The County of Yuba
BOARD OF SUPERVISORS

OCTOBER 23, 2012 - MINUTES

The Honorable Board of Supervisors of the County of Yuba met 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, Mary Jane Griego, Roger Abe, and Hal Stocker. Also present were County Administrator Robert Bendorf, County Counsel Angil Morris-Jones, and Clerk of the Board of Supervisors Donna Stottlemyer. Chairman Stocker presided.

I. PLEDGE OF ALLEGIANCE - Led by Supervisor Nicoletti

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: 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. Auditor-Controller

1. Adopt resolution adopting the 2012-2013 Fiscal Year Budget. (395-12) Adopted Resolution No. 2012-93, which is on file in Yuba County Resolution Book No. 43, entitled: "RESOLUTION ADOPTING BUDGET FOR FISCAL YEAR 2012-13."

B. Clerk of the Board of Supervisors

1. Approve minutes of the meeting of October 2 and 9, 2012. (396-12) Approved.

2. Reappoint Michael "Pete" Hammonbre to the Yuba County Assessment Appeals Board No. II for a term to end September 7, 2015. (397-12) Approved.


C. Community Development and Services

1. Approve lease agreement with Olivehurst Linda Little League for joint use of park and associated improvements and authorize the Chair to execute. (Land Use and Public Works Committee recommends approval) (399-12) Approved.
2. Adopt resolution approving application for First Five Yuba Commission grant to provide community recreational programming scholarships and authorizing the Public Works Director to execute all necessary documents. (Land Use and Public Works Committee recommends approval) (400-12) Adopted Resolution No. 2012-94, which is on file in Yuba County Resolution Book No. 43, entitled: "APPROVE APPLICATION FOR FIRST FIVE YUBA COMMISSION GRANT TO PROVIDE COMMUNITY RECREATIONAL PROGRAMMING SCHOLARSHIPS FOR CHILDREN AGED 0-5 AND THEIR FAMILIES."

3. Ratify contract award with Taylor Excavating for emergency services for Marysville Road slide stabilization and authorize the Chairman to execute. (401-12) Approved.

4. Adopt resolution authorizing purchase of single family residence APN 019-401-005 as part of the Neighborhood Stabilization Programs and authorizing Director to execute all necessary documents. (402-12) Adopted Resolution No. 2012-95, which is on file in Yuba County Resolution Book No. 43, entitled: "RESOLUTION AUTHORIZING YUBA COUNTY COMMUNITY DEVELOPMENT AND SERVICES AGENCY DIRECTOR OR HIS DESIGNEE TO COMPLETE THE PURCHASE OF SINGLE FAMILY RESIDENCE APN 019-401-005 AS PART OF THE NEIGHBORHOOD STABILIZATION PROGRAM AND EXECUTE ALL DOCUMENTS NEEDED FOR COMPLETION OF PURCHASE, REHABILITATION AND RESALE."

5. Approve Floodplain Development Variance for agricultural storage building at 7388 Doc Adams Road. (Land Use and Public Works Committee recommends approval) (403-12) Approved.

6. Adopt resolution authorizing grant application to Naumes Family Foundation for funding for updating youth library material and authorizing the Director to execute all necessary documents. (414-12) Adopted Resolution No. 2012-98, which is on file in Yuba County Resolution Book No. 43, entitled: "RESOLUTION AUTHORIZING THE YUBA COUNTY LIBRARY TO APPLY TO THE NAUMES FAMILY FOUNDATION FOR FUNDING TO PROMOTE LITERACY FOR THE YOUNG COMMUNITY AND EXPAND THE CAREER CENTER AND, AUTHORIZING THE CDSA DIRECTOR TO EXECUTE DOCUMENTS AS REQUIRED BY THE GRANT AND ANY PERTINENT DOCUMENTS RELATED TO THIS PROGRAM, AND AUTHORIZE ACCEPTANCE OF FUNDS."

D. Human Resources and Organizational Services

1. Approve CSAC Excess Insurance Authority Medical Malpractice Program Extended Participation Agreement and authorize the Chair to execute same. (404-12) Approved.

IV. SPECIAL PRESENTATION

A. Present 2012 Employee Recognition Awards. (20 minute estimate) (405-12) County Administrator Robert Bendorf presented the following employee awards:
   o Outstanding Leadership: Kathy Brown
   o Public Service Excellence: Marc Hartley
   o Workforce Excellence: Miranda Johnson
   o Exceptional Teamwork: Nathan Lybarger and K9 Spike, and Brian Thornton and K9 Bear
   o Public Service Excellence Sustained Effort: Allan Garza
   o Workforce Excellence Sustained Effort: Deana Manning
Exceptional Teamwork Sustained Effort: Forensic Interview Team consisting of Stephanie Johnson, Shiloh Sorbello, Melanie Bendorf, Mary Barr, Teresa Sydow, Julie Mahon, Sherry Scott, Monique Phillips, Susan Such, Penny Elliott, John Crocker, Jason Roper, Liz Rodriguez, Justin Hodge, and Joseph Pomeroy

B. Receive annual review from Yuba County Office of Education on the status of the 4H Outdoor Education Camp in Dobbins. (Ten minute estimate) (406-12) Postponed to future date

C. Receive presentation from Mr. Dana Hubbard on establishment of a Yuba County History Museum. (Ten minute estimate) (407-12) Postponed to future date.

