The County of Yuba
BOARD OF SUPERVISORS

APRIL 14, 2015 - 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 Ranch Fletcher. Also present were County Administrator Robert Bendorf, County Counsel Angil Morris-Jones, and Deputy Clerk of the Board of Supervisors Rachel Ferris. Chair Griego presided.

I. PLEDGE OF ALLEGIANCE - Led by Supervisor Griego

II. ROLL CALL - Supervisors Vasquez, Nicoletti, Griego, Abe, Fletcher – 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

MOVED: John Nicoletti
SECOND: Randy Fletcher

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

A. Administrative Services

1. (151-15) Approve temporary loan from Fund 131 in the amount of $8,605 for window replacements in the Airport Tower Building. Approved.

2. (152-15) Authorize Purchasing Agent to proceed with purchase orders in the total amount of $524,212, for furnishings and equipment for the new Sheriff’s facility located at 720 Yuba Street. Approved.

B. Board of Supervisors

1. (153-15) Appoint David Villanueva to the Community Services Commission as the District Four representative for a term to end December 31, 2016. Approved.

C. Health and Human Services

1. (154-15) Adopt resolution authorizing Director to execute specific new and ongoing contracts for Fiscal Year 2015-2016 and authorizing Chair to accept funds. Adopted Resolution No. 2015-34, which is on file in Yuba County Resolution Book No. 46.
D. Community Development and Services

1. 164-15) Adopt resolution accepting transfer of ownership of Johnson Park Ditch from Olivehurst Public Utility District. (Land Use and Public Works Committee recommends approval) Adopted Resolution No. 2015-35, which is on file in Yuba County Resolution Book No. 46.

2. (165-15) Adopt resolution accepting CalFire grant 5GS14159 for Yuba County Residential Chipping Program and authorizing Public Works Director to execute.

Following Board discussion relating to Administrative Costs, Board consensus was reached to reduce those costs from 25 percent to 10 percent with the option of allocating additional funds to that line item as necessary.

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

Adopted Resolution No. 2015-36, which is on file in Yuba County Resolution Book No. 46.

County Counsel Angil Morris-Jones requested a closed session item be added as a matter of business that arose after the agenda was posted as item XI. F. Pending litigation - Santana and Vasquez vs. County of Yuba, et. al

MOTION: Move to add to Closed session  MOVED: Andy Vasquez  SECOND: John Nicoletti
AYES: Andy Vasquez, John Nicoletti, Mary Jane Griego, Roger Abe, Randy Fletcher
NOES: None  ABSENT: None  ABSTAIN: None

IV. PUBLIC COMMUNICATIONS:

Ms. Mary Battista, Dobbins, application of Fire Prevention fees

County Administrator Robert Bendorf advised he would make inquiries and follow up with Ms. Battista and the Board.

V. COUNTY DEPARTMENTS

A. Probation

1. (155-15) Adopt resolution proclaiming April 19 - 25, 2015 National Crime Victims' Rights Week in celebration of service to victims of crime and reaffirming Board recommendation for Probation to operate Victim Services. (Twenty minute estimate) Program Manager Jason Roper recapped Victims’ Rights Week and introduced office staff employees and volunteers. Mr. Roper continued with the presentation commending the following for their exemplary service to victims of crime:

- Mr. Rick Wise - Probation Department
- Ms. Jeni Benson - Probation Department
- Mr. Ben Martin - Sheriff's Department
- Mr. Pat McGrath - District Attorney
- Ms. Angie Martinez - Probation
- Brownsville Quilt Guild
- Ms. Monica Ruiz, Hero award for bravery
Mr. Roper invited the Board to attend a Candlelight Vigil April 19, 2015 at 6:30 p.m. at Yuba County Victim Witness office in Olivehurst.

Chair Griego commended Mr. Roper, the Victim Witness unit, and all who provide assistance.

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

Adopted Resolution No. 2015-37, which is on file in Yuba County Resolution Book No. 46.

VI. **RECESS** From 10:26 a.m. to 11:00 a.m. with all members present as listed above with the exception of Supervisor Nicoletti.

