The County of Yuba

BOARD OF SUPERVISORS

FEBRUARY 26, 2013 – MINUTES

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 9:45 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. Chairman Stocker presided.

I. PLEDGE OF ALLEGIANCE - Led by Supervisor Stocker

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

A. Clerk of the Board of Supervisors

1. Approve meeting minutes from February 5 and 12, 2013. (81-13) Approved as written.

2. Reappoint Greg Soliz to the Yuba County Fish and Game Advisory Commission as an at-large representative for a term to end February 26, 2017. (57-13) Approved.

3. Appoint Janet Marchant, Terry Bentley and Steven Dambeck to the Yuba County Economic Development Advisory Committee to serve at the pleasure of the Board. (58-13) Application for Janet Marchant pulled at her request. Appointed Terry Bentley and Steven Dambeck.


6. Appoint Gary Arlington to the Commission on Aging to fill the remaining term ending April 13, 2013 and for a full 3 year term. (61-13) Approved.
B. Community Development and Services

1. Adopt resolution authorizing right of way easement purchases identified as APN 006-190-021 and 016-190-037, Estate of Reva Carlson, and authorizing the Public Works Director to execute all documents required for purchase. (62-13) Adopted Resolution No. 2013-12, which is on file in Yuba County Resolution Book No. 44, entitled: "RESOLUTION AUTHORIZING THE PURCHASE OF RIGHT OF WAY EASEMENTS FROM THE ESTATE OF REVA CARLSON, BEING A PORTION OF APN 006-190-021, AND FROM YUBA RIVER PROPERTIES II, BEING A PORTION OF APN 006-190-037 AND AUTHORIZING THE PUBLIC WORKS DIRECTOR TO EXECUTE ALL DOCUMENTS REQUIRED TO FINALIZE SAID PURCHASE."


3. Adopt resolution authorizing purchase of single family residence APN 021-024-016 as part of the Neighborhood Stabilization Program and execution of all documents necessary to complete by Community Development and Services Director. (64-13) Adopted Resolution No. 2013-14, which is on file in Yuba County Resolution Book No. 44, entitled: "RESOLUTION AUTHORIZING YUBA COUNTY COMMUNITY DEVELOPMENT AND SERVICES AGENCY DIRECTOR OR HIS DESIGNEE TO COMPLETE THE PURCHASE OF SINGLE FAMILY RESIDENCE APN 021-024-016 AS PART OF THE NEIGHBORHOOD STABILIZATION PROGRAM AND EXECUTE ALL DOCUMENTS NEEDED FOR COMPLETION OF PURCHASE, REHABILITATION AND RESALE."

C. Health and Human Services

1. Adopt resolution authorizing agreement with California Department of Public Health for Tuberculosis Local Assistance Real Time Funds and authorize the Chair to execute all documents as required. (65-13) Adopted Resolution No. 2013-15, which is on file in Yuba County Resolution Book No. 44, entitled: "AUTHORIZE THE YUBA COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT TO ENTER INTO AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH FOR TUBERCULOSIS LOCAL ASSISTANCE REAL TIME FUNDS FOR THE PERIOD OF JULY 1, 2012 - JUNE 30, 2013, AND AUTHORIZE THE CHAIR TO EXECUTE DOCUMENTS AS REQUIRED BY THE PROGRAM AND ANY PERTINENT DOCUMENTS RELATED TO THIS PROGRAM AND AUTHORIZE ACCEPTANCE OF FUNDS.

D. Sheriff-Coroner

1. Adopt resolution authorizing Sheriff to execute application for financial aid for Fiscal Year 2013-2014 boating program; and approve contract with Department of Boating and Waterways and authorize the Chair to execute same. (66-13) Adopted Resolution No. 2013-16, which is on file in Yuba County Resolution Book No. 44, entitled: "RESOLUTION AUTHORIZING THE SHERIFF TO EXECUTE
THE STATE APPLICATION FOR FINANCIAL AID FOR THE BOATING PROGRAM FISCAL YEAR 2013-2014."

2. Adopt Memorandum of Understanding and Letter of Understanding with BGE Yuba for supplemental law enforcement services at Sleep Train Amphitheatre and authorize the Chair to execute same. (67-13) Approved.

IV. SPECIAL PRESENTATION

A. Present Certificate of Recognition to Health and Human Service Reception Staff for consistently providing outstanding customer service. (No background material) (68-13) Chairman Vasquez presented certificate of recognition and congratulated recipients.

V. PUBLIC COMMUNICATIONS: No one came forward.

Supervisor Nicoletti left the meeting at 9:36 a.m. and returned at 9:37 a.m.

VI. ITEM OF PUBLIC INTEREST

A. Consider fee waiver request from Buttes Area District of the Golden Empire Council of the Boy Scouts of America for camping at Sycamore Ranch April 26 - 28, 2013. ($20 per night, 59 camp sites totaling $2,350) (Fifteen minute estimate) (77-13) Mr. Dean Ellyson and Mr. Dan Garvin recapped planned service projects, and additional projects consisting of wood duck nesting boxes, benches, and horseshoe pit and responded to Board inquiries.

