

STATE OF CALIFORNIA, COUNTY OF SIERRA

BOARD OF SUPERVISORS

*** MINUTES ***

CONTINUED REGULAR MEETING

The Sierra County Board of Supervisors met in continued regular session commencing at 9:00 a.m. on July 20, 2010 in the Loylton Social Hall, in the Loylton City Park, Loylton, CA.

This meeting is recorded. To listen to the discussion for a particular item please visit the Board of Supervisors' webpage at www.sierracounty.ws or by requesting an audio CD from the Clerk to the Board.

PLEDGE OF ALLEGIANCE: Led by Supervisor Goicoechea

MOMENT OF SILENCE: In honor of Retired County Assessor Don Iversen and State Senator Dave Cox

Chairman Goicoechea requested a moment of silence be held in honor of Retired Sierra County Assessor Don Iversen and State Senator Dave Cox.

ROLL CALL

Present: Lee Adams, Supervisor, District #1
Peter W. Huebner, Supervisor, District #2
Dave Goicoechea, Supervisor, District #4
Pat Whitley, Supervisor, District #5
Bill Nunes, Chair, District #3

Staff: Heather Foster, County Clerk-Recorder
Jim Curtis, County Counsel
Van Maddox, Auditor
Tim Beals, Director of Planning and Transportation
Carol Roberts, Director of Health and Human Services

APPROVAL OF CONSENT AGENDA

The Board moved to approve the Consent Agenda.

APPROVED. Motion: Nunes/Huebner/Unanimous Roll Call Vote: 5/0

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CONSENT AGENDA

- A. Resolution approving agreement with the State of California, Department of General Services-Surplus Equipment/Vehicles Program, to provide access to low cost surplus State property for Sheriff's Office use. (SHERIFF/CORONER)

ADOPTED, Resolution 2010-133
APPROVED, Agreement 2010-103

- B. Professional services agreement with Zaninovich Engineering for design and construction observation/resident engineering services related to the Yuba Theatre Septic System. (PUBLIC WORKS)

APPROVED, Agreement 2010-104

- C. Professional services agreement with James Crippen, Architect, for architectural services for remodeling existing restroom as part of the Proposition 40 Project at the Yuba Theatre. (PUBLIC WORKS)

APPROVED, Agreement 2010-105

- D. Professional services agreement with Melas Energy for design of a replacement HVAC System for The Yuba Theatre. (PUBLIC WORKS)

APPROVED, Agreement 2010-106

- E. Professional services agreement with MGE Engineering for engineering/design services related to Proposition 40 Projects. (PUBLIC WORKS)

APPROVED, Agreement 2010-107

- F. Resolution approving plans and specifications and authorizing solicitation of bids for the Yuba Theatre Septic System Project. (PUBLIC WORKS)

ADOPTED, Resolution 2010-134

- G. Resolution approving plans and specifications and authorizing solicitation of bids for the Yuba Theatre Restroom Remodeling Project. (PUBLIC WORKS)

ADOPTED, Resolution 2010-135

- H. Resolution approving plans and specifications and authorizing solicitation of bids for the Yuba Theatre HVAC System Project. (PUBLIC WORKS)

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ADOPTED, Resolution 2010-136

- I. Public Works Purchase Order PW-25 to Earth Surgeon's Construction for backhoe rental in the north area of the County. (PUBLIC WORKS)
- J. Minutes of the Continued Regular Meeting held June 15, 2010. (CLERK-RECORDER)
- K. Minutes of the Regular Meeting held July 6, 2010. (CLERK-RECORDER)

APPROVAL OF REGULAR AGENDA

The Board moved to approve the Regular Agenda.

APPROVED. Motion: Huebner/Nunes/Unanimous Roll Call Vote: 5/0

9:05 A.M. – PUBLIC COMMENT OPPORTUNITY –

At 9:05 a.m. Chairman Goicoechea opened the public comment opportunity.

Mr. Larry Pharris commented on the Independence Lake issue.

Mr. Pharris was informed that this matter is on the Regular Agenda and he can address it at that time.

Mr. Paul Davis, California Highway Patrol Lieutenant Commander addressed the Board informing them that he has accepted a promotion and going to Ukiah in Mendocino County. Mr. Davis thanked the Board for allowing the Quincy Highway Patrol to better serve Sierra County as it was a goal of his years ago to provide better service for the people on the east side of the County.

Supervisor Adams congratulated Mr. Davis and wished him the best.

