The County of Yuba

BOARD OF SUPERVISORS

JUNE 18, 2013 - 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 Stottlemeier. Chairman Vasquez presided.

I. PLEDGE OF ALLEGIANCE - Led by Supervisor Vasquez

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

MOTION: At the request of counsel, move to add one case of pending litigation pursuant to Government Code §59556.9(d)(2) as Item X.E. as the need to take action arose subsequent to the agenda being posted.

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

A. Administrative Services

1. Approve Airport lease agreement with Michael Radtke for corporate hanger lease site 11, hangar 1, and authorize Chair to execute. (232-13) Approved.

B. Clerk of the Board of Supervisors


C. Community Development and Services

1. Authorize Auditor to disburse $463,416.72 in Measure D Funds from Fund 807 in the following amounts; $440,477.59 to County Road Fund 102; $18,536.67 to City of Marysville; and $4,402.46 to City of Wheatland. (234-13) Approved.
2. Approve Plans, Specification and Estimates; authorization for advertisement of bids for Powerline Road Bike and Pedestrian Improvements Safe Routes to School Phase III; and authorize Chair to execute. (235-13) Approved.

3. Adopt resolution amending the Community Services Block Grant (CSBG) 2013 Community Services Commission standard agreement and authorizing Chair to execute. (249-13) Adopted Resolution No. 2013-60, which is on file in Yuba County Resolution Book No. 44, entitled: "ADOPT AN AMENDED CSBG 2013 YUBA COUNTY COMMUNITY SERVICES COMMISSION STANDARD AGREEMENT."

D. County Administrator


E. Health and Human Services

1. Approve Medi-Cal Targeted Case Management Provider Participation Agreement with California Health and Human Services to allow participation and authorize Chair to execute.(237-13) Approved.

2. Adopt resolution authorizing the Chair to accept funds on behalf of the Health and Human Services Department from the State of California Department of Social Services Transitional Housing Placement-Plus Fiscal Year 2013/2014 and authorize the Chair to execute any related documents. (238-13) Adopted Resolution No. 2013-61, which is on file in Yuba County Resolution Book No. 44, entitled: "RESOLUTION AUTHORIZING THE CHAIR TO ACCEPTS FUNDS, ON BEHALF OF THE HEALTH AND HUMAN SERVICES DEPARTMENT, FROM THE STATE OF CALIFORNIA DEPARTMENT OF SOCIAL SERVICES TRANSITIONAL HOUSING PLACEMENT-PLUS COMMENCING STATE FISCAL YEAR 2013/2014 AND AUTHORIZE THE CHAIR TO EXECUTE ANY PERTINENT DOCUMENTS RELATED TO THE PROGRAM."

3. Adopt resolution authorizing agreement for the Multipurpose Senior Services Program and authorizing Chair to execute documents as required by agreement and acceptance of funds. (Human Services Committee recommends approval) (239-13) Adopted Resolution No. 2013-62, which is on file in Yuba County Resolution Book No. 44, entitled: "RESOLUTION AUTHORIZING YUBA COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT TO ENTER INTO AGREEMENT WITH THE STATE OF CALIFORNIA FOR THE MULTIPURPOSE SENIOR SERVICES PROGRAM FOR THE TERM OF JULY 1, 2013, THROUGH JUNE 30, 2014, AND AUTHORIZE THE CHAIR TO EXECUTE DOCUMENTS AS REQUIRED BY THE AGREEMENT AND ANY PERTINENT DOCUMENTS RELATED TO THIS PROGRAM AND TO AUTHORIZE THE ACCEPTANCE OF FUNDS."

F. Yuba-Sutter Economic Development Corporation

IV. SPECIAL PRESENTATION

A. Present Certification of Recognition to the Agents of Change for excellence in serving our community. (241-13) Postponed.

V. PUBLIC COMMUNICATIONS: None.

VI. COUNTY DEPARTMENTS

A. Community Development and Services

1. Adopt resolution accepting grant agreement from Yuba County Water Agency for construction of the Marysville Road slipout repair, awarding contract to Staples Construction Company, Inc. utilizing the National Joint Powers Alliance, and authorizing Public Works Director to execute and administer both contracts. (Ten minute estimate) (242-13) Community Development Director Kevin Mallen recapped the slipout, repair, and responded to Board inquiries.

