The County of Yuba

BOARD OF SUPERVISORS

OCTOBER 25, 2011 - MINUTES

The Honorable Board of Supervisors of the County of Yuba met in special session on the above date, commencing at 9:30 a.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 Stocker

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

A. Clerk of the Board of Supervisors

   1. Approve minutes of the regular meetings of September 27 and October 11, 2011. (464-11) Approved as written.

B. Community Development and Services

   1. Approve contract with Dokken Engineering for professional services for closeout design of Feather River Boulevard - State Route 70 Interchange and authorize the Chair to execute upon review and approval of Counsel. (465-11) Approved.

   2. Adopt resolution approving transfer of five parcels of real property to the County of Yuba Resources Conservation District and approve transfer of one parcel to the City of Marysville under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 program. (466-11) Adopted Resolution No. 2011-93, which is on file in Yuba County Resolution Book No. 42 entitled: "ACCEPT THE TRANSFER OF FIVE PARCELS OF REAL PROPERTY TO THE COUNTY OF YUBA RESOURCES CONSERVATION DISTRICT AND APPROVE TRANSFER OF ONE PARCEL ALONG THE YUBA RIVER SOUTH OF THE MARYSVILLE CITY LIMITS TO THE CITY OF MARYSVILLE UNDER THE CALIFORNIA CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOOD PARKS, AND COASTAL PROTECTION ACT OF 2002 PROGRAM."

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3. Adopt resolution approving application for Department of Transportation National Infrastructure Investments Tiger Discretionary Grants for Beale Air Force Base Gateway Complete Streets and Economic Revitalization project. (467-11) Adopted Resolution No. 2011-94, which is on file in Yuba County Resolution Book No. 42 entitled: "APPROVE APPLICATION FOR UNITED STATES DEPARTMENT OF TRANSPORTATION NATIONAL INFRASTRUCTURE INVESTMENTS TIGER DISCRETIONARY GRANTS FOR BEALE AIR FORCE BASE GATEWAY COMPLETE STREETS AND ECONOMIC REVITALIZATION PROJECT."

4. Approve Amendment No. 1 to agreement with Sandgren Real Estate Group Helm Properties for the neighborhood stabilization program and authorize the Chairman to execute. Approved.

C. Health and Human Services

1. Approve agreement with Yuba College for the Independent Living Program and authorize Chair to execute same. (Human Services Committee recommends approval) (469-11) Approved.

2. Approve In Home Supportive Services Fraud Prevention Plan, accept State/Federal funds, and authorize Chair to execute same. (Human Services Committee recommends approval) (470-11) Approved.

IV. SPECIAL PRESENTATION

A. Present 2011 Employee Recognition Awards. (Fifteen minute estimate) (471-11) (No background material)

The Board presented Recognition Awards to the following:
- Outstanding Leadership: Kimberly Heisch, Assistant Assessor
- Public Service Excellence: Nancy Lacey, Probation
- Workforce Excellence: Sharry Hastey, Health and Human Services
- Exceptional Teamwork: One Stop Employment and Training Specialist Unit - Ann Chellis, Theresa Gallier, Scott Gillett, Sheila Grimsley, Betty Mello, Robin Timoszyk
- Sustained Effort Recognition: Victim Advocacy and Community Response Team (Probation) - Terri Ayers, Liz Rodriguez, Valerie Hammes, Angie Martinez

V. PUBLIC COMMUNICATIONS

Mr. Herman Von Borstell, Olivehurst, regarding climate change and global warming.

Mr. Dennis McCloud, Olivehurst, regarding safety and lack of constraints on medicinal marijuana growth and process centers.

VI. COUNTY DEPARTMENTS

A. County Administrator

1. Receive staff report regarding State Controller's Audit for Traffic Fines for Fiscal Years 2004-2005 through 2008-2009 and take action as appropriate. (15 minute estimate) (472-11) County Administrator Robert Bendorf recapped findings of amounts over-remitted, pay back of over-remittance, outstanding pay back from the City of Marysville and draft repayment agreement, and options for repayment. Mr. Bendorf responded to Board inquiries.

Supervisor Stocker left the meeting at 10:11 and returned at 10:18 a.m.

Counsel responded to inquiries regarding statute of limitations.
Following discussion, Board consensus was to discuss at upcoming Marysville Liaison Committee meeting and follow-up Board discussion at the November 15th Board meeting.

VII. **CORRESPONDENCE** - (473-11)

A. Notice from California Department of Fish and Game of a public hearing November 28, 2011 at 10:00 a.m. in Sacramento regarding action relating to the SHARE Program. (Copy provided to Yuba County Fish and Game Advisory Commission) Accepted.

B. Letter from Linda Fire Protection District Chairman Robert Shim regarding a survey/questionnaire. Accepted.

C. Notice from California Fish and Game Commission relating to public use of department lands. (Copy provided to Fish and Game Advisory Commission) Accepted.

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

**Supervisor Stocker:**
- Memorial Adjournment – Mr. Eric Neal Hellberg
- Coastal preservation and tour of Luther Burbanks Home
- Septic systems testing regulations

**Supervisor Griego:**
- Levee Dedication on October 27th from 11-2:00 p.m. at Eufay Woods Memorial Park
- Sierra View Movie night
- Memorial Adjournment - Mrs. Peggy Owens

**Supervisor Nicoletti:**
- Memorial Adjournment - Mr. Johnny Arnold
- California Pioneers of African Descent presentation held at Mount Olivet Baptist Church October 24, 2011

**Supervisor Vasquez:** Linda cleanup scheduled November 5, 2011 at the Yuba County Airport

**Supervisor Abe:**
- Department Head Development Session held October 14, 2011
- Beale Air Force Base day held October 14, 2011
- Water Education Foundation seminar regarding the Delta held October 18, 2011
- Emergency Medical Services Committee held October 19, 2011
- Table top exercise for Yuba and Sutter counties scheduled November 17, 2011

County Administrator Robert Bendorf: County Administrators Conference held October 19 - 21, 2011

IX. **CLOSED SESSION:** The Board retired into closed session at 10:45 a.m. to discuss the following:

A. Threatened litigation pursuant to Government Code §54956.9(b) - **One Claim/Dorris**

B. Potential litigation pursuant to Government Code §54956.9(b) - **One Case**

The Board returned from closed session at 11:23 a.m. with all present as indicated above.
Counsel Angil Morris-Jones advised by unanimous vote the Board denied the claim of Dorris and stated staff was provided direction on potential litigation.

X. **ADJOURN**: 11:23 a.m. by Chairman Abe in memory of Mrs. Peggy Owens, Mr. Johnny Arnold, and Mr. Eric Neal Hellberg.

ATTEST: DONNA STOTTERMeyer
CLERK OF THE BOARD OF SUPERVISORS

Approved: 12-6-2011