Ms. Marie Silver, East Sierra Valley Chamber member addressed the Board noting that the County's exhibit at the State Fair won a silver award. Ms. Silver continued to note that Ms. Breed spear headed the exhibit idea and she believes the exhibit shows well for the County and both Chambers of Commerce.

Supervisor Whitley elaborated on the work done by the Chambers

At 9:13 Chairman Goicoechea closed the public comment opportunity with no further persons addressing the Board.

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COMMITTEE REPORTS & ANNOUNCEMENTS –

No reports given

DEPARTMENT MANAGERS' REPORTS & ANNOUNCEMENTS –

The Director of Human Services reported that the Board of Supervisors' Health and Social Services Standing Committee meeting will be held Friday, July 23, 2010 at 2:00 p.m. The Director further questioned the rescheduling of the Special Board of Supervisors' workshop.

Following brief discussion it was determined that the workshop would be held on September 15, 2010 at 9:00 a.m. in Loyalton.

The Director of Planning reported that he will be attending the City Council meeting tonight to request their approval of the Special Services Agreement with MGE Engineering for the design and engineering services for the Loyalton Park; they had good meeting about Smithneck Park and the project is moving forward; the Sierraville School project has no changes in terms of priorities; once the Downieville Retaining Wall project is complete the Proposition 40 funds through the District One Supervisor will be allocated to a short river walk along the Downie River; the Fourth Street project in the City has been completed and there is a final meeting today to close out the project; and the Nature Education Facility Grant with the State parks was filed on time in the amount of \$60,000 for a Nature Interpretive Center at the San Francisco State Field Campus.

The Director continued to review the presentation made at the July 6, 2010 Board meeting on the Loyalton Bank Ad Hoc Committee meeting; changes to the Building Code with respect to requirements for fire sprinklers in residential structures becoming mandatory effective January 1, 2011 and this being a difficult and economic burden on residential construction; the Solid Waste Committee meeting will meet August 2, 2010 and will result in a report and recommendation to the Board on the Solid Waste Study and referral from Sierra Solid Waste to transfer ownership to Intermountain Disposal; and the need to schedule a follow up meeting to the last Ad Hoc Forest Service meeting.

In response to Supervisor Nunes's inquiry, the Director clarified he believes the requirement for fire sprinklers is for new construction and not remodels.

Supervisor Adams noted this issue has been discussed at RCRC and CSAC and has not gained traction. There is concern that this will add at least \$8,000 to new home construction and what happens to rural areas and cold temperature areas where there are seasonal residents.

Following discussion Supervisor Adams recommended that the Director agendaize this issue for a future Board meeting and possibly draft a letter to Assemblyman Logue.

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FOREST SERVICE UPDATE –

Mr. Quentin Youngblood provided an update on various projects in the District.

Ms. Kathy Norris, Alliance For Workforce Development (AFWD) questioned Mr. Youngblood about ARRA funding projects noting that the participating companies have refused to work with them and she is hoping they have hired some local workforce.

Mr. Youngblood responded noting they will continue to send the names and phone numbers of the contract representatives, but how they participate with the Alliance For Work Force Development is out side of his jurisdiction. He can reaffirm with the hub zone contractors to try and actively participate with the AFWD.

Ms. Norris further requested the Board draft a letter to Assemblyman Logue about this issue as there are a lot of people in the County that are unemployed.

Mr. Youngblood continued to note that he would keep emphasizing the services available through the AFWD.

It was stated that Congressman Tom McClintock would be the appropriate legislature to discuss this with as this is a federal issue.

Supervisor Nunes explained that unless the SBA was to change their regulatory policy there isn't much the Board can do.

Mr. Tim Holabird, Congressman McClintock's Field Representative, addressed the matter noting that any constructive criticism is welcome and they would appreciate letters not only from individuals but also the County. Mr. Holabird continued note that the Forest Service and BLM have completely changed the management program to private fire contractors which has created a large problem in this district. Any comments on the hub zone issue would be welcome.

PUBLIC WORKS – Tim Beals

1. Discussion/review of the Downieville Classic Bike Race Event of July 9-11, 2010.

The Director of Planning addressed the Board noting this was a well organized event and the County had very few complaints; there are always some complaints with respect to parking. The race promoters and organization have done well and this event is getting better each year. The Director continued to explain that part of the Ad Hoc Forest Service meeting is to have a post race critique, make sure there are no issues that need to be dealt with before the next year, and to discuss opportunities that may arise because of the bike race, rafting, etc that might provide economic opportunities to local businesses that currently don't exist.

