The County of Yuba
BOARD OF SUPERVISORS

AUGUST 2, 2011 - MINUTES

The Honorable Board of Supervisors of the County of Yuba met in special 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. Mary Jane Griego was absent. Also present were County Administrator Robert Bendorf, County Counsel Angil Morris-Jones, and Clerk of the Board of Supervisors Donna Stottlemyer. Chairman Abe presided.

I. PLEDGE OF ALLEGIANCE - Led by Supervisor Nicoletti

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

A. Auditor-Controller

1. Receive and accept letter of resignation from Auditor-Controller Dean Sellers to be effective December 30, 2011. (328-11) Accepted.

2. Approve removal of inventory from fixed assets from the Sheriff’s Department. (329-11) Approved.

B. Clerk of the Board of Supervisors

1. Approve minutes of the regular meeting of July 12, 2011. (330-11) Approved as written.

C. Sheriff-Coroner

1. Approve Animal Care Services operating hours for Office and Shelter as follows: Weekdays 8:30 a.m. - 3:30 p.m., Saturdays, 9:00 a.m. to Noon, Closed Sundays. (Law and Justice Committee recommends approval) (331-11) Sheriff Steve Durfor recapped the change in hours and responded to Board inquiries.

MOTION: Move to approve   MOVED: Hal Stocker SECOND: Mary Jane Griego
AYES: Hal Stocker, Mary Jane Griego, Andy Vasquez, John Nicoletti, Roger Abe
NOES: None   ABSENT: None   ABSTAIN: None
IV. PUBLIC COMMUNICATIONS: Mr. Richard Eberle, Olivehurst, commented on the Grand Jury Report recommendation regarding the Auditor-Controller and felt it should remain as an elected official to maintain integrity.

V. COUNTY DEPARTMENTS

A. Clerk of the Board of Supervisors

1. Receive presentation and adopt resolution accepting gift of lithographs depicting Yuba County from Barbara McCrory. (Finance and Administration Committee recommends approval) (Five minute estimate) (332-11)

Following a brief recap from Clerk of the Board Donna Stottlemeyer, Mrs. Barbara McCrory and Ms. Sue Cejnor Moyers discussed the background of the Thompson and West 1873 Publishing of lithographs and Mr. McCrory's love of the County and its history which was followed by Board comments in appreciation of the generous donation to the county in his memory.

MOTION: Move to adopt       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

Adopted Resolution No. 2011-64, which is on file in Yuba County Resolution Book No. 42 entitled: "RESOLUTION ACCEPTING GIFT OF LITHOGRAPHS PURSUANT TO GOVERNMENT CODE §25355."

B. County Administrator

1. Appoint Louie Mendoza the Agricultural Commissioner/Sealer of Weights and Measures to a successive four year term effective August 7, 2011. (333-11) County Administrator Robert Bendorf provided a brief recap which was followed by Agricultural Commissioner Louie Mendoza.

MOTION: Move to approve       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

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

A. Ordinance - Hold public hearing, waive reading, and adopt interim ordinance extending Urgency Ordinance No. 1506 for 10 month, 15 days, until and through June 20, 2012, that adopted interim zoning provisions to ensure that the physical development in the county occurs in conformity with the General Plan and amending Section 13.20.300 adding fees for administrative permits. (45 minute estimate) (Continued from June 14, 2011) (238-11) Community Development and Services Agency Director Kevin Mallen recapped the purpose of the extension and responded to Board inquiries.

Chairman Abe opened the public hearing. No one came forward.

MOTION: Move to adopt       MOVED: Hal Stocker   SECOND: John Nicoletti
AYES: Hal Stocker, John Nicoletti, Andy Vasquez, Mary Jane Griego, Roger Abe
NOES: None     ABSENT: Roll Call Absent   ABSTAIN: None
Adopted Ordinance No. 1509, which is on file in Yuba County ordinance Book No. 22 entitled: "AN INTERIM ORDINANCE OF THE YUBA COUNTY BOARD OF SUPERVISORS EXTENDING URGENCY ORDINANCE NO. 1506 FOR 10 MONTHS, 15 DAYS, UNTIL AND THROUGH JUNE 20, 2012, THAT ADOPTED INTERIM ZONING PROVISIONS TO ENSURE THAT THE PHYSICAL DEVELOPMENT IN THE COUNTY OCCURS IN CONFORMITY WITH THE GENERAL PLAN AND AMENDING SECTION 13.20.300 ADDING FEES FOR ADMINISTRATIVE PERMITS."

B. Public Hearing - Hold public hearing to receive public comments on the three Supervisorial District Boundary Alternatives. (30 minute estimate) (334-11) Community Development and Services Agency Director Kevin Mallen recapped the three boundary alternatives and responded to Board inquiries.

Chairman Abe opened the public hearing.

The following individuals spoke:
- Mr. Ed Fleming, Marysville
- Mr. Chris Pedigo, Marysville
- Mr. Michael Paine, Maysville
- Mr. Don Schrader, District 10

Chairman Abe closed the public hearing.

C. Public Hearing - Hold public hearing and select a preferred Supervisorial District Boundary Map. (30 minute estimate) (334-11) Community Development and Services Agency Director Kevin Mallen advised it was the time for board deliberation and selection of the preferred alternative to allow time for preparation of the legal description and receive Federal clearance prior to the November 1st deadline.

Following Board discussion on the alternatives with a preference toward Alternative 3 with various manipulations, Chairman Abe opened the public hearing. No one came forward.

MOTION: Move to close public hearing and select option 3 as preferred alternative understanding that there may be further manipulation between District 3 and 4 differentials on Highway 65, there would be no adjustments in the Hallwood area, keeping Beale within one district, and to bring back changes to the August 9th Board meeting
MOVED: John Nicoletti SECOND: Mary Jane Griego
AYES: John Nicoletti, Mary Jane Griego, Roger Abe, Andy Vasquez
NOES: Hal Stocker ABSENTE: None ABSTAIN: None

Mr. Mallen clarified his understanding of the motion was:
- Manipulate Alternative 3 with the change for the Highway 65 corridor to be represented by District 3 and 4 with District 3 on the west side of 65 and the eastern side to District 4
- Population taken away from the eastern side of District 3 to be made up in northern Plumas Lake
- Alternative 3 and the changes brought forward at the August 9th meeting

VII. CORRESPONDENCE - (335-11)

A. Notice from State of California Department of Public Health enclosing the Local Primacy Agency Annual Evaluation Report covering the period from July 1, 2009 through June 30, 2010. Accepted.
B. Two notices from State of California Fish and Game Commission regarding proposed regulatory action relating to commercial herring fishery and, Notice of Change of Dates of Discussion and or Adoption Hearing from August 4, 2011 to August 3, 2011. Accepted.

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

Supervisor Abe:
- Retirement ceremony for Peter Savage from Sheriff’s Department
- Feather River Air Quality Management District Directors meeting held August 1, 2011 regarding positions allocations, policies, and salary increase
- Yuba County Fire Chief’s Association meeting held August 1, 2011
- State responsibility area fees for fire protection

County Counsel Angil Morris-Jones: Proposed legislation regarding Proposition 218 Implementation Guide and providing services at level of funding received

County Administrator Robert Bendorf: Received Board concurrence to participate on committee regarding training plan related to AB 109 Criminal Justice Realignment

IX. ADJOURN: 7:56 p.m. by Chairman Abe.

[Signature]
Chair

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

[Signature]
Approved: August 23, 2011

08/02/11 - BOS

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