The County of Yuba

BOARD OF SUPERVISORS

JUNE 4, 2013 - MINUTES

The Honorable Board of Supervisors of the County of Yuba met on the above date, commencing at 6:00 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, County Counsel Angil Morris-Jones, and Clerk of the Board of Supervisors Donna Stottlemyer. Chairman Vasquez presided.

I. PLEDGE OF ALLEGIANCE - Led by Supervisor Stocker

II. ROLL CALL - Supervisors Vasquez, Nicoletti, Griego, Abe, Stocker - All present.

County Counsel Angil Morris-Jones requested the matter of Scott vs. Yuba County et al be added to Closed Session Item IX.C as the need to take action arose subsequent to the agenda being posted.

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

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

A. Auditor-Controller

1. Adopt resolution to determine the appropriations for Special Districts under the County. (216-13) Adopted Resolution No. 2013-57, which is on file in Yuba County Resolution Book No. 44 entitled: "RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF YUBA TO DETERMINE THE APPROPRIATIONS FOR SPECIAL DISTRICTS UNDER THE COUNTY."

B. Board of Supervisors

1. Approve amendment to employment agreement and contract term for County Administrator Robert Bendorf and authorize Chair to execute. (217-13) Approved.
2. Appoint Dr. Michael G. Kinnison Interim Public Health Officer effective June 8, 2013. (230-13) Health and Human Services Director Suzanne Nobles recapped the interim appointment of a public health officer during the recruitment process for a permanent health officer.

Approved.

C. Clerk of the Board of Supervisors

1. Approve minutes of the regular meetings of May 14 and 21, 2013. (218-13) Approved as written.

D. Community Development and Services

1. Receive Notice of Final Map under review and pending approval by County Surveyor identified as Tract Map No. 2007-0009, Montrose at Edgewater Unit 3 for Woodside 05N, L.P. APN 019-650-004. (219-13) Approved.

2. Award contract to Drake Haglan and Associates for Waldo Road Bridge Replacement project and authorize Chair to execute. (220-13) Approved.

3. Approve Amendment No. 1 with Dokken Engineering for Feather River Boulevard/State Route 70 Interchange project and authorize Chair to execute. (221-13) Approved.

4. Approve contract change order in the amount of $36,317.35, for the Rupert Avenue widening project and authorize Public Works Director to execute. (222-13) Approved.

5. Approve membership and joint powers agreements with National Joint Powers Alliance for procurement of various goods and services and authorize Chair to execute. (223-13) Approved.

E. County Administrator

1. Authorize Budget Transfer in the amount of $650 from Account No. 101-1702-411-29-00 (Travel) to Account No. 101-1702-411-28-00 (Special Department Expense) for 2013/2014 annual fee for Loopnet search engine. (224-13) Approved.

F. Probation

1. Adopt resolution authorizing application and entering into agreements with the California Emergency Management Agency and First Five Yuba for grants relating to the delivery of victim and program services and authorizing Chief Probation Officer to execute any and all documents necessary. (225-13) Adopted Resolution No. 2013-58 which is on file in Yuba County Resolution Book No. 44, entitled: "RESOLUTION AUTHORIZING THE COUNTY PROBATION DEPARTMENT TO APPLY FOR AND ENTER INTO AGREEMENTS WITH THE CALIFORNIA EMERGENCY MANAGEMENT AGENCY AND FIRST FIVE YUBA FOR GRANTS RELATING TO THE DELIVERY OF VICTIM AND PROGRAM SERVICES."

G. Sheriff-Coroner

1. Approve agreement with U.S. Department of Justice, Drug Enforcement Administration to provide law enforcement services relating to the eradication and suppression of illicit marijuana and authorize Chair to execute. (226-13) Approved.
IV. PUBLIC COMMUNICATIONS: None.

V. COUNTY DEPARTMENTS

A. County Administrator

1. Approve agreement with the City of Wheatland for repayment of Property Tax Administration fees and authorize Chair to execute. (Ten minute estimate) (227-13) County Administrator Robert Bendorf recapped the methodology for collection of the administration fees which was determined by the Courts inaccurate and the agreement to repay to the City the amount owed by the County. Mr. Bendorf responded to inquiries.

