The County of Yuba

BOARD OF SUPERVISORS

DECEMBER 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 advised Department requested to pull item X. A. Public hearing relating to APN 021-150-061 (Butler)

MOTION: Move to approve 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. Authorize Chair to execute consent to sublease related to agreement between Continental Pacific Lumber Industries and Tri State Store Fixtures, Inc. for property located at 1401 Melody Road, Olivehurst. (461-13) Approved.


3. Approve revised permanent vehicle assignments for specified county personnel pursuant to Ordinance Code 2.15.060 and Administrative Policy D-3. (463-13) Approved.

4. Approve extending temporary appointment of Joseph Oates as the Interim IT Manager for up to 90 days. Approved.

B. Clerk of the Board of Supervisors

1. Approve minutes of the meetings of November 5 and 12, 2013. (464-13) Approved as written.

C. Community Development and Services

1. Approve Amendment No. 2 to agreement with Drake Haglan and Associates, Inc. civil engineering services related to Timbuctoo Road over Deep Ravine No. 1 Bridge Replacement Project and authorize Chair to execute. (466-13) Approved.

2. Accept Hammonton-Smartsville Road shoulder widening and overlay project as complete and authorize Public Works Director to execute and record Notice of Completion. (467-13) Approved.

D. County Administrator

1. Approve two-year contract extension with Paul Brunner, Executive Director of Three Rivers Levee Improvement Authority and authorize Chair to execute. (468-13) Approved.

E. Health and Human Services

1. Approve Children's Medical Services Plan and Fiscal Guideline for Fiscal Year 2013-2014 and authorize Chair to execute certification statement. (469-13) Approved.

F. Human Resources and Organizational Services

1. Approve agreements with California State Association of Counties Excess Insurance Authority (CSAC-EIU) Medical Malpractice Memorandum of Understanding and Participation Agreement, and authorize the Chair to execute. (470-13) Approved.

G. Probation

1. Adopt resolution authorizing agreement with Board of State and Community Corrections for Anti-Drug Abuse Program grant funds and authorizing Chief Probation Officer to execute all necessary documents as required by grant. (471-13) Adopted Resolution No. 2013-120, which is on file in Yuba County Resolution Book No. 44.

H. Sheriff-Coroner

1. Approve memorandum of understanding and letter of understanding with BGE Yuba for supplemental law enforcement services and authorize Chair to execute. (472-13) Approved.

I. Treasurer-Tax Collector

1. Adopt resolution delegating investment authority to County Treasurer-Tax Collector for 2014. (473-13) Adopted Resolution No. 2013-121, which is on file in Yuba County Resolution Book No. 44.

IV. PUBLIC COMMUNICATIONS:

Mr. Richard Boyd requested the Board provide a definition of "Health."
V. COUNTY DEPARTMENTS

A. Administrative Services

1. Authorize establishing Fund 154 - Internal Service Fund and Budget Transfer in the total amount of $453,406 allocating funds for network infrastructure upgrade project. (474-13) Director Doug McCoy recapped process and responded to Board inquiries.

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

B. Board of Supervisors

1. Cast ballot for County Medical Services Program Governing Board Supervisor Representative - Group 2 Counties. (Five minute estimate) (475-13)

   MOTION: Move to cast ballot for Mark Lovelace, Humboldt County
   MOVED: Mary Jane Griego        SECOND: John Nicoletti
   AYES: Mary Jane Griego, John Nicoletti, Andy Vasquez, Roger Abe, Hal Stocker
   NOES: None       ABSENT: None        ABSTAIN: None

C. County Administrator

1. Receive First Quarter Financial Report for Fiscal Year 2013-14 and provide direction as necessary. (Ten minute estimate) (476-13) County Administrator Robert Bendorf recapped the following and responded to Board inquiries:
   - Change in accounting methodology
   - County expenditures are down
   - General fund reserves and contingencies
   - New hires
   - Building permits
   - Decreased foreclosure activity
   - Economic Development Administration grant
   - State budget update

   Mr. Bendorf advised recommendations for general fund reserves, contingencies and capital outlay would be brought forward in the coming weeks.


3. Approve loan repayment terms for interfund loan from Criminal Justice Impact Fund (Trust 183) to Law Enforcement Impact Fund (Trust 186) related to new Sheriff's facility at 720 Yuba Street. (Ten minute estimate) (478-13) Management Analyst Grace Mull provided a brief recap and responded to Board inquiries.
MOTION: Move to approve
MOVED: John Nicoletti SECOND: Roger Abe
AYES: John Nicoletti, Roger Abe, Andy Vasquez, Mary Jane Griego, Hal Stocker
NOES: None ABSENT: None ABSTAIN: None

