The County of Yuba
BOARD OF SUPERVISORS
MAY 8, 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, 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 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: John Nicoletti
AYES: Mary Jane Griego, John Nicoletti, Andy Vasquez, Roger Abe, Hal Stocker
NOES: None
ABSENT: None
ABSTAIN: None

A. Administrative Services

1. Approve renewal of Off-Airport Operator agreement and Use Permit with Hust Brothers, Inc. and authorize the Chairman to execute same. (162-12) Approved.

B. Board of Supervisors


C. Clerk of the Board of Supervisors


2. Reappoint Gayle Diemond to the Yuba County Commission on Aging as an At-Large Representative for a term ending May 8, 2015. (164-12) Approved.
3. Appoint Michael Valdez to the Substance Abuse Advisory Board with term ending May 8, 2016. (165-12) Approved.

D. Clerk-Recorder/Elections

1. Approve purchase of electronic and miscellaneous hardware, software, and equipment from the Clerk Recorder Modernization Trust in an amount not to exceed $25,000. (166-12) Approved.

E. Community Development and Services

1. Authorize Budget Transfers in the total amount $167,850 allocating 2011 Community Service Block Grant funding to various line items. (167-12) Authorized.

2. Adopt resolution approving application for the River Parkways grant program for improvement of day use area at Sycamore Ranch. (168-12) Adopted Resolution No. 2012-38, which is on file in Yuba County Resolution Book No. 43, entitled: "APPROVE APPLICATION FOR THE RIVER PARKWAYS GRANT PROGRAM UNDER THE CALIFORNIA CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOOD PARKS, AND COASTAL PROTECTION ACT OF 2002."

F. Library

1. Authorize Budget Transfer in the total amount of $25,000 from various accounts to Account No. 101-6000-462-28-00 (Special Department Expense) for technology improvements and Summer Reading Program. (169-12) Authorized.

IV. SPECIAL PRESENTATION

A. Present proclamation to Fremont-Rideout Health Group honoring National Nurses' Week May 6 - 12, 2012. (Ten minute estimate) (170-12) Chairman Stocker presented proclamation to the following:
   Mr. Jonathan Pulido   Ms. Eva Craig   Ms. Katherine Willing
   Mr. John Rust         Ms. Joy Morgan

V. PUBLIC COMMUNICATIONS:

   o Mr. Richard Boyd, Gary Drive, regarding flood and fire disasters, and insurance costs.

VI. COUNTY DEPARTMENTS

A. Board of Supervisors

1. Provide direction regarding tobacco retailer licensing ordinance. (Ten minute estimate) (173-12) At the direction of Chairman Stocker this item was pulled.

B. Community Development and Services

1. Approve formation of Yuba County Redevelopment Agency Oversight Board; appoint one Board member and County Administrator as representatives; direct solicitation for one public member; and direct Clerk to advise Office of Education, Yuba Community College District, and Olivehurst Public Utility District to make appointment and advise of same. (Ten minute estimate) (174-12) Community Development and Services Director Kevin Mallen provided a brief recap on the formation of an Oversight
Board, member appointments, and advised the first meeting of the Board would be Monday, May 14, 2012 at 3:30 p.m. in the Government Center. Mr. Mallen responded to Board inquiries.

MOTION: Move to approve formation, appoint Supervisor Griego and County Administrator Robert Bendorf, direct solicitation for one public member; and provide direction to the Clerk of the Board to advise Office of Education, Yuba Community College District, and Olivehurst Public Utility District to make appointment and advise of same
MOVED: John Nicoletti SECOND: Andy Vasquez
AYES: John Nicoletti, Andy Vasquez, Mary Jane Griego, Roger Abe, Hal Stocker
NOES: None ABSENT: None ABSTAIN: None

VII. ITEM OF PUBLIC INTEREST

A. Consider resolution regarding Natural Resources Preservation for the November 6, 2012 General Election, provide direction, and take action as appropriate. (Ten minute estimate) (175-12) Following Board discussion the following individuals spoke:
   o Mr. Nick Spaulding, Oregon House
   o Mr. John Larimer, Frakes Way
   o Ms. Shirley Henrikson, Browns Valley
   o Mr. Buck Weckman, Brownsville

Following additional Board discussion, County Counsel Angil Morris-Jones responded to specific inquiries regarding action to be taken.

