The County of Yuba
BOARD OF SUPERVISORS

MARCH 25, 2014 - MINUTES

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 9:32 a.m., within the Government Center, Marysville, California, with a quorum being present as follows: Supervisors Andy Vasquez, John Nicoletti, Roger Abe and Hal Stocker. Supervisor Griego was absent. Also present were County Counsel Angil Morris-Jones, and Deputy Clerk of the Board of Supervisors Rachel Ferris. Chairman Nicoletti presided.

A moment of silence was held in recognition of our military soldiers who have been lost or injured in the current conflict.

I. PLEDGE OF ALLEGIANCE - Led by Program Manager Valli Elliott and Tobacco Education Coalition Youth Representatives Ms. Chloe Jones, Mr. T.J. Crippen, Ms. Ashlyn Widell and Ms. Isabel Sotello

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

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, Roger Abe
NOES: None
ABSENT: Supervisor Mary Jane Griego ABSTAIN: None

A. Administrative Services

1. (104-14) Approve amendment to lease agreement with Keith and Gail Stroup, dba Aroma Catering, and authorize Chair to execute. Approved.

B. Agricultural Commissioner

1. (105-14) Approve agreement with Applied Forest Management Inc. for consultant services related to Yuba Watershed Protection and Fire Safe Council activities for Fiscal Years 2014/15 and 2015/16 and authorize Chair to execute same. (Protective Inspection Committee recommends approval) Approved.

C. Clerk of the Board of Supervisors

1. (106-14) Approve Conflict of Interest Code for Yuba County Water Agency. Approved.

2. (107-14) Approve minutes from the meeting of March 11, 2014 Approved as written.

D. Community Development and Services

1. (108-14) Adopt resolution certifying the 2013 County Maintained Mileage. Adopted Resolution No. 2014-20, which is on file in Yuba County Resolution Book No. 45.
2. (109-14) Approve plans, specifications and estimate, and authorization for advertisement of bids for Loma Rica Road shoulder widening and overlay project phase II and authorize Chair to execute. Approved.

E. Emergency Services

1. (110-14) Adopt resolution proclaiming the existence of an ongoing local drought emergency in the County of Yuba. Adopted Resolution No. 2014-21, which is on file in Yuba County Resolution Book No. 45.

F. Health and Human Services

1. (111-14) Approve six month extension of Interim Program Manager of Employment Services Division appointment effective April 1, 2014. Approved.

G. Probation

1. (112-14) Adopt resolution authorizing the Yuba County Probation Department to apply for and enter into agreements with the California Emergency Management Agency, Sierra Health Foundation and First Five Yuba for grants relating to the delivery of victim and program aid services, and authorize the Chief Probation Officer or the County Administrator to execute documents as required, acceptance and transfer of funds, and extensions and amendments. Adopted Resolution No. 2014-22, which is on file in Yuba County Resolution Book No. 45.

IV. COUNTY DEPARTMENTS

E. Probation

1. (118-14) Adopt resolution proclaiming April 6 - 12, 2014 National Crime Victims' Rights Week in celebration of service to victims of crime and commending Yuba County Probation and other units of government for providing exemplary service to victims of crime. (Thirty minute estimate) Program Manager Jason Roper recapped Victim Rights Week including special recognition of Mr. Bobby Washburn, Mr. Josh Jellsey, Ms. Val Hammes and Ms. Liz Rodriguez, who on March 21, 2014, provided assistance in various capacities to aid emergency services at the incident that occurred on the railroad tracks above Earle Yorton Little League Park in Marysville.

Mr. Roper continued with the presentation commending the following for their exemplary service to victims of crime, and invited the Board to attend a candlelight vigil April 6, 2014 at 6:30 p.m.:

- Yuba County Deputy Probation Officer April Sonnenberg
- Deputy District Attorney John Nash
- City of Marysville Dispatcher Ms. Kelly Mincer
- Yuba County Victim Services Department Mr. John Escovedo
- City of Marysville Police Officer Christian Sachs
- Yuba County Sheriff's Department Sergeant Wendell Anderson
- Rideout Health Group Sexual Assault Response Team: Ms. Marlena Gibbs, Ms. Raquel Montero, Ms. Loranne Evans, and Ms. Cheryl Smith
- Brownsville Quilt Guild: Ms. Leslie Collins, Ms. Norma LaPeal, Ms. Diane Hall
- Ms. Doris Myers
- Church of Jesus Christ of Latter Day Saints
- Sutter Buttes Doll and Study Club
MOTION: Move to adopt MOVED: Roger Abe SECOND: Hal Stocker
AYES: Roger Abe, Hal Stocker, Andy Vasquez, John Nicoletti
NOES: None ABSENT: Supervisor Mary Jane Griego ABSTAIN: None

Adopted Resolution No. 2014-23, which is on file in Yuba County Resolution Book No. 45.