VI. CORRESPONDENCE - (481-13)

A. Letter from Yuba Sutter Farm Bureau regarding ordinance restricting marijuana cultivation. Received

VII. BOARD AND STAFF MEMBERS’ REPORTS:

Supervisor Griego:
- Feather River Air Quality Management District meeting held December 2, 2013
- TRLIA meeting held December 3, 2013
- SACOG meeting held December 12, 2013
- Marysville Christmas parade held December 7, 2013
- Olivehurst Christmas parade on December 14, 2013

Supervisor Nicoletti:
- Memorial Adjournment - Mrs. Janet Beaver and Ms. Mary Kearfott
- Cal PERLA Labor Relations Academy November 18 - 19, 2013
- Article regarding increase in auto and home burglaries coincides with AB109 prisoner releases
- Plumas Lake businesses
- Requested County Administrator to review state payment obligations owed to Peachtree Health Care Centers

Supervisor Stocker:
- Memorial Adjournments - Mrs. Ilia Ann Wellner, Ms. Rondell Plumb, Ms. Lona Lahore, Mr. Mark Anthony Carrelli, Mr. J. Walter Mowery, and Mr. Bob Clary
- Marysville Christmas parade held December 7, 2013
- Statewide water concerns

Supervisor Abe:
Meetings attended:
- OPUD special meeting held November 12, 2013
- Wheatland/County Liaison meeting held November 12, 2013
- Feather River Integrated Regional Management Flood Plan town hall meeting held November 13, 2013
- NCCC Youth Council meeting held November 14, 2013
- Air Force public to public meeting November 14, 2013
- Economic Advisory Committee meeting held November 15, 2013
- State Water Resources Control Board meeting held November 15, 2013
- CSAC Conference held November 19 - 22, 2013
- ACWA Conference held December 3 - 6, 2013
- Phase II Solar project
- Wheatland tree lighting ceremony
- Memorial Adjournment - Reverend Ira Burns
Supervisor Vasquez:
- CSAC Conference November 19, 2013
- Sierra Nevada Conservancy meeting held December 5, 2013
- First 5 Yuba Commission mini grants funded
- Hmong New Year celebration November 18, 2013

County Administrator Robert Bendorf:
- SACOG Regional Managers meeting
- Voter Rights Act hearing with Clerk/Recorder Terry Hansen regarding impacts of the federal decision December 19, 2013

County Counsel Angil Morris-Jones: Voter Rights Act hearing December 19, 2013

VIII. CLOSED SESSION: The Board retired into closed session to discuss the following at 10:38 a.m. and returned at 10:49 a.m. with all present as indicated above.

A. Pending litigation pursuant to Government Code §54956.9(d)(2) - Johnon et.al v County of Yuba et.al Referred to Porter Scott for representation and defense by unanimous vote.

IX. RECESS: The Board recessed at 10:49 a.m. and returned at 1:00 p.m. with all present and indicated above.

X. ORDINANCES AND PUBLIC HEARINGS:

A. Public Hearing - Hold public hearing and adopt resolution of necessity authorizing condemnation of property for purposes of designated 40 acre community parkland in the East Linda Specific Plan, acquire property by eminent domain identified as APN 021-150-061 (Butler) and authorizing Public Works Director to take necessary actions for acquisition. (Ten minute estimate) (480-13) Pulled from consideration by Department.

XI. COMMUNITY DEVELOPMENT AND SERVICES

A. Receive information regarding Development Code update; provide comments on Zone Districts and Use Classifications and direction on stakeholder groups. (20 minute estimate) (479-13) Planning Director Wendy Hartman and Community Development and Services Director Kevin Mallen presented the following: Development Code Update:
- Goals of Update
- Broad Land Use Categories
- Land Use - Zoning Districts
- 2030 General Plan Land Uses
- Agricultural Districts
- Natural Resource Districts
- Residential Districts
- Commercial and Employment Districts
- Industrial Districts
- Overlay and Special Districts
  - Overlay districts impose additional requirements and standards to address specific issues
  - Special districts accommodate unique uses
- Draft Zoning Districts Purpose and Applicability
- Use Classification System
Next steps:
- Stakeholder groups meetings
- Advisory Committee Meetings
- Future Public Workshops and Stakeholder Meetings

Following Board discussion it was recommended including Yuba Economic Development Committee, Yuba Sutter Farm Bureau, Agricultural Commissioner, North Yuba Grown, U. C. Davis Cooperative Extension, and Yuba Sutter Realtors in stakeholder groups; Ms. Hartman advised she would provide an update in January to the Board with established meeting dates and locations.

XII. ADJOURN 1:54 p.m. in memory of Mrs. Janet Beaver, Ms. Mary Kearfott, Mrs. Ila Ann Wellner, Ms. Rondell Plums, Ms. Long Lahore, Mr. Mark Anthony Carrelli, Mr. J. Walter Mowery, Mr. Bob Clary, and Reverend Ira Burns.

ATTEST: DONNA STOTTEMEYER  
CLERK OF THE BOARD OF SUPERVISORS

By: Rachel Ferris, Deputy Clerk

Approved: January 14, 2014