The County of Yuba

BOARD OF SUPERVISORS

AUGUST 9, 2011 – MINUTES

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 9:51 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, County Counsel Angil Morris-Jones, and Deputy Clerk of the Board of Supervisors Rachel Ferris. Chair Abe presided.

I. PLEDGE OF ALLEGIANCE - Led by Supervisor Griego

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.

Chairman Abe introduced Browns Valley Cemetery District applicant Ms. Susan Lee.

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

A. Clerk of the Board of Supervisors


2. Approve minutes from the regular meeting of July 26, 2011. (339-11) Approved as written.

B. Community Development and Services

1. Award contract to Freddi's Grading and Paving, the apparent low bidder for Wheeler Ranch Phase 1 project at Feather River Boulevard and Plumas Arboga Road and authorize the Chairman to execute same upon County Counsel review and approval. (340-11) Approved.

2. Award contract to DeSilva Gates Construction, the apparent low bidder for Rubberized Asphalt Concrete Road Rehabilitation - Various Areas project and authorize the Chairman to execute same upon County Counsel review and approval. (341-11) Approved.

3. Adopt resolution authorizing the Director of Environmental Health to apply for a Hazardous Materials Emergency Preparedness Grant Fiscal Year 2011-2012 and authorizing the Chair to execute all necessary documents. (342-11)
Adopted Resolution No. 2011-65, which is on file in Yuba County Resolution Book No. 42 entitled: "RESOLUTION AUTHORIZING THE DIRECTOR OF ENVIRONMENTAL HEALTH TO APPLY FOR A HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS GRANT FISCAL YEAR 2011/2012."

4. Adopt resolution approving application to the California State Department of Housing and Community Development for funding under the Home Investment partnerships program, and if selected, the execution of a standard agreement, any amendments thereto, and of any related documents necessary to participate in the program. (343-11)

Adopted Resolution No. 2011-66, which is on file in Yuba County Resolution Book No. 42 entitled: "APPROVE AN APPLICATION TO THE CALIFORNIA STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR FUNDING UNDER THE HOME INVESTMENT PARTNERSHIPS PROGRAM; AND IF SELECTED, THE EXECUTION OF A STANDARD AGREEMENT, ANY AMENDMENTS THERETO, AND OF ANY RELATED DOCUMENTS NECESSARY TO PARTICIPATE IN THE HOME INVESTMENT PARTNERSHIPS PROGRAM."


C. District Attorney

1. Authorize destruction of closed misdemeanor case files from 2008 and older, and closed felony case files from 2006 and older, that fall outside the retention mandate of Penal Code § 290.08. (345-11) Authorized.

D. Health and Human Services

1. Approve agreement with BloodSource for blood drive services and authorize the Chairman to execute same. (Human Services Committee recommends approval) (346-11) Approved.

E. Probation

1. Adopt resolution authorizing the Yuba County Probation Department to apply for, and enter into agreements with California Emergency Management Agency and Corrections Standards Authority for grants relating to the delivery of victim and program services and authorizing the County Probation Officer and/or the County Administrator to execute documents as required, to authorize acceptance and transfer of funds, as well as any and all extensions and amendments. (347-11)

Adopted Resolution No. 2011-67, which is on file in Yuba County Resolution Book No. 42 entitled: "RESOLUTION AUTHORIZING THE YUBA COUNTY PROBATION DEPARTMENT TO APPLY FOR AND ENTER INTO AGREEMENTS WITH CALIFORNIA EMERGENCY MANAGEMENT AGENCY AND THE CORRECTIONS STANDARDS AUTHORITY FOR GRANTS RELATING TO THE DELIVERY OF VICTIM AND PROGRAM SERVICES AND AUTHORIZE THE COUNTY PROBATION OFFICER TO EXECUTE DOCUMENTS AS REQUIRED TO AUTHORIZER ACCEPTANCE AND TRANSFER OF FUNDS, AS WELL AS ANY AND ALL EXTENSIONS AND AMENDMENTS."
F. Sheriff-Coroner


IV. SPECIAL PRESENTATION

A. Receive presentation from Administrative Services on local preference purchasing. (Ten minute estimate) (349-11) Administrative Services Director Doug McCoy provided a Power Point presentation on Local Preference Purchasing including the following and responded to Board inquiries.

- Local Preference options
  - Reduction in price
  - Points bonus
  - Sales tax rebate
  - Tie breaker (to local business)
- Surrounding Counties and Cities Models
- Local determinations
  - Yuba County
  - Greater Yuba-Sutter area
  - Including or Excluding Cities
  - Other models
- Primary opposition
- Next steps

Following additional Board discussion, direction was provided to include preference for military personnel, disabled persons, and female businesses owners.

V. PUBLIC COMMUNICATIONS:

Mr. Larry Koshman, Trowbridge, Mutual Benefit Group, commented on the benefit of businesses and provided a handout regarding Medical Marijuana.

Victim Witness Program Manager Jason Roper, recapped Yellow Ribbon Suicide Prevention Program, a bi-county effort with Sutter-Yuba Mental Health focusing on suicide prevention and education.

VI. COUNTY DEPARTMENTS

A. Administrative Services

1. Approve Memorandum of Understanding with Yuba County Office of Education (YCOE) for GIS technical services to support YCOE’s redistricting effort and authorize the Chairman to execute same. (Five minute estimate) (350-11) Administrative Services Director Doug McCoy recapped the support required and responded to inquiries.

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
B. Board of Supervisors

1. Approve letter opposing fees imposed by passage of AB 29 State Responsibility Areas and authorize the Chair to execute same. (351-11) Legislative Affairs Coordinator Russ Brown provided a brief recap of the draft letter and responded to Board inquiries.

