The County of Yuba

BOARD OF SUPERVISORS

MARCH 27, 2012 – MINUTES

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 9:43 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, Chief Deputy County Counsel Pat Garamone, and Deputy Clerk of the Board of Supervisors Rachel Ferris. Chair Stocker presided.

I. PLEDGE OF ALLEGIANCE - Led by Supervisor Abe

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

A. Administrative Services

1. Authorize Budget Transfer in the amount of $16,110 from State Enterprise Zone Tax Credit program to various salaries and benefits line items to increase position of Administrative Technician from 50 percent to 100 percent funded for period January 1, 2012 to June 30, 2012. (083-12) Authorized.

B. Clerk of the Board of Supervisors

1. Approve minutes of the meeting of March 13, 2012. (085-12) Approved as written.

C. Clerk-Recorder/Elections

1. Adopt resolution authorizing agreement with State of California Secretary of State for HAVA Elections Assistance under Section 271 Program, Post-Elections Audit Program, and authorizing the Clerk-Recorder/Registrar of Voters to execute all documents required by the grant and any pertinent documents related and acceptance of funds. (086-12)
Adopted Resolution No. 2012-17, which is on file in Yuba County Resolution Book No. 43 entitled: "AUTHORIZE THE YUBA COUNTY CLERK-RECORDER/REGISTRAR OF VOTERS TO ENTER INTO AGREEMENT WITH THE CALIFORNIA SECRETARY OF STATE FOR HAVA ELECTIONS ASSISTANCE UNDER SECTION 271 PROGRAM FOR A POST-ELECTION AUDIT PROGRAM AND AUTHORIZE CLERK-RECORDER/REGISTRAR OF VOTERS TO EXECUTE DOCUMENTS
AS REQUIRED BY THE GRANT AND ANY PERTINENT DOCUMENTS RELATED TO THIS PROGRAM AND AUTHORIZE ACCEPTANCE OF FUNDS."

D. Community Development and Services

1. Approve Plans and Specifications and Estimate, authorize advertisement of bids for North Beale Shoulder Widening project, and authorize the Chair to execute same. (087-12) Approved.

2. Approve agreement with Nolte Associates, Inc., for Spring Valley Road and Waldo Road Bridge Replacement projects and authorize the Chair to execute same. (088-12) Approved.


4. Adopt resolution authorizing submission of revised transportation claim for funds from the Transportation Development Act of 1971 as amended to Sacramento Area Council of Governments. (090-12)
   Adopted Resolution No. 2012-18, which is on file in Yuba County Resolution Book No. 43 entitled: "RESOLUTION AUTHORIZING SUBMISSION OF REVISED TRANSPORTATION CLAIM FOR FUNDS FROM THE TRANSPORTATION DEVELOPMENT ACT OF 1971 AS AMENDED."

5. Accept Honcut Bridge Replacement Project as complete and authorize the Public Works Director to sign and record the Notice of Completion. (091-12) Approved.

E. Sheriff-Coroner

1. Adopt resolution authorizing the Sheriff to execute the State application for financial aid for the boating program and approving contract with Department of Boating and Waterways for boating and safety enforcement activities for Fiscal Year 2012-2013. (092-12)
   Adopted Resolution No. 2012-19, which is on file in Yuba County Resolution Book No. 43 entitled: "RESOLUTION AUTHORIZING THE SHERIFF TO EXECUTE THE STATE APPLICATION FOR FINANCIAL AID FOR THE BOATING PROGRAM FISCAL YEAR 2012-2013."

IV. SPECIAL PRESENTATION

A. Present County employee service awards. (No background material) (Thirty minute estimate) (104-12)
   Human Resources Director Martha Wilson and Board members presented Service Awards and congratulated employees for their years of County services.

   10 Years Service
   Michelle Arsenault               Perminder Bains               Bonnie Beck
   Gary Bradley                    Tamara Brown                    Kayeng Cha
   Janet Crocker                   Kim Crow                       Craig Curtis
   Rachel David                    Lovenia DeCamp                 Shirley Derryberry
   Laura Deshazer                  Scott Dewitt                    Rachelle Diamond
   Suzanne Dorsey                  Laura Downing                   Karen Ewing
   Brett Felion                    Lorena Foster                   Shawna Gasque
   Carmen Gonzales                 Catherine Goodson               Mary Jane Griego
   Pamela Hallford                 Sharry Hasty                   Andrew Henderson
   Chester Hendrix                 Jerry Henry                     Lisa Holliman

03/27/2012 - BOS
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The Board recessed at 9:58 a.m. and reconvened at 10:13 a.m. with all present as indicated above.

