The County of Yuba

BOARD OF SUPERVISORS

APRIL 24, 2012 - 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, John Nicoletti, Roger Abe, and Hal Stocker. Supervisor Mary Jane Griego was absent. 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 Nicoletti

II. ROLL CALL - Supervisors Vasquez, Nicoletti, Abe, Stocker – Supervisor Griego was 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 Consent Agenda MOVED: John Nicoletti SECOND: Roger Abe
AYES: John Nicoletti, Roger Abe, Andy Vasquez, Hal Stocker
NOES: None ABSENT: Mary Jane Griego ABSTAIN: None

A. Board of Supervisors

1. Adopt resolution approving grant application to California Arts Council and designating authority to Yuba-Sutter Arts Council to execute all associated documents with grant. (141-12)

   Adopted Resolution No. 2012-29, which is on file in Yuba County Resolution Book No. 43, entitled: "RESOLUTION APPROVING APPLICATION AND AUTHORIZING EXECUTION OF A GRANT CONTRACT WITH THE CALIFORNIA ARTS COUNCIL."

B. Clerk of the Board of Supervisors

1. Reappoint Alma Amaya to the Sutter-Yuba Mental Health Board for a term to end May 5, 2015. (142-12)

   Approved.

2. Reappoint Donald Rae to the Plumas Lake Specific Plan Design Review Committee for a term to expire April 24, 2013. (143-12) Approved.

3. Appoint Kuldip S. Atwal to the Yuba County Assessment Appeals Board No. II as an Alternate for a term to end September 7, 2015. (144-12) Approved.

C. Community Development and Services

1. Adopt resolution certifying the 2011 County Maintained Mileage. (145-12)
Adopted Resolution No. 2012-30, which is on file in Yuba County Resolution Book No. 43, entitled: "RESOLUTION CONCERNING THE COUNTY MAINTAINED MILEAGE."

2. Adopt resolution directing deposit of road maintenance fee pursuant to Recology Franchise Agreement into Fund 102 - Road Fund." (146-12)
Adopted Resolution No. 2012-31, which is on file in Yuba County Resolution Book No. 43, entitled: "A RESOLUTION OF THE BOARD OF SUPERVISORS DIRECTING DEPOSIT OF ROAD MAINTENANCE FEE PURSUANT TO RECOLOGY FRANCHISE AGREEMENT INTO FUND 102 ROAD FUND."

D. District Attorney

1. Adopt resolution authorizing the District Attorney to enter into agreements with the United State Bureau of Justice Assistance for grant funding and to execute required documents. (147-12)
Adopted Resolution No. 2012-32, which is on file in Yuba County Resolution Book No. 43, entitled: "RESOLUTION AUTHORIZING THE DISTRICT ATTORNEY OF YUBA COUNTY TO ENTER INTO AGREEMENTS WITH THE UNITED STATES BUREAU OF JUSTICE ASSISTANCE FOR GRANT FUNDING AND ACT AS THE SIGNING AUTHORITY ON BEHALF OF THE COUNTY OF YUBA TO EXECUTE REQUIRED GRANT DOCUMENTS."

E. Health and Human Services

1. Adopt resolution to authorizing Health and Human Services Department to implement the Coast2Coast RX Discount Prescription Card Program for Yuba residents and authorize the Chairman to execute any related documents and acceptance of funds. (Human Services Committee recommends approval) (148-12)
Adopted Resolution No. 2012-33, which is on file in Yuba County Resolution Book No. 43 entitled: "AUTHORIZE THE YUBA COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT TO IMPLEMENT THE COAST2COAST RX DISCOUNT PRESCRIPTION CARD PROGRAM FOR YUBA RESIDENTS AND AUTHORIZE THE CHAIRMAN TO EXECUTE ANY RELATED DOCUMENTS AND AUTHORIZE ACCEPTANCE OF FUNDS."

2. Authorize Budget Transfer in the amount of $276,352 from Account No. 100-5200-461-62-00 (Fixed Assets) to Account No. 100-5200-451-22-00 (Office Supply) for software upgrades of C-IV computers. (Human Services Committee recommends approval) (149-12) Approved.