MOTION: Move to accept work performed at Sycamore Ranch in lieu of paying camping fees
MOVED: John Nicoletti SECOND: Hal Stocker
AYES: John Nicoletti, Hal Stocker, Andy Vasquez, Roger Abe
NOES: None ABSENT: Mary Jane Griego ABSTAIN: None

VII. COUNTY DEPARTMENTS

A. Administrative Services

1. Receive update on development of the Sheriff's Department new facility. (Fifteen minute estimate) (69-13) Director Doug McCoy recapped selection of the Yuba Street location, design improvements including the following and responded to Board inquiries:
   • Building Features
   • Second Floor public entry access, Dispatch Center, and Records
   • Radio Tower
   • Next Steps

County Administrator Robert Bendorf and Sheriff Durfor responded to Board inquiries.

2. Receive updates on Human Capital Management software acquisition and replacement of Information Technology infrastructure research and provide direction as appropriate. (Five minute estimate) (70-13) Assistant Director Tara Ripka-Flores and County Administrator Robert Bendorf recapped the necessity of upgrades including the following and responded to Board inquiries:
   • Human Capital Management software
   • Individual data base systems
   • Aged system and high maintenance costs
Critical network failures
State and Federal Privacy Requirements
Purchase versus lease

Human Resources Director Martha Wilson responded to specific inquiries regarding their current system.

B. Auditor-Controller

1. Approve use of $49,016 for current and upcoming information technology related projects. (Fifteen minute estimate) (71-13) Auditor-Controller Rich Eberle recapped request to apply funds to upcoming technology projects and responded to Board inquiries. County Administrator Robert Bendorf responded to Board inquiries.

Tax Collector Dan Mierzwa felt it would be more appropriate to use the funds to offset needs of the current property tax system.

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

C. County Administrator

1. Receive second quarter financial report; authorize mid-year budget transfers in the total amount of $5,478,427; approve two personnel request; and approve fixed assets requests totaling $103,675. (Twenty minute estimate) (72-13) County Administrator Robert Bendorf and Management Analyst Grace Mull recappped the Second Quarter financial report and the Mid-year budget including the following, and responded to Board inquiries.
   o Budget Transfers totaling $5,578,427
   o $52,167 requested from General Fund Contingency to cover increases in the Assessor’s, Auditor-Controller’s and Information Technology
   o Personnel requests:
     ▪ Restore funding and fill two positions in Health and Human Services – both positions are funded by federal and state monies and covered by salary savings due to attrition.
   o Fixed assets requests

Second Quarter Financial Report:
   o General Fund Budget for Fiscal Year 2012-13: $24,479,454
   o Slight increase in General Fund expenditures
   o Departmental Revenue and Expenditure shortfall of $749,786 primarily due to slow reimbursements
   o General Fund Reserves $1,442,588
   o Decrease in foreclosure activity

Management Analyst Grace Mull:
   o General Fund Contingency balance of $543,000 upon approval of Midyear budget transfers
   o Clerical error correction on background documents

Assessor Bruce Stottlemyer responded to specific inquiries relating to overtime, increased health insurance costs and current market trends relating to property values
MOTION: Move to approve mid-year budget transfers in the total amount of $5,478,427
MOVED: John Nicoletti       SECOND: Hal Stocker
AYES: John Nicoletti, Hal Stocker, Andy Vasquez, Roger Abe
NOES: None  ABSENT: Mary Jane Griego ABSTAIN: None

MOTION: Move to approve proposed midyear personnel request
MOVED: John Nicoletti       SECOND: Roger Abe
AYES: John Nicoletti, Roger Abe, Andy Vasquez, Hal Stocker
NOES: None  ABSENT: Mary Jane Griego ABSTAIN: None

MOTION: Move to approve fixed assets requests totaling $103,675
MOVED: John Nicoletti       SECOND: Hal Stocker
AYES: John Nicoletti, Hal Stocker, Andy Vasquez, Roger Abe
NOES: None  ABSENT: Mary Jane Griego ABSTAIN: None

2. Adopt resolution authorizing interfund loan from Criminal Justice Impact fund (Trust 183) to Law Enforcement Impact fund (Trust 186) to provide funding for the new Sheriff's facility located at 720 Yuba Street, Marysville. (Fifteen minute estimate) (73-13) County Administrator Robert Bendorf recapped necessity of an interfund loan and responded to Board inquiries.