V. **PUBLIC COMMUNICATIONS:** No one came forward.

VI. **COUNTY DEPARTMENTS**
A. Community Development and Services

1. Adopt resolution designating Board of Supervisors to serve as the successor agency of the Yuba County Redevelopment Agency and elect to retain the assets and functions previously performed by the Yuba County Redevelopment Agency. (093-12) Community Development and Services Director Kevin Mallen recapped state action regarding redevelopment agencies and responded to Board inquiries.

Auditor-Controller Rich Eberle responded to specific questions regarding the establishment of an oversight committee and how committee would be staffed.

MOTION: Move to adopt
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

Adopted Resolution No. 2012-20, which is on file in Yuba County Resolution Book No. 43 entitled: "RESOLUTION DESIGNATING THE BOARD OF SUPERVISORS OF THE COUNTY OF YUBA TO SERVE AS THE SUCCESSOR AGENCY OF THE YUBA COUNTY REDEVELOPMENT AGENCY AND ELECT TO RETAIN THE ASSETS AND FUNCTIONS PREVIOUSLY PERFORMED BY THE YUBA COUNTY REDEVELOPMENT AGENCY."

2. Approve second amendment to agreement with WRA Environmental Consultants and authorize the Chair to execute same. (Five minute estimate) (094-12) Project Planner Dan Cucchi provided a brief recap, addressed concerns presented by YUGAG (Yuba Group Against Garbage), and responded to Board inquiries.

The following individual spoke:
Mr. Richard Paskowitz, Wheatland

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. County Administrator

1. Approve response to the 2011/2012 Grand Jury Reports entitled Unauthorized Changes in Building Permit Fees and Jail Inspection, and authorize the Chair to execute same. (095-12) County Administrator Robert Bendorf recapped responses and responded to Board inquiries.

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

C. Board of Supervisors

1. Appoint one individual to the Fish and Game Advisory Commission as an At-large Representative to fill the term ending May 5, 2013. (084-12) Chief Deputy County Counsel Pat Garamone responded to various questions regarding appointment.
The following individuals spoke:
  o Mr. Frank Cecil, Browns Valley
  o Mr. Buck Weckman, Brownsville
  o Mr. Larry Flynn, Olivehurst

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

MOTION: Move to approve appointment of Mr. Dale Whitmore
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

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

A. Ordinance - Hold public hearing, waive reading, and adopt ordinance enacting Title VI, Chapter 6.76 relating to vendor permits in County parks and recreation area. (Second reading) (Continued from March 13, 2012) (Land Use and Public Works Committee recommends approval) (Five minute estimate) (080-12) Public Works Director Mike Lee provided a brief recap and responded to Board inquiries.

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

MOTION: Move to close the public hearing, waive reading and adopt ordinance
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
Adopted Ordinance No. 1513, which is on file in Yuba County Ordinance Book No. 23 entitled: "ORDINANCE ENACTING YUBA COUNTY ORDINANCE CODE TITLE VI CHAPTER 6.76 RELATING TO VENDOR PERMITS IN COUNTY PARKS AND RECREATION AREAS."

B. Ordinance - Hold public hearing, waive reading, and introduce ordinance amending Chapter 9.20 of Title IX of the Yuba County Ordinance Code by repealing and re-enacting sections 9.20.010 and 9.20.025 relating to parking restrictions for Pinewood Way. (Land Use and Public Works committee recommends approval) (First reading) (Ten minute estimate) (096-12) Public Works Director Mike Lee provided a brief recap and responded to Board inquiries.

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

MOTION: Move to close the public hearing, waive reading and introduce ordinance
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

C. Public Hearing - Hold public hearing, adopt resolution approving the Joint Exercise of Power agreement relating to the California Municipal Finance Authority and adopt resolution approving the issuance of the Bonds of the California Municipal Finance Authority for the benefit of Goodwill Industries of Sacramento Valley and Northern Nevada Project (including any affiliate thereof of the Borrower), to provide for the
financing of the project, in an aggregate principal amount not to exceed $30,000,000. (Ten minute estimate) (097-12) County Administrator Robert Bendorf recapped request and responded to Board inquiries.