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Supervisor Adams noted he did not get one phone call on this event. Other than the parking issue, too many vehicles in a town that was not designed for twentieth century automobiles, this event went very well.

Supervisor Huebner also noted that he had very few comments. The business people were very happy and everything went well in Sierra City.

Mr. Tim Holabird addressed the Board explaining he spent most of Saturday and Sunday in Downieville and saw no problems. There were only two arrests over the weekend and neither had anything to do with the bike race. On Saturday he interviewed all of the major sponsors of the event and if the dates of the race are going to change this event won't happen. He would encourage the County to work with the Forest Service to try and maintain this date.

The Director noted there has been a number of questions presented that he anticipates coming out of the Forest Service Ad Hoc Committee meeting. One of the questions being asked which needs to be answered by the Forest Service is what the wildlife monitoring fee is going towards. There have been some concerns of not seeing any wildlife monitoring on the trail prior to the race.

Chairman Goicoechea requested the Ad hoc Committee follow up on this question.

- 1A. Resolution rescinding Resolution 2010-112 regarding the filing of 2010-2015 CalRecycle Used Oil Payment Program (OPP) applications due to wording changes and requirements from CalRecycle.

The Board moved to adopt the resolution rescinding Resolution 2010-112 regarding the filing of 2010-2015 CalRecycle Used Oil Payment Program (OPP) applications due to wording changes and requirements from CalRecycle.

ADOPTED, Resolution 2010-137. Motion: Nunes/Huebner/Unanimous Roll Call Vote: 5/0

- 1B. Resolution authorizing the filing and execution of applications and agreements with CalRecycle for the Used Oil Payment Program (OPP).

The Board moved to adopt the resolution authorizing the filing and execution of applications and agreements with CalRecycle for the Used Oil Payment Program (OPP).

ADOPTED, Resolution 2010-138. Motion: Nunes/Huebner/Unanimous Roll Call Vote: 5/0

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10:00 A.M. – SECTION 8 CHOICE VOUCHER PROGRAM

- 3A. Presentation by David Keller, Executive Director, Plumas County Community Development Commission (PCCDC), regarding the incorporation of the Sierra County Section 8 Choice Voucher Program (HCV) into the PCCDC HCV Program.
- 3B. Resolution requesting the California State Department of Housing and Community Development divest itself and return the Sierra County Housing Choice Voucher allocation to the Department of Housing and Urban Development (HUD) contingent upon HUD's transfer of Sierra County's HCV program to the Plumas County Community Development Commission for use in an expanded HCV service area to include Sierra County.

Mr. David Keller, Executive Director of the Plumas County Community Development Commission and also the Lassen Plumas Sierra Community Action Agency addressed the Board explaining that he is before the Board to request the transfer of the Housing Choice Voucher program to be administered by the Community Development Commission. They believe this is a good proposal and the program will allow more Sierra County residents to take advantage of a larger pool of vouchers and provide additional revenue to the PCCDC. If the County would like to transfer the administration from Sacramento to local administration the Board needs to adopt a resolution. He also believes the customer service would be better handled locally. Sierra County has a very small allocation of vouchers, currently 16 and only 9 are being utilized. By doing this the County could take advantage of additional vouchers.

Supervisor Whitley noted that Mr. Keller has a very good relationship with the County and knows our goals and aspirations. He works with many of entities in the County through the PCCDC and he is familiar with Sierra County's needs. Supervisor Whitley continued to note that having this program locally administered would be a win win for Sierra County.

The Board moved to adopt the resolution requesting the California State Department of Housing and Community Development divest itself and return the Sierra County Housing Choice Voucher allocation to the Department of Housing and Urban Development (HUD) contingent upon HUD's transfer of Sierra County's HCV program to the Plumas County Community Development Commission for use in an expanded HCV service area to include Sierra County.

Chairman Goicoechea expressed concerns of having everything in Sacramento passed to the counties and questioned if this process is working as presently and what are the pros and cons of this transfer.

Mr. Keller noted that Sierra County is so small it can't find a local administrator to sub contract the program, so they are trying to administer it from Sacramento. Currently Sierra County is only allocated 16 vouchers of which only 9 are being used. The PCCDC has a pool of vouchers and this would allow Sierra County to take advantage of a larger pool of vouchers. He doesn't see any real down side to this transfer.

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The Director of Human Services addressed the matter noting that Section 8 provides low cost housing for qualifying individuals and families. In the past there have been long waiting lists and no way for local citizens to understand how to access this program. This would be a huge benefit for Sierra County residents.

