The County of Yuba
BOARD OF SUPERVISORS

OCTOBER 21, 2014 - 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 Stottlemeyer. Chairman Nicoletti presided.

I. PLEDGE OF ALLEGIANCE - Following a moment of silence honoring members of the armed services and their families whose lives have been lost followed by the pledge led by Supervisor Vasquez

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

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: Hal Stocker
SECOND: Andy Vasquez

AYES: Hal Stocker, Andy Vasquez, John Nicoletti, Mary Jane Griego, Roger Abe

NOES: None
ABSENT: None
ABSTAIN: None

A. Clerk of the Board of Supervisors


2. (470-14) Appoint Chong Yang to the Yuba County Economic Development Advisory Committee to serve at the pleasure of the Board. Approved.

3. (471-14) Approve September 30, and October 7, 2014 Board meeting minutes. Approved, as written.


B. Community Development and Services

1. (474-14) Approve Amendment No. 2 to agreement with Quincy Engineering Inc. for the Alleghany Road over Oregon Creek Bridge Rehabilitation project and authorize Chair to execute. Approved.
C. Health and Human Services

1. (475-14) Adopt resolution authorizing Health and Human Services to enter into and execute agreements with Foster Family Agencies for the provision of intensive treatment foster care services. (Human Services Committee recommends approval) Adopted Resolution No. 2014-98, which is on file in Yuba County Resolution Book No. 45.

2. (476-14) Adopt resolution authorizing Chair to accept, allocate grants funds from First 5 Yuba for the period of October 1, 2014 through June 30, 2016, and execute related agreements; and authorize a Budget Transfer in the amount of $30,000 from Account No. 106-000-361-47.07 (Grant Revenue) to appropriate revenue for expenditures for the period of October 1, 2014 through June 30, 2015. Adopted Resolution No. 2014-99, which is on file in Yuba County Resolution Book No. 45.

D. Human Resources and Organizational Services

1. (477-14) Approve CSAC-EIA Medical Malpractice extended participation agreement and authorize Chair to execute. Approved.

2. (478-14) Approve Master Labor Agreement with Probation Peace Officers' Association and authorize Chair to execute. Approved.

IV. SPECIAL PRESENTATION

A. (479-14) Present 2014 Employee Recognition Awards. (Fifteen minute estimate) Human Resources Director Martha Wilson and Board members presented the following awards:
- Outstanding Leadership - Cheryle Corniel
- Public Service Excellence - Michele Mazerolle
- Workforce Excellence - Tracy Bryan
- Exceptional Team Work - Adult Services consisting of Kemry Smith, Xia Lia Yang, Rachel Davit, Lois DeAlba, Cyndi Epperson, Chao Her, Cathy Jordan, Stacy Morris, Monica Saini, Wenny Mc Cleary, Karah Glavaries, Greg Knox, Evelyn Morrill, Billy Yang and John Crocker
- Workforce Excellence Sustained Effort - Michelle Ridgeway

B. (480-14) Receive information on Draft Development Code, public review, availability, and comment period. (Fifteen minute estimate) Planning Director Wendy Hartman provided a brief PowerPoint presentation outlining purpose of the Draft Development Code and advised of availability of code, comment period ending on December 5, 2014, and public workshop scheduled November 19, 2014 at 6:00 p.m. in the Board Chambers.

V. PUBLIC COMMUNICATIONS:
Mr. Preston Dickinson, Preston's Telecom Consulting, AT&T representative

VI. COUNTY DEPARTMENTS

A. County Administrator

1. (481-14) Award Public Defender - First Conflict contract to Michael J. Sullinger, Douglas Tibbits, and Philippa Lauben, and authorize Chair to execute. (Five minute estimate) Management Analyst Grace Mull briefly recapped and responded to Board inquiries.
MOTION: Move to approve MOVED: Mary Jane Griego SECOND: Andy Vasquez
AYES: Mary Jane Griego, Andy Vasquez
NOES: None ABSENT: None ABSTAIN: None

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

Supervisor Stocker left the meeting at 10:28 a.m.