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. 2013-64A, which is on file in Yuba County Resolution Book No. 44, entitled: "A RESOLUTION ACCEPTING GRANT AGREEMENT FROM THE YUBA COUNTY WATER AGENCY TO COVER THE CONSTRUCTION COST OF THE MARYSVILLE ROAD SLIPOUT REPAIR, AND AWARDING A CONTRACT FOR SAID WORK TO STAPLES CONSTRUCTION COMPANY, INC. FOR $1,166,512 UTILIZING THE NATIONAL JOINT POWERS ALLIANCE, AND AUTHORIZING PUBLIC WORKS DIRECTOR TO SIGN FOR AND ADMINISTER BOTH CONTRACTS."

B. County Administrator

1. Receive Proposed Budget for Fiscal Year 2013-2014 and make available for public review; adopt as County's interim spending plan, including allocation changes, pending adoption of final budget; acknowledge balanced budget with use of one-time funds, State actions may require significant adjustments, and restoration of reductions will require equivalent reductions; set budget workshops for August 13 and 20, 2013; and set final budget hearings for September 17 - 24, 2013. (Fifteen minute estimate) (243-13) County Administrator Robert Bendorf provided a PowerPoint presentation on the proposed budget totaling $180,284,217 recapping revenue allocations and the following:
   - No increases in General Fund Appropriation for most departments
   - Reduce General Fund Contingencies to $294,872
   - Reduce General Fund Reserves to $1,153,705
   - Reliance on one-time funds for ongoing expenditures - $832,900
   - Appropriation of General Fund Discretionary Revenue for General Government - $7,193,829
   - Appropriation of General Fund Discretionary Revenue for Land Use - $329,674
   - Appropriation of General Fund Discretionary Revenue for Health Services - $289,608
   - Appropriation of General Fund Discretionary Revenue for Social Service - $324,341
   - Appropriation of General Fund Discretionary Revenue for Public Protection - $17,844,828
   - Significant Costs: Health Insurance Employer Share of Costs: $10,587,930 - Pensions: $8,775,994
   - Five Layoffs Proposed - Library: Two - Victim Witness: One - Administrative Services: Two
   - Operational Impacts to Various Departments
Pending Issues including General Fund Balance, Health Insurance Increases, State Impacts
Budget Planning for Fiscal Year 2014-2015

Assessor Bruce Stottlemyer responded to Board inquiries regarding Prop 8 values advising at roll
closure an increase would be realized for the first time in five years.

Supervisor Vasquez requested Board review and reconsideration of the Safety Sales Tax allocation
process.

Supervisor Abe left the chambers at 11:07 a.m. and returned at 11:08 a.m.

Auditor Richard Eberle supported recommendations and expressed concerns regarding ongoing revenues
not meeting expenditures.

The following individuals spoke:
Mr. Michael Paine - Friends of Library, Library Advisory Commission

MOTION: Move to accept Proposed Budget for Fiscal Year 2013-2014 and make available for public
review
MOVED: Mary Jane Griego SECOND: Hal Stocker
AYES: Mary Jane Griego, Hal Stocker, Andy Vasquez, John Nicoletti, Roger Abe
NOES: None ABSENT: None ABSTAIN: None

MOTION: Move to adopt Proposed Budget 2013-2014 as County’s interim spending plan, including
allocation changes, pending adoption of final budget; acknowledge balanced budget with use of one-time
funds, State actions may require significant adjustments, and restoration of reductions will require
equivalent reductions
MOVED: Hal Stocker SECOND: Roger Abe
AYES: Hal Stocker, Roger Abe, Andy Vasquez, John Nicoletti, Mary Jane Griego
NOES: None ABSENT: None ABSTAIN: None

MOTION: Move to set budget workshops for August 13 and 20, 2013; set final budget hearings for
September 17 - 24, 2013; and schedule Board review of services and funding for special districts and
cities in October.
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

2. Approve deferring salary increases for management, confidential, and elected department heads until July
1, 2014. (Ten minute estimate) (244-13) County Administrator Robert Bendorff recapped the process for
increases and purpose of deferral.

Supervisor Abe requested Board members to consider a pay cut and suspending the car allowance at a
future Board meeting.

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

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3. Adopt resolution repealing and enacting Section B-3 Budget and Financial Policy of the Administrative Policy and Procedures Manual lowering general fund reserves from six to five percent. (Fifteen minute estimate) (245-13)

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. 2013-64, which is on file in Yuba County Resolution Book No. 44, entitled: "RESOLUTION REPEALING AND ENACTING SECTION B-3 BUDGET AND FINANCIAL POLICY OF THE YUBA COUNTY ADMINISTRATIVE POLICY AND PROCEDURES MANUAL."

C. Library

1. Adopt schedule of hours open to the public for the Yuba County Library effective July 1, 2013. (246-13)
Interim Library Director Kevin Mallen recapped staffing, hours, and responded to inquiries.