In response to the Director's inquiry pertaining to whether there is going to be a local presence in Loyalton through the Human Resource Center, Mr. Keller noted there would be.

In response to Chairman Goicoechea's inquiry pertaining to whether there is a time frame to do this transfer, Mr. Keller noted there is not.

The Director of Planning noted that this is a traditional housing program offered through HUD. This is not a Health and Human Services program and this program is typically administered through a housing authority in the county. Because Sierra County is too small to have an independent housing authority, the County traditionally used Nevada County to administer the program, which no longer exists. The Director continued to explain that in his opinion the transfer of this program to the PCCDC would serve the initial purpose of this program and access people in the community who qualify for the program. Sacramento is not the place for this program and he would encourage the Board to transfer this to the PCCDC.

In response to Supervisor Nunes's inquiry, Mr. Keller explained that the program was designed for the elderly, disabled, and working families in the County.

Supervisor Adams noted he recognizes that a program based in Quincy would be easier to administer than in Sacramento. Supervisor Adams continued to question if there is a limit on the number of vouchers as he is concerned with overwhelming the County and having too much of this in the community.

Mr. Keller noted that he doesn't see this happening and this program is for local residents who have been displaced for a reason not of their own doing. This is a very small program and is something that is difficult to administer because of the small numbers. They are trying to make this efficient and workable for Sierra County.

Chairman Goicoechea recommended making this a priority and looking into the transfer since a decision doesn't have to be made today.

Supervisor Whitley noted this program helps out those in need especially in today's economic climate and this is probably a real viable program for this time. There is no down side as we have had other counties do this for us in the past.

Supervisor Nunes noted that if the County is going to have this program he would prefer it to be local and would suggest moving the administration closer to home and look into continuing

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the program in the future. Supervisor Nunes further recommended that if the Board wants to modify the program, to discuss this on the next agenda.

ADOPTED, Resolution 2010-139. Motion: Whitley/Nunes/Unanimous Roll Call Vote:
5/0

Following brief discussion the Board requested Mr. Keller to return to the Board on September 15, 2010 to discuss this program further.

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2. Discussion/direction regarding letter to Edmund G. Brown, Jr., Attorney General, regarding public access to Independence Lake.

Chairman Goicoechea noted that the draft letter prepared by Mr. Kenny Osburn includes the County's acceptance and he is not prepared to make this determination at this time. Chairman Goicoechea further recommended referring this issue to the Sierra County Water Resource Committee to review the water rights issue in depth and bring a recommendation back to the Board. Chairman Goicoechea continued to explain that Mr. Osburn can send the letter separate, without the Board signing on. The Water Committee is going to meet on June 28, 2010 in Sierraville.

Supervisor Whitley noted the Board requested Mr. Osburn to write the letter and then the Board would determine whether to sign on to it; she doesn't like making decisions and then wasting time.

Discussion ensued pertaining to the structure and role of the Water Resource Committee.

Supervisor Nunes clarified that the direction was to draft a letter requesting an Attorney General's opinion. Supervisor Nunes continued to explain that the way to frame a letter to the Attorney General for an opinion is to have County Counsel draft a letter that meets the statutory requirements for a formal request of the Attorney General's office for an opinion.

County Counsel reviewed what he recalled from the last discussion noting he had indicated that the issues brought up by the Friends of Independence Lake are issues that are beyond the scope and expertise that he or any local attorney would be involved with. The Attorney General's Office is the appropriate party to go to for these issues. He had suggested that if they wanted to provide a draft letter to the Board, the Board could review the letter and then suggest whether or not to send it on to the Attorney General's Office. County Counsel continued to explain that he doesn't believe the County has satisfied all of the legal and factual points asserted in the proposed letter and doesn't believe the Board should take a stance on these issues; rather the Board could endorse that the Attorney General should be looking at these issues. County Counsel continued to note that the Attorney General's Office will receive requests from county counsel offices after a county has fully researched all of the issues. He believes that the Friends of Independence Lake are looking for an enforcement action and not an opinion. An enforcement action, if it is going to have any validity, is

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going to have to come from the Attorney General's Office. He has informed Mr. Osborn that the Attorney General's Office picks and chooses which items it wants to go to war over.

The Director of Transportation expressed concerns that this is a continuing discussion and there has been no direction to staff. He believes if the Board feels there is an issue that is right for review and analysis they need to assign the appropriate level of priority for the commitment of staff resources. If it is the Water Resource Committee, there are four public members on the Committee in addition to two County Supervisors and staff support. He has a lot of files and information that can assist the Board in determining what they want to do. There is a lot of history pertaining to 1975 litigation commenced against Sierra County by the State Lands Commission and various road issues.

