The County of Yuba

BOARD OF SUPERVISORS

APRIL 23, 2013 – MINUTES

The Honorable Board of Supervisors of the County of Yuba met in regular session 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 Deputy Clerk of the Board of Supervisors Rachel Ferris. Chairman Vasquez presided.

I. PLEDGE OF ALLEGIANCE - Led by Supervisor Vasquez

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 MOVE: 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. Board of Supervisors

1. Approve letter to the County Committee Chair of the Yuba County Grand Jury regarding upkeep, maintenance, and budget allocations for the Yuba County Airport. (139-13) Through Board consensus the Public Facilities Committee will review budget and prioritize needs for the airport, and make recommendation. Letter approved.

B. Clerk of the Board of Supervisors

1. Approve minutes from the regular meeting of April 2, 2013. (140-13) Approved as written.

C. Sheriff-Coroner

1. Approve agreement extension with Contract Pharmacy Services (CPS) for pharmacy services to the Yuba County Jail and Juvenile Hall facilities and authorize the Chair to execute same. (141-13) Approved.

2. Approve agreement with Yuba County Water Agency for law enforcement services for the limited term, May 15, 2013 through September 15, 2013 and authorize the Chair to execute same. (142-13) Approved.
IV. SPECIAL PRESENTATION

A. Recognize the Office of Public Guardian for outstanding customer service. (No background material) (Five minute estimate) (143-13) Supervisor Nicoletti presented Certificate of Recognition and recapped extraordinary services provided in difficult times. Public Guardian Asha Davis thanked the Board for recognition.

B. Present proclamation declaring the month of April 2013 as California Friday Night Live Month in Yuba County. No background material (Five minute estimate) (144-13) Chairman Vasquez read and presented proclamation to Center Coordinator Tony Blackwell who commented on April the Month of Distracted Driving Awareness.

V. PUBLIC COMMUNICATIONS:

Ms. Freda Calvert - Condition of Hammonton Road

Supervisor Griego updated the Board on ongoing discussions with Bureau of Land Management, and the need to include the Army Corps of Engineers


VI. COUNTY DEPARTMENTS

A. County Administrator

1. Adopt joint resolution and agreement with the City of Wheatland concerning Master Tax Exchange relating to City of Wheatland annexations. (Four/fifths vote required) (Ten minute estimate) (145-13) County Administrator Robert Bendorf recapped history and master tax sharing agreement and responded to Board inquiries.

Chairman Vasquez opened the public hearing. No one came forward

MOTION: Move to adopt

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

Motion failed.

B. Probation

1. Adopt resolution proclaiming April 21-27, 2013 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. (20 minute estimate) (146-13) Program Manager Jason Roper recapped Victims Rights Week activities and recognized the following individuals for outstanding service to victims of crimes:
   • Shiloh Sorbello, Mary Barr, and Stephanie Johnson
   • Yuba County Sheriff’s Department Detective Justin Hodge
   • Yuba Probation Officer Richard Horak
   • Mary Barr and Stephanie Johnson
   • Yuba County Victim Services Department - Marriage and Family Therapists/Interns: Carolyn Weatherup, James Davis, Kari Peters, Diana Beiler, Adam Reeb and Stephanie Wright,
• Sutter Buttes Doll and Study Club
• Brownsville Quilt Guild
• Paula Gomes
• Church of Latter Day Saints

MOTION: Move to adopt  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

Adopted Resolution No. 2013-34, which is on file in Yuba County Resolution Book No. 44, entitled: "RESOLUTION PROCLAIMING APRIL 21-27TH, 2013 NATIONAL CRIME VICTIM'S 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."

C. Sheriff-Coroner/Human Resources/Probation

1. Adopt resolution certifying critical need for jail physician position and waiving re-employment restriction of person receiving pay in-lieu of unused vacation. (Ten minute estimate) (147-13) Sheriff Durfor recapped necessity for uninterrupted medical services and responded to Board inquiries.

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. 2013-35, which is on file in Yuba County Resolution Book No. 44, entitled: "RESOLUTION CERTIFYING THAT THE JAIL PHYSICIAN IS A CRITICALLY NEEDED POSITION AND WAIVING THE RE-EMPLOYMENT RESTRICTION OF A PERSON RECEIVING PAY IN-LIEU OF UN-USED VACATION."

D. Administrative Services

1. Approve master agreement with Presidio/INX, Inc. for Health and Humans Services upgrade of network equipment and authorize the Chair to execute same. (Ten minute estimate) (151-13) Assistant Director Tara Repka-Flores recapped master agreement, necessity of moving forward and responded to Board inquiries.