F. Probation

1. Adopt resolution authorizing application for, and enter into agreements with California Emergency Management Agency and First Five Yuba for grants relating to Victim and Program Services, and authorizing the County Probation Officer to execute documents, accept transfer of funds, and extensions and amendments. (150-12)
Adopted Resolution No. 2012-34, which is on file in Yuba County Resolution Book No. 43, entitled: "ADOPT A RESOLUTION AUTHORIZING THE YUBA COUNTY PROBATION DEPARTMENT TO APPLY FOR, AND ENTER INTO AGREEMENTS WITH CALIFORNIA EMERGENCY MANAGEMENT AGENCY AND THE FIRST FIVE YUBA FOR GRANTS RELATING TO THE DELIVERY OF VICTIM AND PROGRAM SERVICES AND AUTHORIZE THE COUNTY PROBATION OFFICER TO EXECUTE DOCUMENTS AS REQUIRED, TO AUTHORIZE ACCEPTANCE AND TRANSFER OF FUNDS, AS WELL AS ANY AND ALL EXTENSIONS AND AMENDMENTS."
2. Adopt resolution approving agreement with Corrections Standard Authority/Board of State and Community Corrections (CSA/BSCC) grant relating to the delivery of Juvenile Program Services and authorizing Chief Probation Officer to execute documents as required to authorize acceptance and transfer funds and any and all extensions and amendments. (151-12)

Adopted Resolution No. 2012-35, which is on file in Yuba County Resolution Book No. 43, entitled: "ADOPT A RESOLUTION AUTHORIZING THE YUBA COUNTY PROBATION DEPARTMENT TO APPLY FOR AND ENTER INTO AN AGREEMENT WITH THE CORRECTIONS STANDARD AUTHORITY/BOARD OF STATE AND COMMUNITY CORRECTIONS GRANT RELATING TO THE DELIVERY OF JUVENILE PROGRAM SERVICES AND AUTHORIZE THE YUBA COUNTY CHIEF PROBATION OFFICER TO EXECUTE DOCUMENTS AS REQUIRED TO AUTHORIZE ACCEPTANCE AND TRANSFER OF FUNDS, AS WELL AS ANY AND ALL EXTENSIONS AND AMENDMENTS."

IV. SPECIAL PRESENTATION

A. Present proclamation to Feather River Air Quality Management District proclaiming May 2012 as "May is Bike Month." (Five minute estimate) (152-12) Chairman Stocker read the proclamation.

V. PUBLIC COMMUNICATIONS: No one came forward.

VI. COUNTY DEPARTMENTS

A. Human Resources and Organizational Services

1. Adopt resolution amending the departmental position allocation schedule effective May 1, 2012 as it relates to the Auditor-Controller. (Ten minute estimate) (153-12) County Administrator Robert Bendorf recapped request and responded to Board inquiries.

   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

Adopted Resolution No. 2012-36, which is on file in Yuba County Resolution Book No. 43, entitled: "RESOLUTION AMENDING THE DEPARTMENT POSITION ALLOCATION SCHEDULE," as it relates to the Auditor-Controller's office effective May 1, 2012.

B. Probation

1. Adopt resolution proclaiming April 22 - 29, 2012 National Crime Victims' Rights Week in celebration of service to victims of crime and commending Yuba County Probation and other units of government for providing exemplary service to victims of crime; and authorize temporary pictorial memorial in various county buildings. (Twenty minute estimate) (154-12) Program Manager Jason Roper recapped efforts by the Probation Department and other County agencies, the success of the Candlelight Vigil and presented awards to the following:

   o Hero Medal - Patricia Lewis
   o Church of Jesus Christ Latter Day Saints, Marysville Ward - Cheryl Totten and Kim Eldeen
   o The Body Shop - Irene Lujan and Gerald Lujan
   o Yuba County Sheriff's Department - Records Clerk Beth Marshall
Yuba County Sheriff's Department - Detective Frank Knight
Child Protective Services Clinical Social Workers - Monique Phillips and Reem Burris
Marysville Police Department - Gabrielle "Gabby" Carter
Probation Department - Tim Roberson
Deputy District Attorney - Theresa Sydow
Program Volunteers - Stephanie Wright, Wendy Alt, Melissa Ballau, Adam Reeb, Danae Dennis and Jolene Stone
Victim Services - Valeree Hammes
Brownsville Quilt Guild
Sutter Buttes Doll and Study Club

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

Adopted Resolution No. 2012-37, which is on file in Yuba County Resolution Book No. 43, entitled:
"RESOLUTION PROCLAIMING APRIL 22 - APRIL 29, 2012 NATIONAL CRIME VICTIMS' RIGHTS WEEK IN CELEBRATION OF SERVICE TO VICTIMS OF CRIME AND COMMENDING YUBA COUNTY PROBATION AND OTHER UNITS OF GOVERNMENT FOR PROVIDING EXEMPLARY SERVICE TO VICTIMS OF CRIME."

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

A. Ordinance - Hold public hearing, waive reading, and adopt ordinance repealing and re-enacting various chapters of the Yuba County Consolidated Fee Ordinance Code relating to departmental fees. (Finance and Administration Committee recommends approval) (Second Reading) (Continued from April 17, 2012) (Fifteen minute estimate) (138-12) Management Analyst Grace Mull provided a brief recap.