VII. **ORDINANCES AND PUBLIC HEARINGS:** The clerk read the disclaimer.

A. (156-15) Public Hearing - Hold public hearing and adopt resolution confirming the diagram and assessments within the Gledhill Landscaping and Lighting District for Fiscal Year 2015-2016. (Five minute estimate) Director Mike Lee provided a brief recap.

The Chair opened the public hearing. No one came forward.

MOTION: Move to close the public hearing and adopt  MOVED: Andy Vasquez  SECOND: Randy Fletcher  
AYES: Andy Vasquez, Randy Fletcher, Mary Jane Griego, Roger Abe  
NOES: None  ABSENT: John Nicoletti  ABSTAIN: None

Adopted Resolution No. 2015-38, which is on file in Yuba County Resolution Book No. 46.

B. (157-15) Public Hearing - Hold public hearing and adopt resolution determining and imposing assessments within Linda Street Lighting Maintenance District for Fiscal Year 2015-2016. (Five minute estimate)

The Chair opened the public hearing. No one came forward.

MOTION: Move to close the public hearing and adopt  MOVED: Andy Vasquez  SECOND: Randy Fletcher  
AYES: Andy Vasquez, Randy Fletcher, Mary Jane Griego, Roger Abe  
NOES: None  ABSENT: John Nicoletti  ABSTAIN: None

Adopted Resolution No. 2015-39, which is on file in Yuba County Resolution Book No. 46.

VIII. **ITEM OF PUBLIC INTEREST**

A. (158-15) Consider approval of application from Mary Gutierrez for Type 48 On-sale General - Public Premises Alcoholic Beverage License for a bar to be located at 1672 Hammonton-Smartsville Road and make a finding of public convenience or necessity to allow license. (Ten minute estimate) Planner Kevin Perkins recapped request and responded to Board inquiries.

Mr. Steven Benjamin, on behalf of applicant, provided photos showing interior and exterior security cameras, and responded to board inquiries.
IX. **CORRESPONDENCE:** The Board may direct any item of informational correspondence to a department head for appropriate action.

A. (159-15) Notice from Regional Water Quality Control Board enclosing agenda for meeting of April 16, 2015 to hear consideration of Administrative Civil Liability Order in the matter of Recology Yuba Sutter Landfill. Received.


C. (161-15) Letter from Area 4 Agency on Aging regarding Fiscal Year 2015-2016 local match. Received.

D. (162-15) Notice from State Water Resources Control Board regarding petition for change involving water transfer of up to 7,500 acre feet to participating State Water Contract Agencies. Received.

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

Supervisor Abe:
- Water Allocation meeting held April 8, 2015
- Conference call regarding Governors drought executive order April 10, 2015

Supervisor Griego:
- Attended CALCOG meeting and workshop held April 8 – 10, 2015

County Administrator Robert Bendorf:
- Met with US Air Force consultants regarding encroachment issues at Beale Air Force Base
- Out of office through April 20, 2015

XI. **CLOSED SESSION:** The Board retired into closed session at 11:14 and returned at 12:08 p.m. with all present as indicated above with the exception of Supervisor Nicoletti.

A. Pending litigation pursuant to Government Code §54956.9(d)(1) - Mohammad Khan vs. County of Yuba, et. Al No report.

B. Personnel pursuant to Government Code §54957b(1) - Public Appointment/Public Health Officer No report.

C. Pending litigation pursuant to Government Code §54956.9(e)(3) - Two Claims - Taylor and Vanderploeg No report.

D. Personnel pursuant to Government Code §54957.6(a) - Labor Negotiations - DDAA/Negotiating Parties: Abel and Vacek No report.

E. Pending litigation pursuant to Government Code §54956.9(d)(2) - One Claim By unanimous decision the Board approved to agendize claim.
F. Pending litigation pursuant to Government Code §54956.9(d)(1) – Santana and Vasquez vs. County of Yuba, et. Al Referred to Porter Scott by unanimous vote.

XII. ADJOURN 12:09 p.m.

ATTEST: DONNA STOTTLMEYER
CLERK OF THE BOARD OF SUPERVISORS

Approved: April 28, 2015

By: Rachel Ferris, Deputy Clerk