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

C. County Administrator

1. Receive updated information concerning the current budget year and take action as appropriate. (352-11) County Administrator Robert Bendorf recapped the recommendations for the proposed 2011-2012 budget including the following and responded to Board inquiries:
   • Use of one time funds to address the remaining structural deficit in the General Fund
   • Health Insurance Premiums projected to increase by 10 percent, increased by 1.92 percent
   • Current Year End Fund balance $763,700
   General Fund Reserves:
   • Use $250,631 of the year end fund balance to restore General Fund reserves to policy level
   General Fund Contingencies:
   • Use $513,069 from general fund balance carryover and $27,004 from health insurance savings for a total of $540,073 to bring the General Fund Contingencies to policy level
   Use of One-Time Revenues - Capital Outlay:
   • Use remainder of health insurance cost avoidance and revised revenue estimates to restore the use of one-time revenues from capital outlay
   Retirement Incentive Program:
   • Receive approval to evaluate implementation of an early retirement program

Following Board discussion, Board consensus was received to move forward with the Retirement Incentive Program.

D. Health and Human Services


MOTION: Move to approve MOVED: John Nicoletti SECOND: Mary Jane Griego
AYES: Mary Jane Griego, John Nicoletti, Andy Vasquez, Roger Abe, Hal Stocker
NOES: None ABSENT: None ABSTAIN: None
VII. RECESS: The Board recessed at 11:11 a.m. and reconvened at 11:24 a.m. with all members present as indicated above.

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

A. Public Hearing - Hold public hearing to allow public comment on the Annual Grantee Performance Report and the Final Grantee Performance Reports and Closeout for the #08-STBG-4840 Community Development Block Grant. (Ten minute estimate) (354-11) Community Services and Housing Director Debbie Phillips the recapped annual grantee performance reports and responded to Board inquiries.

Chairman Abe opened the public hearing. No one came forward

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

B. Public Hearing - Hold public hearing and select a preferred Supervisorial District Boundary Map. (Continued from August 2, 2011) (30 minute estimate) (334-11) Additional information provided August 4, 2011. Community Development and Services Director Kevin Mallen provided a brief recap and responded to Board inquiries.

Following Board discussion relating to other changes to the boundaries between Districts One and Two, Mr. Mallen advised the only change made was to the Highway 65 corridor. County Counsel Angil Morris-Jones advised if the Board wanted additional changes to the maps there would need to be another public hearing. Clerk Recorder/Registrar of Voters Terry Hansen advised the committee only addressed the changes that were requested by the Board for the Highway 65 corridor.

MOTION: Move to approve Alternative Map 3B MOVED: Andy Vasquez SECOND: John Nicoletti
AYES: Andy Vasquez, John Nicoletti, Mary Jane Griego, Roger Abe, Hal Stocker
NOES: None ABSENT: None ABSTAIN: None

The following individual spoke: Mr. Monte Hecker, Ostrom Road, spoke in support of Alternative Map 3

IX. CORRESPONDENCE - (355-11)

A. Notice from State of California Health and Human Services regarding funding for Fraud Investigations and Program Integrity efforts related to the In-Home Supportive Services Program pursuant to the California State Budget Act of 2011. Accepted.

B. Notice from California Mental Health Planning Council Adult System of Care Subcommittee encouraging support for Wellness and Recovery Centers. Accepted.

C. Notice from the Yuba County Auditor-Controller enclosing Independent Audit and financial records for Loma Rica-Browns Valley Community Services District for year ending June 30, 2010. Accepted.

D. Letter from Yuba County Assessor advising of the 2011/2012 Yuba County Assessment Roll Summary. Accepted.
E. Letter from California Fire Safe Council to Community Development and Services regarding Management Review of the County’s National Fire Plan grant projects. Accepted.

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

Supervisor Nicoletti:
- Out of state August 10 - 15, 2011
- Chief Executive Officer Tom Walther, Peach Tree Health Care announced retirement
- Bi-County Solid Waste Independent Hearing Panel hearing held August 8, 2011
- Beale Air Force Base Liberty and NC12 programs creating new positions
- Memorial Adjournment - Ms. Mary Staley

Supervisor Griego:
- Memorial Adjournment - Mr. Earl Manion
- Local Agency Formation Commission (LAFCO) meeting August 3, 2011, California LAFCO telephone conference August 8, 2011
- Wheatland School District meeting August 3, 2011
- Sacramento Area Council of Governments (SACOG) Land Use and Air Quality committee meeting held August 4, 2011

Supervisor Stocker:
- Memorial Adjournment - Mr. Edward Mitchell
- Memorial Adjournment - Mr. Ed Donaldson
- Yuba Sutter Fair Junior Livestock Auction
- Loma Rica Lions Club Blues Festival and Forbestown Daze held August 6, 2011

Supervisor Abe:
- LAFCO meeting August 3, 2011
- Plumas Wheatland School District meeting August 3, 2011
- Fremont Rideout Cancer Center ground breaking August 3, 2011
- Yuba Sutter Fair Junior Livestock Auction hog purchase for employee picnic
- Amendment to Proposition 218 Implementation Guide

XI. CLOSED SESSION: The Board retired into closed session at 12:01 p.m.

A. Pending litigation pursuant to Government Code §54956.9(a) - Donahoe vs. Yuba-Sutter Transit and County of Yuba

The Board returned from closed session at 12:05 p.m. with all members present as indicated above, there was no reportable action.
XII. **ADJOURN:** 12:05 p.m. by Chairman Abe in memory of Ms. Mary Staley, Mr. Earl Manion, Mr. Edward Mitchell and Mr. Ed Donaldson.

ATTEST: DONNA STOTLLEMEYER  
CLERK OF THE BOARD OF SUPERVISORS

Approved: **August 23, 2011**