MOTION: Move to not adopt resolution MOVE: Andy Vasquez SECOND: John Nicoletti
AYES: Andy Vasquez, John Nicoletti, Roger Abe
NOES: Mary Jane Griego, Hal Stocker ABSENT: None ABSTAIN: None

VIII. CORRESPONDENCE - (176-12)

A. Letter of resignation from Dale Whitmore of the Yuba County Fish and Game Advisory Commission. (Copy provided to the Yuba County Fish and Game Advisory Commission/Vacancy notice posted) Accepted.

B. Notice from the State of California Fish and Game Commission regarding proposed regulatory action relating to permits and inspection of facilities for restricted species. (Copy provided to the Yuba County Fish and Game Advisory Commission) Accepted.

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

Supervisor Vasquez:
   o Motocross event held May 4 through 6, 2012 at the MMX Race Track
   o Local Area Formation Commission (LAFCO) Sphere of Influence meeting May 2, 2012

Supervisor Nicoletti:
   o Yuba Gardens Foundation fundraiser held May 5, 2012
   o LAFCO Sphere of Influence meeting May 2, 2012
   o Oregon House Vintage Tractor Days held May 5, 2012
Supervisor Abe:
- LAFCO Sphere of Influence meeting May 2, 2012
- Lords Gym yard sale fundraiser Saturday, May 12, 2012 at 8 a.m. on Lindhurst Avenue
- Wheatland - Beale Community Day at Bear River School Saturday, May 12, 2012
- Riverside Meadows School fundraiser and swap meet, Saturday, May 19, 2012
- Lords Gym dessert auction Saturday, May 19, 2012 at 7 p.m.
- Wheatland Pet Parade Saturday, May 29, 2012

Supervisor Griego:
- LAFCO Sphere of Influence meeting May 2, 2012
- Yuba Sutter Transit Authority meeting held April 19, 2012
- California Local Area Formation Commission Executive Board meeting held May 4, 2012
- Yuba Gardens Foundation fundraiser held May 5, 2012
- 11th Annual Community Clean Up held April 28, 2012
- Pet contest at Eufay Woods Park Saturday, May 12, 2012

Supervisor Stocker: Received Board consensus for a Proclamation for Mr. John P. Parkinson in honor of his 90th birthday

County Administrator Robert Bendorf:
- UC Extension Farm Advisor program meetings regarding program expansion, advising a draft Joint Powers Agreement would be forthcoming
- Working with Curt Aiken and Paul Brunner on the Central Valley Flood Protection Plan
- Working with community of Linda, City of Marysville and LAFCO regarding the city’s Sphere of Influence

X. CLOSED SESSION: The Board retired into Closed Session at 10:56 a.m.

A. Conference with Real Property Negotiator pursuant to Government Code §54956.8 - Property: APN 050-140-056 (Bamford) Negotiating Parties: County of Yuba/Micheal Lee Negotiation: Terms of Payment

B. Conference with Real Property Negotiator pursuant to Government Code §54956.8 - Property: APN 020-133-012 (Lanza)/Multi-Family Site Negotiating Parties: County of Yuba/Kevin Mallen Negotiation: Terms of Payment

C. Pending litigation pursuant to Government Code §54956.9(a) - Hernandez vs. County of Yuba

D. Potential litigation pursuant to Government Code §54956.9(b) - Four Cases

Recessed for Committees at 11:27 a.m. and returned to Closed Session at 11:42 a.m. with all members present with the exception of Supervisor Nicoletti.

The Board returned from Closed Session at 12:13 p.m.

County Counsel Angil Morris-Jones advised in the matters of property negotiations staff was provided authority and direction; in the matter of the pending litigation, staff was directed to continue working with representation of Carl Fessenden of Porter Scott; and additional direction was provided in the four cases of potential litigation.
XI. **ADJOURN:** at 12:14 p.m. by Chairman Stocker.

ATTEST: DONNA STOTTLMEYER  
CLERK OF THE BOARD OF SUPERVISORS

[Signature]

BY: Rachel Ferris, Deputy Clerk

[Signature]

Chair

Approved: May 28, 2012