The following individuals spoke:
- Ms. Susan Townsend
- Mr. Charles Johnston
- Ms. Aleta Zak

MOTION: Move to approve Library open hours Tuesday – Friday 12:00 to 6:00 p.m. and closed Saturday through Monday and continue looking for funding opportunities to allow Saturday hours without cost increase

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

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

A. Public Hearing - Hold public hearing and adopt resolution amending Community Development Block Grant (CDBG) Program Income Reuse Plan a reuse plan governing program income from CDBG assisted activities. (Five minute estimate) (247-13)Yuba Sutter Economic Development Corporation Loan Officer Jackie Slade recapped plan changes, clerical changes to resolution, and responded to Board inquiries.

Chairman Vasquez opened the public hearing.

MOTION: Move to close public hearing and adopt resolution
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. 2013-65, which is on file in Yuba County Resolution Book No. 44, entitled: "ADOPT AN AMENDED CDBG PROGRAM INCOME REUSE PLAN, A REUSE PLAN GOVERNING PROGRAM INCOME FROM CDBG ASSISTED ACTIVITIES."

VIII. CORRESPONDENCE - (248-13)
A. Letter from Sardeep H. Atwal relating to requirement of Conditional Use Permit for tree farming in the Plumas Lake General Plan area. Referred to Community Development and Services to bring forward for Board consideration.

B. Letter from Thomas R. Boyko, Department of Energy Western Area Power Administration, regarding trees and orchards planted within transmission line easements. Received.

IX. BOARD AND STAFF MEMBERS’ REPORTS:

Supervisor Griego
Meeting Attended:
\* LGC Directors meeting June 13, 2013
\* OPUD Liaison June 14, 2013
\* SACOG Strategic Planning Committee June 17 2013
\* Water Agency POD Committee June 17, 2013

Supervisor Nicoletti
\* Upcoming travel out of state
\* Memorial Adjournment - Mr. Bob Swift, Mr. Ernest Speckert Sr., and Ms. Sharon Sperbeck Beeler
\* China Delegation visit June 25, 2013 and establishing Friendship Community Relationship

Supervisor Stocker
Meetings Attended:
\* Assemblyman Logue Town Hall held June 17, 2013
\* SACOG Strategic Planning Committee June 17, 2013
\* Kibbe Road regarding aggregate travel
\* Browns Valley School Volunteer Awards Recognition

Supervisor Abe
Meetings Attended:
\* June 5 Regional Flood Management meeting
\* June 6 BLMC Bowling Competition
\* June 7 Water Agency Training
\* June 12 Planning/Ordinance Development Open House
\* June 13 Graduation Ceremony and Grad Night Activities
\* June 14 OPUD Liaison
\* June 17 Assemblyman Logue Town Hall (Williamson Act) and Water Agency POD Committee

Environmental Health Tej Maan: Sewage and septic complaint at Joshua Men’s Center resolved with no immediate health concerns

Supervisor Vasquez
\* Requested proclamation recognizing Laura Carpenter
Meetings attended:
\* Linda Liaison June 12, 2013
\* June 14 Area 4 Agency on Aging,
\* Father’s First Graduation June 9
\* Yuba County Fly-In and Air Show June 8
County Administrator Robert Bendorf
  - June 18 meeting with State Department of Housing and Community Development staff regarding program repayment associated with the housing rehabilitation and business assistance loan programs
  - Out of office June 19-21, 2013

X. CLOSED SESSION: The Board retired into closed session at 12:40 p.m. and returned at 1:07 p.m. with all present as indicated above.

A. Conference with Real Property Negotiator pursuant to Government Code §54956.8 - Property: APN 021-150-061/Roberta Butler Negotiating Parties: Kevin Mallen Negotiation: Terms and Price By unanimous vote, the Board initiated eminent domain.

B. Pending litigation pursuant to Government Code §54956.9(a) - Fullmer vs. County of Yuba By unanimous vote, the Board referred the matter to Porter Scott.

C. Threatened litigation pursuant to Government Code §54956.9(b) - Claim of Lucha et al By unanimous vote, the Board denied the claim and referred the matter to Porter Scott.

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

E. Pending litigation pursuant to Government Code §54956.9(d)(2) - One Case Information was provided.

XI. ADJOURN: 1:07 p.m. in memory of Mrs. Sharon Beeler, Mr. Ernest Speckert Sr., and Mr. Bob Swift.

Chair

ATTEST: DONNA STOTTERMeyer
CLERK OF THE BOARD OF SUPERVISORS

Approved: July 9, 2013