Supervisor Whitley noted that the Friends of Independence Lake have gathered a lot of information and if the Board is going to refer this to the Water Committee she wants their information reviewed without any judgment.

Following further discussion, Mr. Osborn clarified that the two main concerns are road access and motorized boat use. They are fearful that the Nature Conservancy is using the land around the lake including invasive species and some other sensitive issues to determine what happens on the lake specific to their ideology. The road issue is the biggest concern; if they could drive to the lake this solves the majority of their problems. He has talked to several different agencies including the State Department of Fish and Game, Congressman McClintock's Office, Assemblyman Logue's Office, the State Lands Commission, the State Department of Boating and Waterways and they continue to hear the same thing; they need the County to buy off on this issue and the County needs to represent them. They are 62 days into this issue and he doesn't feel an inch closer to the truth. Mr. Osborn continued to note that they are not going to go away and appreciates that the Board has found an avenue to deal with this issue. He is hopeful that it is not bias and is constructive. Mr. Osborn reiterated that their two main issues are road access and the unrestricted use on the lake itself.

Supervisor Adams noted that from the County's point of view the main question is where does the jurisdiction of this road end. He also believes there are some significant property rights here and he doesn't want to trump anyone's private property rights. The County's role remains to be seen and whether this is a fight the County wants to pick up on behalf of all of Sierra County. Supervisor Adams continued to note that this isn't their only venue as any individual can file suit if they feel harmed.

Mr. Osborn responded explaining that what comes to mind is "David and Goliath". They pay taxes and live here and this is why they are asking for a little bit of assistance.

Supervisor Adams questioned how this is any different than Webber Lake. Mr. Osborn explained that Webber Lake is slated for complete renovation and the lake will be completely non-commercialized with respect to camping in about a ten years. The difference between Independence Lake and Webber Lake is Mr. Perry Norris has been very transparent with respect to

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the process for Webber Lake. The lack of transparency on the Nature Conservancy's side has been a heart break for him.

Mr. Larry Pharris distributed a copy of a map received from the Road Department noting he believes from the last meeting, the Director of Transportation was directed to research the road issue. He reviewed the mileage of the road with his own truck and to the gate. The mileage to the gate is underneath the mileage the County has written down as their maintained road.

Mr. Osburn further reviewed the map handed out by Mr. Pharris explaining the gate is the issue and there is no gate easement filed for Independence Lake and no encroachment permits. Mr. Osborn continued to review pictures of the gate across the road.

Supervisor Adams read County Counsel's statement from the June 15, 2010 minutes, "The mere fact that there has been a gate on the road is some evidence that the County was acknowledging that it wasn't a through County Road because it is impermissible to gate a county road unless the public agency placed the gate there."

Mr. Tom Young, Reno addressed the Board expressing concerns of his family no longer having vehicle access to the lake. Mr. Young further questioned how the County will supplement the lost income from property taxes and tourism when the Northern Sierra Partnership purchases Independence Lake, Webber Lake, Lake of the Woods, etc. Mr. Young continued to explain that what has destroyed the lakes and the fish is the State Department of Fish and Game and not the public. He believes the Board should have the Committee do the research, have the Nature Conservancy put in writing what they are and aren't going to do with the property and make sure they are doing it legally.

Ms. Sue Carr, member of The Friends of Independence Lake addressed the Board noting they have provided what they consider proof that the County owns the road that goes to the water. All they are asking for is to have gate removed and let them go down to the water and utilize the lake as they have done their entire lives.

Ms. Bonni Sue Hickson, founder of the Ripple Effect Foundation addressed the Board explaining that her issue is not only the gate issue, but also getting to the lake without any barriers

Ms. Jennifer Johnson, Loyalton questioned whether the Water Resource Committee is going to address the both the water issue and the road access issue.

Chairman Goicoechea explained that many of the water issues involve access and that the Water Resource Committee will address both issues.

Mr. Chris Fichtle, Independence Lake Project Manager addressed the Board noting he is glad that this issue is going to the Water Resource Committee and he will be happy to work with the Committee. The Conservancy did purchase the lake to protect the Lahontan Cutthroat Trout and with the trend of invasive species on the west they feel the choice to restrict boat access is justified.