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

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

A. Public Hearing - Hold public hearing and adopt resolution increasing the number of members on the Wheatland Cemetery District Board from three to a five members pursuant to Health and Safety Code §9025. (Ten minute estimate) (228-13) County Counsel recapped the request from the Cemetery District to expand the number of Board Trustees.

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

MOTION: Move to close public hearing and adopt resolution
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. 2013-59, which is on file in Yuba County Resolution Book No. 44, entitled: "A RESOLUTION INCREASING THE NUMBER OF MEMBERS ON THE WHEATLAND CEMETERY DISTRICT BOARD FROM THREE MEMBERS TO FIVE MEMBER BOARD OF TRUSTEES PURSUANT TO HEALTH AND SAFETY CODE §9025."

VII. CORRESPONDENCE - (229-13)

A. Letter from Grand Jury County Committee Chairman Don Femling regarding the upkeep, maintenance, and budget allocations of the Yuba County Airport. Received.

B. Letter from Brophy Farming Community regarding Joshua House Men's Center. The following neighbors spoke regarding issues at the men's center: 
   • Mr. Lou Klep – provided letter 
   • Ms. Kathy Barnell 
   • Ms. Marcie Baker 
   • Ms. Janessa Baker 
   • Mr. Russ Rohletter 
   • Mr. Jerry White – provided pictures
Chairman Vasquez indicated a meeting of Counsel, staff, community members, Joshua House staff, Supervisor Stocker, and himself would be scheduled to discuss issues.

VIII. BOARD AND STAFF MEMBERS' REPORTS:

Supervisor Griego:
- South County Economic Development Committee
- Receipt of Sacramento Tree Foundation Outstanding County Award for tree planting
- North Yuba Grown Dinner June 1, 2013

Supervisor Nicoletti:
- Meetings Attended
  - FRAQMD meeting June 3, 2013
  - TRLA meeting June 4, 2013
  - Meeting in Maxwell with Water Agency staff to discuss BDBC water tunnels
- CalTrans construction in Marysville
- City of Yantai Agricultural Trade Mission attending June 25, 2013 Board meeting
- Memorial Adjournment - Ms. Vivian Page, Mr. Charley Lim

Supervisor Stocker:
- North Yuba Grown Dinner June 1, 2013
- Forbestown Museum event June 1, 2013
- Fire Lookout Tower Lunch in Dobbins, June 1, 2013
- Article regarding El Dorado County Supervisor Ray Nutting
- Memorial Adjournment - Mrs. Celeste Miller

Supervisor Abe:
- Meetings Attended
  - HCP/CCP meeting held May 28, 2013
  - FRAQMD meeting June 3, 2013
  - CSAC Legislative Conference May 30-31, 2013 in Sacramento
- Memorial Adjournment - Mr. Melvin Crowder

Supervisor Vasquez: CSAC Legislative Conference May 30-31, 2013 in Sacramento

County Administrator Robert Bendorf:
- CSAC position on Affordable Health Care Act
- Received consensus to send letter of opposition to AB 325 regarding Housing Element

IX. CLOSED SESSION: The Board retired into closed session at 7:19 p.m. and returned at 8:07 p.m. with all present as indicated.

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

B. Personnel pursuant to Government Code §54957(a) - Labor Negotiations - DDAA/DSA/MSA/PPOA/Unrepresented and County of Yuba Direction given.
C. Pending litigation pursuant to Government Code § 54956.(a) - Scott vs County of Yuba et al. By unanimous vote, the matter was referred to Porter Scott for defense.

X. ADJOURN: 8:08 p.m. in memory of Ms. Vivian Page, Mrs. Celeste Miller, Mr. Melvin Crowder, and Mr. Charley Lim.

ATTEST: DONNA STOTTEMEYER
CLERK OF THE BOARD OF SUPERVISORS

[Signature]

Approved: June 13, 2013