Chairman Stocker opened the public hearing. No one came forward

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

Adopted Ordinance No. 1516, which is on file in Yuba County Ordinance Book No. 23 entitled:

B. Ordinance - Hold public hearing, waive reading, and adopt ordinance amending Section 2.25.010 relating to a regular Board of Supervisors meeting held outside the County seat. (Second Reading) (Continued from April 17, 2012) (Ten minute estimate) (110-12) County Counsel Angil Morris-Jones recapped the request and responded to inquiries.

Chairman Stocker opened the public hearing. No one came forward.
MOTION: Move to close the public hearing 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. 1517, which is on file in Yuba County Ordinance Book No. 23 entitled: "AN ORDINANCE AMENDING SECTION 2.25.010 TO TITLE II OF THE YUBA COUNTY ORDINANCE CODE RELATING TO THE BOARD OF SUPERVISORS MEETINGS."

VIII. ITEM OF PUBLIC INTEREST

A. Consider request to close Shad Road May 4 through 6, 2012, waiving road closure fee of $2,400 per day, and take action as appropriate. (Fifteen minute estimate) (155-12) Mr. Jerrad Fisher recapped request and responded to Board inquiries.

Community Development and Services Director Kevin Mallen responded to specific inquiries related to road closure fees.

Human Resources Director Martha Wilson and County Counsel Angil Morris-Jones expressed concerns regarding insurance and waiver of segregation.

MOTION: Move to approve request and waive road closure fee, approval subject to review of County Administrators Office, Risk Management and County Counsel, and include an alternant route for the public to have river access
MOVED: Andy Vasquez       SECOND: John Nicoletti
AYES: Andy Vasquez, John Nicoletti, Roger Abe, Hal Stocker
NOES: None    ABSENT: Mary Jane Griego    ABSTAIN: None

IX. CORRESPONDENCE - (156-12)

A. Four notices from California Fish and Game Commission regarding receipt of petition to list the gray wolf as an endangered, proposed regulatory action regarding ocean salmon, and Klamath-Trinity Rivers salmon sport fishing, and proposed emergency regulatory action relating to Blue Cavern State Marine Conservation Area. (Copy provided to Yuba County Fish and Game Advisory Commission) Accepted.

B. Letter from Yuba-Sutter Veterans Stand Down requesting letter of support for organization. Accepted.

C. Letter from Department of Veterans Affairs commending Veterans Service Officer Marvin King for work done securing benefits for local veterans and their families. (Copy provided to Human Resources) Accepted.

D. Letter from Mental Health Services Oversight and Accountability Commission enclosing a policy paper on transformation of the mental health system titled, "Client-driven, Family-focused Transformation of the Mental Health System Through the California Mental Health Services Act" Accepted.

E. Letter from California State Rural Health Association regarding organization and member/sponsorship. Accepted.
X. BOARD AND STAFF MEMBERS' REPORTS: Reports were received on the following:

Supervisor Abe:
- Emergency Medical Care meeting held April 18, 2012
- Regional Council of Rural Counties (RCRC) Tour of Colusa rice facilities and National Wildlife Refuge and meeting held April 19, 2012
- California State Association of Counties (CSAC) Institute class on Managing Conflict and Disagreement in Comfort held April 20, 2012
- Riverside Meadows School fundraiser dinner for athletic program held April 20, 2012
- Candlelight Vigil held April 22, 2012

Supervisor Vasquez: Commended Steve Fordice and Reclamation District 784 for refunding fees to Lords Gym

Supervisor Nicoletti:
- Memorial Adjournment - Mr. Omer T. Goodwin
- Installation of radar signs on Alicia Avenue near the school
- Candlelight Vigil held April 22, 2012
- Calls from concerned landlords regarding the marijuana nuisance ordinance
- Resource Development Code Advisory Committee meeting held April 23, 2012
- Linda Fire Association meeting held April 19, 2012
- Perspectives luncheon Friday, April 27, 2012
- Water runoff entering Bullards Bar Reservoir from Good Year Bar

Supervisor Stocker:
- Memorial Adjournment - Mr. Donald Alguire
- Memorial Adjournment - Ms. Deborah Sparks
- Calls from concerned citizens regarding the marijuana nuisance ordinance

County Administrator Robert Bendorf:
- Participated in Children's Home Society job shadow program at Headstart in Marysville
- Shady Creek fundraiser held April 20, 2012
- Ongoing meetings with Finance Committee and Departments regarding the budget
- CSAC working to address trial court security funding issues resulting from realignment

XI. ADJOURN: 11:00 a.m. by Chairman Stocker in memory of Ms. Deborah Sparks, Mr. Donald Alguire, and Mr. Omer T. Goodwin.

ATTEST: DONNA STOTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

BY: Rachel Ferris, Deputy Clerk

Chair

Approved: May 15, 2012

04/24/2012 - BOS

MINUTE BOOK NO. 69 PAGE 60