The County of Yuba

BOARD OF SUPERVISORS

SEPTEMBER 10, 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 Counsel Angil Morris-Jones, and Deputy Clerk of the Board of Supervisors Rachel Ferris. Chairman Vasquez 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.

County Counsel Angil Morris-Jones requested adding to agenda County Departments/Office of Emergency Services resolution declaring a local emergency.

MOTION: Move to add to agenda County Departments Item A1 MOVED: Roger Abe SECOND: John Nicoletti

AYES: Hal Stocker, John Nicoletti, Andy Vasquez, Roger Abe
NOES: None ABSENT: None ABSTAIN: None

MOTION: Move to approve Consent Agenda MOVED: Hal Stocker SECOND: John Nicoletti

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

A. Administrative Services

1. Approve Memorandum of Understanding with the City of Marysville for custodial services and authorize the Chair to execute. (348-13) Approved.

B. Agricultural Commissioner


C. Auditor-Controller

1. Approve removal of various capital asset items as disposed. (350-13) Approved.
D. Board of Supervisors

1. Appoint Keith Davis, Division III, to the Cordua Irrigation District Board of Directors for four-year term through 2017 in lieu of election. (351-13) Approved.


E. Clerk of the Board of Supervisors


2. Reappoint Lucille Bryant, Opal Richardson and Ron Russell to the In Home Supportive Services Advisory Committee for terms ending September 10, 2015. (354-13)

   MOTION: Move to appoint Opal Richardson and Ron Russell
   MOVED: Roger Abe    SECOND: John Nicoletti
   AYES: Roger Abe, John Nicoletti, Andy Vasquez, Mary Jane Griego, Hal Stocker
   NOES: None    ABSENT: None    ABSTAIN: None

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


F. Clerk-Recorder/Elections

1. Adopt resolution approving agreement with Tyler Technologies for Clerk/Recorder Software System and implementation in an amount not to exceed $300,000 and authorize the Clerk Recorder to execute necessary documents. (Finance Administration Committee recommends approval) (357-13) Adopted Resolution No. 2013-87, which is on file in Yuba County Resolution Book No. 44, entitled: "RESOLUTION TO AUTHORIZE THE YUBA COUNTY CLERK/RECORDER-REGISTRAR OF VOTERS TO ENTER INTO AGREEMENT WITH TYLER TECHNOLOGIES TO IMPLEMENT CLERK/RECORDER AUTOMATED SYSTEM, TO EXECUTE DOCUMENTS, AND MAKE EXPENDITURES REQUIRED BY THE AGREEMENT."

G. Community Development and Services

1. Award contract to R & R Horn Contractors, apparent low bidder for the Powerline Road Bike and Pedestrian Improvements Safe Route to School Phase III and authorize the Chair to execute same upon review and approval of Counsel. (358-13) Approved.

2. Adopt resolution authorizing the purchase of a new Vac-Con vacuum truck using a one year lease for a portion of the purchase price and authorizing the Public Works Director to execute same. (359-13)
Adopted Resolution No. 2013-88, which is on file in Yuba County Resolution Book No. 44, entitled: "RESOLUTION AUTHORIZING THE PURCHASE OF A NEW VAC-CON VACUUM TRUCK USING A ONE YEAR LEASE FOR A PORTION OF THE PURCHASE PRICE AND AUTHORIZING THE PUBLIC WORKS DIRECTOR TO SIGN."

3. Approve Change Order No. 4 with Knife River Construction, accept Rupert Avenue Widening project as complete, and authorize the Public Works Director to execute documents and record Notice of Completion. (360-13) Approved.

H. Health and Human Services

1. Adopt resolution approving agreement with California Department of Health for HIV/AIDS Surveillance Grant and authorizing the Chair to execute all necessary documents and acceptance of funds. (Human Services Committee recommends approval) (361-13) Adopted Resolution No. 2013-89, 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 DEPARTMENT OF PUBLIC HEALTH FOR THE AIDS BLOCK GRANT FOR THE PERIOD OF JULY 1, 2013 - JUNE 30, 2016, AND AUTHORIZE THE CHAIRMAN TO EXECUTE DOCUMENTS AS REQUIRED BY THE GRANT AND ANY PERTINENT DOCUMENTS RELATED TO THIS PROGRAM, AND AUTHORIZE THE ACCEPTANCE OF FUNDS."

2. Adopt resolution authorizing agreement with the California Department of Social Services for adoption services and authorize the Health and Human Services Director to execute necessary documents as required. (362-13) Adopted Resolution No. 2013-90, which is on file in Yuba County Resolution Book No. 44, entitled: "AUTHORIZE THE DIRECTOR OF YUBA COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT TO ENTER INTO AND EXECUTE, ON BEHALF OF THE COUNTY OF YUBA, AN AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF SOCIAL SERVICES FOR AGENCY ADOPTION SERVICES PURSUANT TO WELFARE AND INSTITUTIONS CODE SECTION 16130 AND FURTHER AUTHORIZE THE DIRECTOR TO EXECUTE DOCUMENTS AS REQUIRED BY THIS AGREEMENT."