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The Conservancy has been open to the public for almost a month now and it has been overwhelmingly positive and hopes this continues. They are willing to work with the County in resolving some of these issues. They have provided carts for the public to take their canoes to the lake and the ADA issue is a work in progress. The Conservancy doesn't want to prevent anyone who is disabled from accessing the lake.

Following further comments pertaining to the gate, County Counsel commented that with respect to his request to the Conservancy for their legal analysis pertaining to the gate, the Conservancy's attorney got back to him and stated they were not willing to release this document.

Mr. Fichtle clarified that the Nature Conservancy's attorney is working on providing a summary of this document to the County.

Mr. Joe Wertz, Plumas County addressed the Board expressing concerns about having a gate across a county road. Mr. Wertz continued to note that he doesn't want to hear this issue is going to a Committee that meets once a month; he wants to hear that they are going to do something and make a decision.

Chairman Goicoechea thanked the public for their comments.

The Director explained to conclude or assume that nothing has been done is not an accurate statement. This is not an easy issue to deal with. In order to give this a fair analysis, it takes time and he would suggest to the people in the audience to have patience. If the public does not feel they are being served by the County they have other avenues. There are a lot of county priorities and it is very dangerous to go out and get a map and represent it as having any memorial status as to the access to the lake. The map distributed by Mr. Pharris is a 1970 traffic study. He has a file on the litigation filed by the State Lands Commission against the County back in 1976 that affected Donnor Lake, Lake Tahoe, Clear Lake and Independence Lake and the findings of this litigation needs to be analyzed by County Counsel. There are also two files full of correspondence containing information about the gates. If the County is going to do something he wants to do it once and do it right the first time. He has spent a fairly sizable amount of time looking through this file and this won't be done by the time the Water Committee meets in two weeks, but it is a start for understanding what we have in terms of resources and reference material. The Director continued to clarify that the County has also requested the legal analysis that was performed by the Nature Conservancy and he has requested documents from Sierra Pacific; however, neither of these companies are required to provide this information.

Mr. Osburn clarified that we (the Friends of Independence Lake) don't feel any closer than they were sixty two days ago. Mr. Osburn further questioned why the information the Director addressed earlier wasn't given to him yesterday when he was going from office to office.

The Director responded that they need to keep in mind that there is information in the Assessor's Office, the Clerk's Office, the Planning Department, the Building Department, Court files and this is information that happened thirty-five years ago and is not easily accessible.

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Following further discussion and by consensus this matter was referred to the Sierra County Water Resource Committee.

NOON RECESS

The Board took the noon recess from 11:54 a.m. to 1:16 p.m. and reconvened with Supervisor Whitley Absent.

CLOSED SESSION

4. Closed Session pursuant to Government Code Section 54956.9(a) to discuss the following litigation: High Rural Sierra Alliance v. County of Sierra, Board of Supervisors of Sierra County; Sierra County Superior Court Case No. 7127.
5. Closed Session pursuant to Government Code Section 54956.9(a) to discuss status of the following litigation: Kathryn Ann Kelley v. Larry Allen, et al., Eastern District Court Case No. 2:10-cv-00557 GEB DAD.
6. Closed Session pursuant to Government Code Section 54956.9 to review claim, Joseph G. Arata v. County of Sierra.

The Board met in closed session from 1:16 p.m. to 2:20 p.m. County Counsel reported that the Board was given an update with regards to the High Sierra Rural Alliance and Kathryn Kelley litigation and with regards to the Arata claim the Board voted 4/0 with Supervisor Whitley Absent to deny the claim.

- 1C. Resolution approving plans and specifications and authorizing solicitation of bids for the Historical Yuba Theatre Improvement Project.

Following brief discussion the Board moved to adopt the resolution approving plans and specifications and authorizing solicitation of bids for the Historical Yuba Theatre Improvement Project.

ADOPTED, Resolution 2010-140. Motion: Adams/Huebner/Unanimous Roll Call Vote: 4/0/1 (Supervisor Whitley ABSENT)

CORRESPONDENCE LOG*

***(Items to be discussed or acted upon by the Board shall be identified and placed under the regular agenda)**

- C-1 Letter from John Dalessi, Director, Navigate Consulting regarding how the recent failure of Proposition 16 presents opportunities for California communities interested in evaluating energy initiatives.

No Action

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ADJOURN

At 2:24 p.m., with no further business, Chair Goicoechea adjourned the meeting in memory of retired County Assessor Don Iversen and State Senator Dave Cox.

DAVE GOICOECHEA, CHAIR
BOARD OF SUPERVISORS

ATTEST:

HEATHER FOSTER
CLERK TO THE BOARD