaining three months rent due the first of next year. Additionally the County would continue to provide assistance and support.

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


B. Board of Supervisors

1. Appoint one individual to the Yuba Sutter Mental Health Board with term ending July 26, 2014. (Five minute estimate) (321-11)

MOTION: Move to appoint Dennis M. Ayers  MOVED: Hal Stocker  SECOND: John Nicoletti
AYES: Hal Stocker, John Nicoletti, Andy Vasquez, Roger Abe
NOES: None  ABSENT: Mary Jane Griego  ABSTAIN: None

C. Emergency Services

1. Adopt resolution approving agreement with California Department of Forestry and Fire Protection for fire protection dispatch. (Protection Inspection Committee recommends approval) (Five minute estimate) (322-11) County Administrator Robert Bendorf recapped agreement and responded to Board inquiries.

Linda Fire Department Chief Webb responded to Board inquiries.

Adopted Resolution No. 2011-62 which is on file in Yuba County Resolution Book No. 42 entitled: "RESOLUTION AUTHORIZING THE CHAIRMAN OF THE BOARD TO EXECUTE THE COOPERATIVE FIRE PROTECTION AGREEMENT, SCHEDULE 'A' CONTRACT."

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

1. Adopt resolution authorizing submitting application to California Department of Alcohol and Drug Programs to participate in the Drug Medi-Cal Program for substance abuse clinics. (Human Services Committee recommends approval) (Ten minute estimate) (323-11) Health and Human Services Director Suzanne Nobles recapped funding and history of program and responded to Board inquiries.

Supervisor Abe left the meeting at 10:22 a.m.

Adopted Resolution No. 2011-63 which is on file in Yuba County Resolution Book No. 42 entitled: "AUTHORIZE YUBA COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT TO SUBMIT AN APPLICATION TO THE CALIFORNIA DEPARTMENT OF ALCOHOL AND DRUG PROGRAMS TO PARTICIPATE IN THE DRUG MEDI-CAL PROGRAM FOR SUBSTANCE ABUSE CLINICS AND FURTHER, AUTHORIZE THE CHAIR OF THE BOARD TO EXECUTE ANY PERTINENT DOCUMENTS RELATED TO THIS PROGRAM AND TO ACCEPT FUNDS."

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

E. Probation

1. Approve request to designate the Yuba County Probation Department as the agency responsible for supervision of prison inmates under post release community supervision and authorization to inform the California Department of Corrections and Rehabilitation of said action. (Five minute estimate) (324-11) Chief Probation Officer Jim Arnold recapped authorization request and responded to Board inquiries.

Supervisor Abe returned to the meeting at 10:26 a.m.

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

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

A. Ordinance - Hold public hearing, waive reading, and introduce an ordinance amending Chapter 7, Title VII of the Yuba County Ordinance Code by repealing in their entirety sections 7.05.220 and 7.05.230 and re-enacting section 7.05.220 regarding payment and collection of unpaid refuse service bills. (Land Use and Public Works Committee recommends approval) (Ten minute estimate) (325-11) Item pulled from consideration at the request of County Administrator Robert Bendorf.

B. Ordinance - Hold public hearing, waive reading, and adopt ordinance adding Chapter 8.77 to Title VIII of the Yuba County Ordinance Code relating to the Star Bend Boat Launch and day use area. (Land Use and Public Works Committee recommends approval) (Second reading) (Continued from July 12, 2011) (Five minute estimate) (302-11) Public Works Director Mike Lee provided a brief recap.

Chairman Abe opened the public hearing. No one came forward
MOTION: Move to close the public hearing, waive reading and adopt ordinance
MOVED: John Nicoletti SECOND: Andy Vasquez
AYES: John Nicoletti, Andy Vasquez, Roger Abe, Hal Stocker
NOES: None ABSENT: Mary Jane Griego ABSTAIN: None

Adopted Ordinance No. 1508 which is on file in Yuba County Ordinance Book No. 22 entitled: "AN ORDINANCE ADDING YUBA COUNTY ORDINANCE CODE TITLE VIII, CHAPTER 8.77 RELATING TO THE STAR BEND BOAT LAUNCH AND DAY USE AREA."

VII. CORRESPONDENCE - (326-11)

A. Schedule of Proposed Actions from the United States Forest Service regarding Plumas National Forest for the period of July 1, 2011 to September 30 2011. Accepted

B. Letter from Yuba Sutter Farm Bureau rescinding prior letter and opinions dated March 25, 2011 regarding the Ostrom Road Landfill rail spur project. (Provided to Planning) Accepted

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

Supervisor Stocker:
• State Fire Responsibility Area fees

Supervisor Abe
• High Sierra Resource and Conservation District meeting held Friday, July 22, 2011 federal funding cut
• Regional Council Rural Counties (RCRC) and California State Association of Counties (CSAC) to review State Fire Responsibility Area fees
• RCRC Annual Conference to be held September 21 - 23, 2011 in El Dorado County

County Administrator Robert Bendorf:
• Regional Waste Management Authority Board adopted the detailed rate application increase
• Slow Rise Flood Plan contract with MBK Engineering
• Budget Workshops scheduled August 9th, 1 p.m. - 5 p.m. and August 16th, 8:30 a.m. - 4:30 p.m. in the Marysville/Wheatland Conference rooms

IX. CLOSED SESSION: The Board retired into closed session at 10:41 a.m. to discuss the following:

A. 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

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

The Board returned from closed session at 10:54 a.m. with all Board members present as indicated above.

Chairman Abe advised direction was provided to staff on all matters.
X. **ADJOURN:** 10:54 a.m. by Chairman Abe.

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

[Signature]

By: Rachel Ferris, Deputy Clerk

Approved: August 9, 2011

Chair