The County of Yuba

BOARD OF SUPERVISORS

August 7, 2012 - MINUTES

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 6:01 p.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 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.

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. Clerk of the Board of Supervisors

1. Approve minutes of the meetings of July 17 and 24, 2012. (293-12) Approved as written.

B. Community Development and Services

1. Adopt resolution authorizing Community Development and Services Director to complete purchase of APN 021-185-001 as part of Neighborhood Stabilization Program and execute all necessary documents. (298-12)
   Adopted Resolution No. 2012-60, which is on file in Yuba County Resolution Book No. 42, entitled: "RESOLUTION AUTHORIZING YUBA COUNTY COMMUNITY DEVELOPMENT AND SERVICES AGENCY DIRECTOR OR HIS DESIGNEE TO COMPLETE THE PURCHASE OF SINGLE FAMILY RESIDENCES APN 021-185-001 AS PART OF THE NEIGHBORHOOD STABILIZATION PROGRAM AND EXECUTE ALL DOCUMENTS NEEDED FOR COMPLETIONS OF PURCHASE, REHABILITATION, AND RESALE."

C. County Administrator

1. Adopt resolution for tax and revenue exchange between the County of Yuba and the South Yuba Water District (Tollcrest Annexation - LAFCO 2012-0002). (299-12)
Adopted Resolution No. 2012-61, which is on file in Yuba County Resolution Book No. 42, entitled: "RESOLUTION OF THE BOARD OF SUPERVISORS PERTAINING TO TAX REVENUE EXCHANGE BETWEEN THE COUNTY OF YUBA AND THE SOUTH YUBA WATER DISTRICT TOLLCREST ANNEXATION-LAFCO 2012-0002."

D. Emergency Services

1. Adopt resolution authorizing the Director of Emergency Services to apply for 2012 Homeland Security grant funds and further authorizing the Director to execute all documents as required by the application and resultant grant. (294-12)

Adopted Resolution No. 2012-62, which is on file in Yuba County Resolution Book No. 42, entitled: "SIGNATURE RESOLUTION AUTHORIZING THE COUNTY DIRECTOR OF EMERGENCY SERVICES OR HIS DESIGNEE TO APPLY FOR THE FISCAL YEAR 2012 HOMELAND SECURITY GRANT AND FURTHER AUTHORIZING THE DIRECTOR TO EXECUTE DOCUMENTS AS REQUIRED BY THE APPLICATION, THE RESULTANT GRANT AND/OR ANY PERTINENT DOCUMENTS RELATED TO THE PROGRAM AND ACCEPTANCE OF GRANT FUNDS."

2. Adopt resolution authorizing the Director of Emergency Services to apply for 2012 Emergency Management Performance grant funds and execute documents as needed to obtain and administer grant funding. (295-12)

Adopted Resolution No. 2012-63, which is on file in Yuba County Resolution Book No. 42, entitled: "SIGNATURE RESOLUTION AUTHORIZING THE COUNTY DIRECTOR OF EMERGENCY SERVICES TO SUBMIT AS APPLICATION FOR THE FISCAL YEAR 2012 EMERGENCY MANAGEMENT PERFORMANCE GRANT AND EXECUTE DOCUMENTS AS NEEDED TO OBTAIN AND ADMINISTER GRANT FUNDING."

IV. PUBLIC COMMUNICATIONS:

County Counsel Angil Morris-Jones responded to specific inquiries regarding Special Meetings and Public Communication posed by Mr. Nick Spaulding.

The following individuals expressed concern regarding Hammonton Road:
- Ms. Heidi Payne, Smartville
- Ms. Sandra Calvert
- Ms. Freda Calvert
- Smartville Fire Protection District Chief Marc Zamora
- Ms. Lisa Church

Following discussion the matter was referred to staff.

