The County of Yuba
BOARD OF SUPERVISORS

OCTOBER 13, 2015

The Honorable Board of Supervisors of the County of Yuba met on the above date, in special session, 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 Randy Fletcher. Supervisor Griego was absent. Also present were County Administrator Robert Bendorf, County Counsel Angil Morris-Jones, and Deputy Clerk of the Board of Rachel Ferris. Chair Griego presided.

I. PLEDGE OF ALLEGIANCEx - Led by Supervisor Nicoletti

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

III. CONSENT AGENDAx: 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: Andrew Vasquez
AYES: Andrew Vasquez, John Nicoletti, Mary Jane Griego, Roger Abe, Randy Fletcher
NOES: None ABSENT: None ABSTAIN: None

A. Board of Supervisors


B. Sheriff-Coroner/Human Resources

1. (454-1015) Adopt resolution amending the Classification System-Basic Salary Schedule regarding Correctional Facility Registered Nurse effective November 1, 2015. Adopted Resolution No. 2015-105, which is on file in Yuba County Resolution Book No. 46.

IV. PUBLIC COMMUNICATIONS: None.

V. COUNTY DEPARTMENTS

A. Board of Supervisors

1. (455-1015) Receive Yuba County Digital Law Library Annual Fiscal Year 2014 thru 2015 report. Deputy County Counsel John Whidden recapped membership and current activities including a collaboration with Yuba Community College for a terminal and new computer at that location. Mr. Whidden responded to Board inquiries.
B. Emergency Services

1. (456-1015) Approve memorandum of understandings between Yuba County and Foothill Fire Department, Camptonville Volunteer Fire Department, Loma Rica/Browns Valley Community Services District and Dobbins/Oregon House Fire Protection District and authorize chair to execute. (Five minutes estimate). Emergency Operations Manager Scott Bryan recapped consolidated dispatch agreements signed by four of the Fire Districts, advising Smartsville Fire Protection District opted to not participate.

Following Board discussion County Administrators office was directed to follow up with Smartsville Fire Protection District and report to the Board in thirty days.

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

C. Sheriff-Coroner

1. (457-1015) Adopt resolution accepting gift of $10,000 from Law Enforcement Management and Supervisory Association and Deputy Sheriff’s Association for exercise equipment for new Sheriff Facility, and authorize cost of the remaining estimate to come from existing project funds or Capital Improvement Fund in an amount not to exceed $54,000. (Ten minutes estimate) Sheriff Durfor recapped gift amount received, funds for remaining balance, and responded to Board inquiries.

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

Adopted Resolution No. 2015-106, which is on file in Yuba County Resolution Book No. 46.

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

A. (448-1015) Ordinance- Hold public hearing, waive reading, and adopt ordinance adding section 8.05.325 relating to incessant dog barking and enforcement procedure. (Roll Call Vote) (Second Reading. Continued from October 6, 2015) (Five minute estimate)

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

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

By roll call vote, adopted Ordinance No. 1549 which is on file in Yuba County Ordinance Book No. 24.

B. (449-1015) Ordinance - Hold public hearing, waive reading, and adopt ordinance amending section 8.05.320 reducing violation to an infraction. (Roll Call Vote) (Second Reading. Continued from October 6, 2015) (Five minute estimate)

The Chair opened the public hearing. No one came forward.
MOTION: Move to close public hearing, waive reading, and adopt ordinance
MOVED: Andrew Vasquez  SECOND: Randy Fletcher
AYES: Andrew Vasquez, John Nicoletti, Mary Jane Gregio, Roger Abe, Randy Fletcher
NOES: None  ABSENT: None  ABSTAIN: None

By roll call vote, adopted Ordinance No. 1550, which is on file in Yuba County Ordinance Book No. 24.

VII. BOARD AND STAFF MEMBERS’ REPORTS:

Supervisor Nicoletti:
• Tsi Aikem Return of the Salmon ceremony
• Activities of the Homeless ad hoc committee

Supervisor Fletcher:
• UC Davis Field Station tour October 7, 2015
• Tour the Kulu Village at Sycamore Ranch Park
• Public meeting in Loma Rica

Supervisor Gregio:
• Memorial Adjournment: Mr. Wayne "Smitty" Smith
• Beale meeting with Olivehurst Public Utilities District regarding wastewater
• SACOG Board meeting Thursday, October 15, 2015

County Counsel Angil Morris-Jones: Naturalization Ceremony 10:00 a.m. Friday October 16, 2015 at Veterans Memorial, Yuba City

County Administrator Robert Bendorf: Employee Recognition Picnic

VIII. CLOSED SESSION The Board retired into closed session at 10:00 a.m. and returned at 11:10 a.m. with all members present as indicated above.

A. Pending litigation pursuant to Government Code §54956.9(d)(2) – One Case By unanimous vote authority and direction was provided.

B. Pending litigation pursuant to Government Code §54956.9(d)(1) – Messick vs. County of Yuba, et. al. By unanimous vote County Counsel was authorized and directed to seek appellate review to the Third District Court of Appeals on the Judges incorrect ruling in the Messick Case in that the decision is wrong under the law on several grounds.

IX. ADJOURN: 11:11 a.m. in memory of Mr. Wayne "Smitty" Smith.

Chair

ATTEST: DONNA STOTTHLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

Deputy Clerk

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