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

County Administrator Robert Bendorf advised the Board today was Ms. Repka-Flores last day and commended her on her accomplishments and services.
VII. **ORDINANCES AND PUBLIC HEARINGS:** The clerk read the disclaimer.

A. Ordinance - Hold public hearing, waive reading and adopt ordinance repealing and re-enacting Chapters 13.00.032 and 13.00.052 of the Yuba County Consolidated Fee Ordinance for Agricultural Commissioner and Health departments. Roll Call Vote required. (Second reading. Continued from April 16, 2013) (Ten minute estimate) (135-13) Chairman Vasquez opened the public hearing. No one came forward.

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

Adopted Ordinance No. 1525, which is on file in Yuba County Ordinance Book No. 23 entitled: "AN ORDINANCE REPEALING AND RE-ENACTING AS AMENDED CHAPTERS 13.00.032 AND 13.00.052 OF THE YUBA COUNTY CONSOLIDATED FEE ORDINANCE."

B. Public Hearing - Hold public hearing and adopt resolution amending Community Development Block Grant (CDBG) Program Housing Rehabilitation Homeownership Assistance and Business Assistance Loan Program Guidelines. (Ten minute estimate) (148-13) Housing Program Manager Kimberly Grimes read the notice of public hearing, recapped request, and responded to Broad inquiries.

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

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

Adopted Resolution No. 2013-36, which is on file in Yuba County Resolution Book No. 44, entitled: "ADOPT AN AMENDED CDBG PROGRAM HOUSING REHABILITATION, HOMEOWNERSHIP ASSISTANCE AND BUSINESS ASSISTANCE LOAN PROGRAM GUIDELINES."

VIII. **CORRESPONDENCE** (149-13)

A. Schedule of Proposed Actions from the United States Forest Service regarding Plumas National Forest for the period of April 1, 2013 through June 30, 2013. Accepted.

B. Letter from Kayla Ayers regarding safety of local roads. Accepted.

C. Notice from Pacific Gas and Electric Company regarding Narrows No. 2 Transmission Line Project. Accepted.

IX. **BOARD AND STAFF MEMBERS’ REPORTS:**

Supervisor Griego:
- Yuba County Water Agency POD committee meeting held April 23, 2013
- Attended Cap to Cap April 11 - 14, 2013
- Selection of Feather River Air Quality Management District Director
- 13th Annual Olivehurst Community Clean up including District Two West Linda area Saturday, April 27, 2013
Supervisor Nicoletti:
• Participating in World Book Night
• Yuba County Water Agency POD committee meeting held April 23, 2013
• Perspectives 2013 Saturday April 27, 2013
• District Two West Linda area participated in the Olivehurst Community Clean up Saturday, April 27, 2013
• George Jones retirement and recognition event held April 21, 2013
• Memorial Adjournment - Mr. Ray Baker

Supervisor Stocker:
• Memorial Adjournment - Ms. Ruth Jane Lewis and Mrs. Barbara Ann McVey Mendenhall
• Timber conference Andersen, CA

Supervisor Abe:
• RCRC Conference in Mariposa County held April 17 – 19, 2013
• 22nd Annual Candle Light Vigil held April 21, 2013
• Yuba Sutter Farm Bureau meeting held April 22, 2013
• Agricultural Crime Prevention meeting Wednesday, April 24 at Rio Osa Hall at 5:00 p.m.

X. RECESS at 11:57 a.m. and reconvened at 12:35 p.m. with all present as indicated above.

XI. CLOSED SESSION: The Board and retired into closed session at 12:35 p.m. and returned at 1:42 p.m. will all present as indicated above.

A. Pending litigation pursuant to Government Code §54956.9(a) - In Conservatorship of Harvey No report.

B. Pending litigation pursuant to Government Code §54956.9(a) - Yuba County Health and Human Services v. R.K. No report.

C. Potential litigation pursuant to Government Code § 54956.9(b) - One Case Direction provided.

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

E. Personnel pursuant to Government Code §54957 - Public Appointment County Counsel By a three/two vote, County Counsel was reappointed for a four year term.

XII. ADJOURN 1:43 p.m. in honor of Ms. Ruth Jane Lewis, Mrs. Barbara Ann McVey Mendenhall, and Mr. Ray Baker.

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

By: Rachel Ferris, Deputy Clerk

Chair

Approved: May 7, 2013