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

Adopted Resolution No. 2013-17, which is on file in Yuba County Resolution Book No. 44, entitled: "RESOLUTION AUTHORIZING THE LAW ENFORCEMENT IMPACT FUND 186 TO BORROW FROM THE CRIMINAL JUSTICE IMPACT FUND 183 IN THE AMOUNT OF $1,369,057 TOWARDS THE PURCHASE OF THE NEW SHERIFF'S FACILITY AND AN ADDITIONAL AMOUNT NOT TO EXCEED $600,000 FOR FISCAL YEAR 2012-2013 TO PROVIDE FUNDING FOR DESIGN AND DEVELOPMENT COSTS FOR THE NEW SHERIFF'S FACILITY."

3. Approve Yuba County as the lead agency and recipient of Economic Development Administration (EDA) Grant for wastewater conveyance system; approve grant match of $600,000 to be reimbursed by OPUD after project completion and authorize the Chair to execute a letter to EDA recognizing the match commitment; and adopt a resolution authorizing the County Administrator to execute the EDA grant application and supporting documents on behalf of the county. (Fifteen minute estimate) (74-13) County Administrator Robert Bendorf and Chief Operating Officer Brenda Stranix provided a brief recap and responded to Board inquiries.

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

Adopted Resolution No. 2013-18, which is on file in Yuba County Resolution Book No. 44, entitled: "RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE CERTAIN GRANT DOCUMENTS FOR SUBMITTAL OF A GRANT TO THE ECONOMIC DEVELOPMENT ADMINISTRATION FOR WASTEWATER INFRASTRUCTURE IMPROVEMENTS."
D. Community Development and Services

1. Consider appointing Board member to Regional Conservation Plan Policy Advisory Committee and take action as appropriate. (Fifteen minute estimate) (75-13) Director Wendy Hartman recapped request for a Representative and Alternate appointed member and responded to Board inquiries.

MOTION: Move to appoint Supervisor Abe as Representative and Supervisor Nicoletti as Alternate to the Regional Conservation Plan Policy Advisory Committee
MOVED: Hal Stocker    SECOND: John Nicoletti
AYES: John Nicoletti, Andy Vasquez, Roger Abe, Hal Stocker
NOES: None  ABSENT: Mary Jane Griego  ABSTAIN: None

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


Chair Vasquez opened the public hearing. No one came forward.

MOTION: Move to close the public hearing and adopt 2012 Yuba County Conflict of Interest Code
MOVED: Roger Abe    SECOND: John Nicoletti
AYES: Roger Abe, John Nicoletti, Andy Vasquez, Hal Stocker
NOES: None  ABSENT: Mary Jane Griego  ABSTAIN: None

IX. CORRESPONDENCE - (78-13)

A. Letter from Sharon Thorpe regarding implementing Assembly Bill 1569 Laura's Law. Accepted.

B. Letter from Association of Defense Communities enclosing 2012 annual report which is on file in the Board office. Accepted.

X. BOARD AND STAFF MEMBERS' REPORTS:

Supervisor Nicoletti:
- Memorial Adjournment – Ms. Marilyn Bevacqua, Miss Krystal Zuniga
- Regional Waste Management Association meeting held February 21, 2013
- Senior Legal Services Center fundraiser
- Butte Services will discontinue food service to senior centers by March 2013

Supervisor Stocker:
- Memorial Adjournment - Ms. Dorothy May Long, Mr. Troy A. Scaberry, Ms. Helen Mary Holway
- Forest Service Fire Spotters dinner held at Alcouffe Center
- Magnolia project scoping meeting held February 25, 2013

Supervisor Abe left the meeting at 11:23 a.m. and returned at 11:25 a.m.
Supervisor Abe:
- Various Yuba County Water Agency meetings
- Ground water management workshop
- Yuba Sutter Emergency Medical Care Committee meeting held February 20, 2013
- CSAC and NCCC meetings held February 21, 2013
- Magnolia project scoping meeting held February 25, 2013
- Memorial Adjournment – Mr. John Weststeyn

Supervisor Vasquez:
- Transit Authority meeting held February 21, 2013
- Magnolia project scoping meeting held February 25, 2013

County Administrator Robert Bendorf: Community Development and Services Fees Study Session scheduled for March 5, 2013 at 10:30 a.m.

XI. CLOSED SESSION: The Board retired into closed session at 11:36 a.m. to discuss the following and returned at 11:48 a.m.

A. Pending litigation pursuant to Government Code §54956.9(a) - Tull v. County of Yuba et al
   The Board by unanimous vote gave County Counsel authority to take certain action.

B. Personnel pursuant to Government Code §54957(a) - Labor Negotiations - DDAA/DSA/MSA/PPOA/YCEA/Unrepresented and County of Yuba

XII. ADJOURN 11:48 a.m. by Chairman Vasquez in memory of Marilyn Bevacqua, Miss Krystal Zuniga, Ms. Dorothy May Long, Ms. Helen Mary Holway, Mr. Troy A. Scarberry, and Mr. John Weststeyn.

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

By: Rachel Ferris, Deputy Clerk

Approved: March 13, 2013