A. (482-14) Public Hearing - Hold hearing and adopt findings of facts, conclusion of law and orders authorizing the assessment of administrative and abatement costs and penalties, and recording of lien regarding the subject address of 1859 Turpin Street, Olivehurst (Edward G and Yvonne P Stubbs), in the amount of $17,481.06. (Ten minute estimate) Code Enforcement Manager Jeremy Strang provided a Power Point presentation which recapped the abatement of a public nuisance, cost for same, and responded to Board inquiries.

Supervisor Stocker rejoined the meeting at 10:33 a.m.

Property owner Mr. Ed Stubbs recapped acquiring the property, disputed some associated costs, however understood the cost but was unable to pay, and indicated he would turn the property over to the county to recover costs.

County Counsel Angil Morris-Jones commented on the purpose of the hearing and inability to accept property from owner.

MOTION: Move to Close Public Hearing
MOTION: Move to adopt MOVED: Mary Jane Griego SECOND: Hal Stocker
AYE: Mary Jane Griego, Hal Stocker, Andy Vasquez, John Nicoletti, Roger Abe
NO: None ABSENT: None ABSTAIN: None

MOTION: Move to adopt findings, conclusions, and orders for assessment of costs, penalties in the amount of $17,481.06
MOVED: Mary Jane Griego SECOND: Hal Stocker
AYE: Mary Jane Griego, Hal Stocker, Andy Vasquez, John Nicoletti, Roger Abe
NO: None ABSENT: None ABSTAIN: None

B. (483-14) Public Hearing - Hold hearing and adopt resolution of necessity to acquire property identified as APN 021-150-061 (Butler) for community parkland in East Linda Specific Plan. (30 minute estimate) Chairman Nicoletti provided directions for the hearing.

Public Works Director Mike Lee recapped the steps taken to acquire the property, appraisal of the property, meetings with owners, and steps leading to inability to reach a mutually acceptable purchase price. Mr. Lee responded to Board inquiries.

Mr. William LeBaron, Appraiser, responded to Board inquiries regarding the appraisal and subject property.

Attorney Brian Manning, on behalf of Roberta Butler, challenged the right to take the property, questioned use of the property, acquisition, and objected to the appraisal of the property as improper and not meeting the requirements for eminent domain. Mr. Manning responded to Board inquiries

County Counsel Angil Morris-Jones clarified the resolution and legality of proposed action.
Chairman Nicoletti opened the public hearing. No one came forward.

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

Motion failed.

VIII. CORRESPONDENCE: The Board may direct any item of informational correspondence to a department head for appropriate action.

Supervisor Abe left the meeting at 11:43 a.m. and returned at 11:47 a.m.

A. (484-14) Two News Releases from U.S. Fish and Wildlife Service regarding the western yellow-billed cuckoo and west coast fisher population. Accepted

IX. BOARD AND STAFF MEMBERS' REPORTS: This time is provided to allow Board and staff members to report on activities or to raise issues for placement on future agendas.

Supervisor Griego:
○ Boots and Brews October 25, 2014
○ CALAFCO Annual Conference

Supervisor Stocker: Indigenous Days held at Sycamore Ranch October 10-12, 2014

Supervisor Vasquez left at the meeting at 11:44 a.m. and returned at 11:48 a.m.

X. CLOSED SESSION: The Board retired into closed session at 11:48 a.m. and returned at 12:17 p.m. with all present as indicated above.

A. Personnel pursuant to Government Code §54957.6(a) - Labor Negotiations - DDAA/Confidential/Unrepresented/Management No report

    County Administrator Robert Bendorf joined closed session at 11:54 a.m. following discussion of DDAA negotiations.

B. Personnel pursuant to Government Code §54957 - Public Appointment - Human Resources and Organizational Services Director No report

XI. ADJOURN: 12:18 p.m.

Chair

10/21/2014
ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

Approved: November 18, 2014