IV. PUBLIC COMMUNICATIONS: No one came forward.

V. CORRESPONDENCE - (363-13)

A. Notice from State of California Department of Fish and Wildlife relating to public hearing regarding proposed fee amendments for Lake and Streambed Alteration agreements. Accepted.

B. Letter from United States Department of Transportation Federal Aviation Administration regarding project meeting notification relating to northern California optimization of airspace and procedures. Accepted.

C. Agenda from Central Valley Regional Water Quality Control Board for September 19, 2013 meeting in Fresno California. Accepted.

D. Two letters from California Office of Emergency Services advising of disaster designation related to drought. Accepted.

E. Letter from Child Care Planning Council regarding 2012-2013 accomplishments. Accepted.
VI. COUNTY DEPARTMENTS

A. County Administrator

1. Adopt resolution declaring and ratifying the existence of a local emergency in the County of Yuba as it relates to Gold Village Subdivision. (Ten minute estimate) (367-13) Emergency Operations Manager Scott Bryan recapped water shortage, the necessity for maintaining the state of emergency for grant funding, and responded to Board inquiries.

Community Development and Services Director Kevin Mallen recapped measures that were instituted and status of the current water levels. Mr. Mallen advised a town hall meeting was held September 9, 2013 to provide information to the residents on current water levels, available usage and next steps, and responded to Board inquiries.

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. 2013-91, which is on file in Yuba County Resolution Book No. 44, entitled: "A RESOLUTION DECLARING AND TO RATIFY THE EXISTENCE OF A LOCAL EMERGENCY IN THE COUNTY OF YUBA," as it relates to Gold Village.

VII. BOARD AND STAFF MEMBERS' REPORTS:

Supervisor Griego:
Meetings attended
• September 5, 2013 SACOG Transportation Committee
• August 28 – 30, 2013 CalLAFCO Conference
• SACOG Philadelphia Mission Study

Supervisor Nicoletti:
• Arts Council event Harvest the Arts
• Beale Air Force Base resource sharing initiatives
• Yuba Sutter Economic Development Corporation peer review
• Flood Management Association Conference in Anaheim September 2 – 6, 2013

Supervisor Stocker:
• Memorial adjournment: Ms. Dorothy Clark, Mr. Patrick Lorten, and Mr. Otto LaBudde
• Foothill Farmers markets
• Ponderosa Park for little league season
• Brownsville Fire Department meeting held September 9, 2013

Supervisor Abe:
Meetings attended:
• August 28, 2013 General Housing Element Workshop
• August 28 and September 3, 2013 South Member Units Water Agency
• August 28, 2013 Beale AFB 38th Intelligence Squadron Open House October 26, 2013
• September 4, 2013 LAFCO and Lions Club meetings
• September 5, 2013 CSAC meeting
• September 6, 2013 Sacramento Valley EMS
• September 6, 2013 BMLC Golf Tournament at Peach Tree Country Club
• Veterans Walk held Saturday September 7, 2013
• September 9, 2013 Gold Village town hall meeting

Supervisor Vasquez:
• Veterans Walk held Saturday, September 7, 2013
• Farm to Fork Dinner in the Foothills

County Counsel Angil Morris-Jones: Naturalization Ceremony September 27, 2013 from 10:00 a.m. to 11:00 a.m. at the Veterans Memorial Building in Yuba City

VIII. CLOSED SESSION: The Board retired into closed session at 10:25 a.m. and returned at 11:26 a.m. with all present as indicated above.

The following individuals spoke:
• Mr. Dale Whitmore, Fish and Game Biologist
• Ms. Dana Del Read, Sutter County Fish and Game Commissioner

B. Pending litigation pursuant to Government Code §54956.9(d)(2) - Two claims By unanimous vote direction given.

C. Pending litigation pursuant to Government Code §54956.9(d)(2) - Garcia vs. Arnold and Yuba County et al By unanimous vote referred to Porter Scott

IX. RECESS TO 1:30 P.M.

X. WORKSHOP

A. Receive presentation from Wheatland City representatives on proposed development projects for annexation, including Johnson Rancho, Hop Farm and Nichols Grove. (60 minute estimate) (364-13) Community Development Director Tim Raney provided a PowerPoint presentation outlining Wheatland annexation project applications and timelines, and responded to Board inquiries.

Senior Project Manager Nick Pappani recapped land development projects and responded to Board inquiries.

Supervisor Abe left the meeting at 1:45 p.m. and returned at 1:50 p.m.

Community Development and Services Director Kevin Mallen and LAFCO Director John Benoit responded to Board inquiries.

Following extensive discussion, staff would work with the City on additional language to address prime agricultural land and preservation within the Tax Sharing Agreement and would be brought to the Board on September 24, 2013 for reconsideration.
XI. **ADJOURN**: 3:32 p.m. in memory of Ms. Dorothy Clark, Mr. Patrick Lorten, and Mr. Otto LaBudde.

ATTEST: DONNA STOTLEMEYER  
CLERK OF THE BOARD OF SUPERVISORS

By: Rachel Ferris, Deputy Clerk

Approved: September 24, 2013