V. PUBLIC COMMUNICATIONS: No one came forward.

VI. COUNTY DEPARTMENTS

A. Community Development and Services

1. Receive and approve five-year report for the County Capital Facilities Fees. (Ten minute estimate) (408-12) Community Development and Services Director Kevin Mallen recapped fees for facilities improvement and collection, and responded to Board inquiries.

   MOTION: Move to approve       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

2. Adopt resolution authorizing loan of up to $2 million from the Plumas Lake Specific Plan Road Impact Fee Trust Fund No. 713 to provide funding for temporary cash flow needs for road fund capital projects. (Ten minute estimate) (413-12) Public Works Director Mike Lee recapped cash flow of funds for improvements 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. 2012-96, which is on file in Yuba County Resolution Book No. 43, entitled: "RESOLUTION AUTHORIZING THE ROAD FUND TO BORROW UP TO $2,000,000 FROM FUND 713 PLUMAS LAKE SPECIFIC PLAN ROAD IMPACT FEES FOR CASH FLOW PURPOSES TO FACILITATE CAPITAL IMPROVEMENT PROJECTS."

B. County Administrator

1. Receive report providing informational overview on General Election ballot initiatives and take action as appropriate. (Ten minute estimate) (409-12) Legislative Affairs Coordinator Russ Brown recapped initiatives and responded to inquiries.

   MOTION: Move to oppose Proposition 30: Temporary Taxes to Fund Education
   MOVED: Roger Abe   SECOND: Andy Vasquez
   AYES: Roger Abe, Andy Vasquez, John Nicoletti
   NOES: Mary Jane Griego    ABSTAIN: Hal Stocker    ABSENT: None
MOTION: Move to oppose Proposition 38: Tax to fund Early Education and Childhood Programs
MOVED: Roger Abe     SECOND: Andy Vasquez
AYES: Roger Abe, Andy Vasquez, John Nicoletti
NOES: None     ABSTAIN: Mary Jane Griego, Hal Stocker     ABSENT: None

MOTION: Move to support Proposition 31: State Budget/state and Local Government
MOVED: Roger Abe     SECOND: Andy Vasquez
AYES: Roger Abe, Andy Vasquez, John Nicoletti, Hal Stocker
NOES: None     ABSTAIN: Mary Jane Griego     ABSENT: None

MOTION: Move to oppose Proposition 37: Genetically Engineered Food Labeling
MOVED: Roger Abe     SECOND: Andy Vasquez
AYES: Roger Abe, Andy Vasquez, John Nicoletti
NOES: Mary Jane Griego     ABSTAIN: Hal Stocker     ABSENT: None

VII. ORDINANCES AND PUBLIC HEARINGS: The clerk read the disclaimer.

A. Public Hearing - Hold public hearing and adopt resolution establishing Underground Utility District No. 2012-1 on Olivehurst Avenue from McGowan Parkway to Eighth Ave. (Land Use and Public Works Committee recommends approval) (Ten minute estimate) (410-12) Public Works Director Mike Lee recapped the street widening of subject street, utilities improvements, public easements, and responded to Board inquiries.

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

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

Adopted Resolution No. 2012-97, which is on file in Yuba County Resolution Book No. 43, entitled: RESOLUTION ESTABLISHING UNDERGROUND UTILITY DISTRICT NO. 2012-1 ON OLIVEHURST AVENUE FROM MCGOWAN PARKWAY TO EIGHTH AVENUE."

VIII. CORRESPONDENCE - (411-12)

A. Three Agency Biennial Notices regarding conflict of interest code for First Five Yuba Commission, Brophy Water District, and Wheatland Water District. Accepted.

B. Notice from California Fish and Game Commission regarding petition to list northern spotted owl as threatened or endangered. Accepted.

C. Letter from Stacy and Joseph Wurm regarding the Yuba County Bikeway Master Plan. Accepted.

D. Schedule of Proposed Actions from the United States Forest Service regarding Plumas National Forest for the period of October 1, 2012 to December 31, 2012. Accepted.

E. Letter from State of California Fish and Game Commission enclosing a Notice of Receipt of Petition to list Clear Lake Hitch as threatened or endangered under the California Endangered Species Act. Accepted.
F. Letter from United States Forest Service/Plumas National Forest regarding watershed stakeholder meeting November 8, 2013. Accepted.

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

Supervisor Griego:
- SACOG Director’s meeting and Shared Services meetings held October 18, 2012
- Yuba Sutter Transit Authority Director’s meeting October 18, 2012
- Regional Flood Control Planning Committee meeting October 19, 2012
- Marijuana Cultivation Ordinance Ad Hoc meeting October 18, 2012

Supervisor Nicoletti:
- Community Services Commission membership and meetings
- Public nuisance ordinance
- Peach Tree Health Care regarding temporary positions and new Director Greg Stone

Supervisor Stocker:
- Senior lunch program funding in Brownsville
- Through Consensus scheduled October 30, 2012 Special Board meeting at 9:00 a.m.

County Counsel Angil Morris-Jones: Chief Deputy Counsel Pat Garamone retiring December 11, 2012

X. CLOSED SESSION: The Board retired into closed session at 11:08 a.m. to discuss the following:


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

The Board returned at 11:33 a.m. with all present as indicated above.

County Counsel advised the Board gave direction to real property negotiators.

XI. ADJOURN: 11:34 a.m. by Chairman Stocker.

Chair

ATTEST: DONNA STOTLemeYER
CLERK OF THE BOARD OF SUPERVISORS

Approved: November 13, 2012

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