Chairman Stocker opened the public hearing. No one came forward

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

Adopted Resolution No. 2012-21, which is on file in Yuba County Resolution Book No. 43 entitled: "ADOPT RESOLUTION EXECUTING JOINT EXERCISE OF POWERS AGREEMENT RELATING TO THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY"; and
Adopted Resolution No. 2012-22, which is on file in Yuba County Resolution Book No. 43 entitled:
"RESOLUTION APPROVING, AUTHORIZING AND DIRECTING EXECUTION OF A JOINT EXERCISE OF POWERS AGREEMENT RELATING TO THE CALIFORNIA MUNICIPALS FINANCE AUTHORITY AND APPROVING THE ISSUANCE OF THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY REVENUE BONDS (GOODWILL INDUSTRIES OF SACRAMENTO VALLEY AND NORTHERN NEVADA PROJECT), SERIES 2012 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $30,000,000 FOR THE PURPOSE OF FINANCING THE ACQUISITION, CONSTRUCTION, IMPROVEMENT RENOVATION, FURNISHING AND EQUIPPING OF CERTAIN RETAIL AND/OR DONATION FACILITIES AND CERTAIN OTHER MATTERS RELATING THERETO."

D. Public Hearing - Hold public hearing and adopt resolution approving application and contract for funding from the State Community Development Block Grant (CDBG) program and authorizing the County Administrator, the Community Services and Agency Director, and the Planning Director to execute certain documents as necessary. (Fifteen minute estimate) (098-12) Community Development and Service Director Kevin Mallen provided a brief recap, read the public hearing notice, and responded to Board inquiries.

MOTION: Move to adopt 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

Adopted Resolution No. 2012-23, which is on file in Yuba County Resolution Book No. 43 entitled: "APPROVE AN APPLICATION AND CONTRACT EXECUTION FOR FUNDING FROM THE STATE CDBG PROGRAM; AUTHORIZE THE EXECUTION OF A GRANT AGREEMENT AND AMENDMENTS THERETO WITH THE STATE OF CALIFORNIA FOR THE PURPOSES OF THIS GRANT."

VIII. CORRESPONDENCE - (099-12)

MOTION: Move to accept and file 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

A. Notice from California Fish and Game Commission enclosing Economic Impact Analysis relating to Mammal Hunting Regulations. (Copy provided to Yuba County Fish and Game Advisory Commission)

B. Letter from California Department of Housing and Community Services regarding Neighborhood Stabilization Project scheduled monitoring March 27 through 30, 2012.
C. Letter from California Department of Finance regarding redevelopment successor agency representatives.

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

Supervisor Abe:
- Golden State Risk Management Authority meeting held March 14, 2012
- Agricultural Floodplain Management Alliance conference call March 15, 2012
- Economic Advisory Committee meeting held March 16, 2012
- Red Cross Heroes Dinner held March 16, 2012
- Wheatland Lions Club meeting held March 17, 2012
- Emergency Medical Care Committee meeting held March 21, 2012
- Bay-Delta forum meeting held March 23, 2012
- Memorial Adjournment - Mrs. Mary Medina
- News article regarding low cost methods for indoor marijuana cultivation

Supervisor Griego
- Local Government Commission meeting held March 15 - 17, 2012
- Three Rivers Levee Improvement Authority meeting held March 20, 2012
- Feather River Air Quality Management District budget meeting
- Local Area Formation Commission budget meeting
- South County Economic Improvement meeting held March 22, 2012

Supervisor Nicoletti:
- Memorial Adjournment - Mr. Delbert Songer
- Memorial Adjournment - Mr. Robert Fruitman
- Marijuana Cultivation ad hoc committee meeting
- Economic Advisory Committee meeting held March 16, 2012
- Red Cross Heroes Dinner held March 16, 2012

Supervisor Stocker:
- Memorial Adjournment - Mr. Lynn Johnson
- Memorial Adjournment - Ms. JoAnn McClanahan
- Local newspaper article regarding Sutter County Board of Supervisors meeting schedule

X. ADJOURN at 11:44 a.m. by Chairman Stocker in memory of Ms. JoAnn McClanahan, Mrs. Mary Medina, Mr. Delbert Songer, Mr. Robert Fruitman, and Mr. Lynn Johnson.

ATTEST: DONNA STOTTLEMEYER  
CLERK OF THE BOARD OF SUPERVISORS

BY: Rachel Ferris, Deputy Clerk

Chair

Approved: April 17, 2012

03/27/2012 - BOS