Supervisor Abe:
- Expressed appreciation for how county staff and Linda Fire Chief Webb handled separate situations with local business owners to the advantage of all concerned.
- Commended individuals for participation in purchasing a hog at the local fair for the Employees Appreciation Lunch

Supervisor Stocker: Local article regarding preclearance requirement of the Federal Voting Rights Act in Merced County
V. COUNTY DEPARTMENTS

A. Board of Supervisors

1. Receive impact study report on Farmlands and Open Space measure and adopt resolution directing County Clerk to submit measure to the voters at the election of November 6, 2012. (Fifteen minute estimate) (296-12)
   County Administrator Robert Bendorf recapped history of measure. Community Development and Services Director Kevin Mallen provided a PowerPoint presentation and review of the following:
   • General Plan update
   • Lands Use Designation

The following individuals spoke:
   o Mr. Nick Spaulding, Oregon House
   o Ms. Frances Hofman, Hofman Ranch
   o Mr. Tom Eres, Hofman Ranch

Supervisor Abe left the meeting at 7:54 p.m. and returned at 7:56 p.m.
Supervisor Abe left the meeting at 7:59 p.m. and returned at 8:03 p.m.

   o Mr. Don Rae, Plumas Lake
   o Mr. Rick Cunningham, Brownsville
   o Mr. Charlie Sexton, Loma Rica

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

Adopted Resolution No. 2012-64, which is on file in Yuba County Resolution Book No. 42, entitled:
"RESOLUTION DIRECTING COUNTY CLERK TO SUBMIT FARMLANDS AND OPEN SPACE MEASURE TO THE VOTERS AT THE REGULARLY SCHEDULED ELECTION OF NOVEMBER 6, 2012."

VI. CORRESPONDENCE - (297-12)

A. Local Agency Biennial Notices advising no amendment is required to the conflict of interest code for Linda County Water District, Linda Fire Protection District, Reclamation Districts 784 and 817, Three Rivers Levee Improvement Authority, Wheatland School District, Yuba County Office of Education, and Three Rivers Levee Improvement Authority. Accepted.

B. Letter from Pricewaterhouse Coopers LLP regarding Orion Insurance Company and London and Overseas Insurance Company Limited. Accepted.

C. Two Letters from California Emergency Management Agency regarding disaster designations effecting Yuba County. Accepted.

D. Notice from California Fish and Game Commission regarding proposed Sport Fishing Regulation. Accepted.

E. Notice from California Department of Fish and Game regarding proposed rulemaking described in the Informative Digest. Accepted.
F. Letter from the Yuba County Assessor regarding the 2012-2013 Assessment Roll Summary. Accepted.

G. Letter from Auditor-Controller enclosing independent audit report dated June 30, 2011 for Loma Rica Browns Valley Community Services District. Accepted.

VII. BOARD AND STAFF MEMBERS' REPORTS:

Supervisor Abe:
- Yuba Growers Association ex-parte request for a continuance July 26, 2012
- Shoei Foods meeting held July 26, 2012
- Beale Air Force Base Mayors/Supervisors meeting held August 2, 2012
- Yuba-Sutter Fair Jr. Livestock Auction held August 4, 2012
- Presentation to Champion 4H market hog held August 5, 2012
- Reclamation District 784 meeting held August 7, 2012

Supervisor Griego:
- SACOG meeting held August 2, 2012
- Beale Air Force Base Mayors/Supervisors meeting held August 2, 2012
- Yuba County Water Agency staff meeting
- Feather River Air Quality Management District meeting held August 6, 2012
- Three Rivers Levee Improvement Authority meeting held August 7, 2012

Supervisor Nicoletti:
- Government Affairs Committee meeting held August 7, 2012
- Economic Development Committee Board meeting held August 3, 2012
- Beale Air Force Base Mayors/Supervisors meeting held August 2, 2012
- Fish and Game Commission exhibit at the Fair
- Sheriff's Facility Ad Hoc committee meeting held August 7, 2012
- Aquafornia documentary debut of the delta at the Crest Theatre, Wednesday, August 8, 2012 at 7:00 p.m.

Community Development and Services Director Kevin Mallen: One outstanding complaint that the State must address regarding the facility being used for drug treatment, with all other complaints being addressed regarding Joshua House.

VIII. CLOSED SESSION: The Board retired into closed session at 8:53 p.m.

A. Pending litigation pursuant to Government Code §54956.9(a) - Yuba County Growers Association, Sam McConnell, Yuba Patient Collective, Lew Neal, Old Crow Farm Collective, Kathie Thelen and Déjà Vu Collective vs. County of Yuba

The Board returned from closed session at 9:42 p.m. with all members present as indicated above. Chairman Stocker advised direction was provided.
IX. **ADJOURN:** 9:43 p.m. by Chairman Stocker.

ATTEST: DONNA STOTTEMEYER  
CLERK OF THE BOARD OF SUPERVISORS

[Signature]

BY: Rachel Ferris, Deputy Clerk

[Signature]

Approved: **August 25, 2012**