V. SPECIAL PRESENTATION

A. (113-14) Received presentation promoting smoke free parks from Yuba County Youth and Adult Tobacco Education Coalition. (Ten minute estimate) Youth Representatives from the Tobacco Education Coalition Ms. Chloe Jones, Mr. T.J. Crippen, Ms. Ashlyn Widell and Ms. Isabel Sotello presented a PowerPoint Presentation to promote smoke free parks in Yuba County, depicting the successes they have had in the greater Yuba Sutter area, and urged the Board to support additional park signage promoting smoke free Yuba County parks.

B. (007-14) Present proclamation to First 5 Yuba Commission proclaiming 2014 the Year of the Child (Five minute estimate) Chairman Nicoletti read and presented a proclamation to Executive Director Cynthia Sodari and Scotia Holmes-Sanchez.

VI. PUBLIC COMMUNICATIONS:

Public Works Director Mike Lee – final authorization to proceed with the State Route 70/Feather River Boulevard Interchange

Mr. Bruce Bishop, Wheatland – assessment appeals application

VII. COUNTY DEPARTMENTS

A. Administrative Services

1. (114-14) Adopt resolution regarding conveyance of a leasehold interest in County 4H Camp property in Dobbins to Environmental Alternatives and granting certain exemptions of Chapter 8.76 of the Ordinance Code. (Public Facilities Committee recommends approval) (Twenty minute estimate) Director Doug McCoy recapped the agreement and responded to Board inquiries. Environmental Alternatives Executive Director Tim Wilkinson stated priorities would be to rehabilitate the house and install a caretaker. Mr. Wilkinson responded to inquiries regarding alcohol and use of glass containers in the kitchen and dining facility.

Community Development and Services Director Kevin Mallen advised annual inspection fees charged by Environmental Health are approximately $1,800.

The following individual spoke: Ms. Lori Jacobs.

County Administrator Robert Bendorf recapped Board discussion regarding waiver of inspection fees, notification when alcohol is served or sold, use of glass containers in the kitchen and dining facility, and use of the camp by 4H; and advised Administrative Services could work with Environmental Alternatives to draft an amendment addressing the Boards concerns to be brought back to the Board for approval.
MOTION: Move to adopt Resolution  MOVED: Andy Vasquez  SECOND: Roger Abe
AYES: Andy Vasquez, Roger Abe, Hal Stocker
NOES: John Nicoletti  ABSENT: Supervisor Mary Jane Griego  ABSTAIN: None

Adopted Resolution No. 2014-24, which is on file in Yuba County Resolution Book No. 45.

B. Board of Supervisors

1. (115-14) Consider claim for refund of taxes paid by Fellowship of Friends on APN 048-260-008-000 (12607 Rices Crossing Road, Oregon House) for tax years 2009-2014 and take action as appropriate. (Fifteen minute estimate) Ms. Janlynn Fleener, Counsel for Fellowship of Friends, provided a brief recap of the Fellowships history and the current claim for refund of taxes and responded to Board inquiries.

County Counsel Angil Morris-Jones advised the Fellowship has a Conditional Use Permit to operate a museum on the property in question and has not changed the permit to reflect current use.

The following individuals spoke:
- Mr. Nick Spaulding
- Chief Building Official Martin Griffin
- Mr. Chris Delfino, Downey Brand
- Planning Director Wendy Hartman

Assessor Bruce Stottlemeyer and Assistant Assessor Kimberly Heisch responded to Board inquiries regarding denials of previous applications.

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

C. Community Development and Services

1. (116-14) Authorize General Fund Contingency expenditure of $15,000 for consultant support services regarding implementation of Phase II MS4 (Municipal Separate Storm Sewer Systems) general permit. (Land Use and Public Works Committee recommends approval) (Ten minute estimate) Public Works Director Mike Lee recapped permitting requirements for storm water systems, use of funding requested, and responded to inquiries.

MOTION: Move to authorize General Fund contingency expenditure of $15,000  MOVED: Andy Vasquez  SECOND: Roger Abe
AYES: Andy Vasquez, Roger Abe, John Nicoletti, Hal Stocker
NOES: None  ABSENT: Supervisor Mary Jane Griego  ABSTAIN: None

D. County Administrator

1. (117-14) Receive information on Assembly Bill 2205 (Use of Dogs to pursue bears and bobcats) and take action as appropriate. (Ten minute estimate) Legislative Affairs Coordinator Russ Brown recapped the bill.

The following individual spoke: Ms. Lori Jacobs support AB 2205
Consensus of the Board was received to issue letter of support.

2. (096-14) Receive report on current legislation relevant to Yuba County and provide direction as appropriate. (Continued from March 18, 2014) (Thirty minute estimate) Legislative Affairs Coordinator Russ Brown recapped bills from departments regarding support and opposition.

Chief Probation Officer Jim Arnold - support AB 1449 Realignment Omnibus Act of 2014 and SB 957 Imprisonment position of watch

County Administrator Robert Bendorf stated the bills were still in a preliminary stage and would keep the Board informed as they progressed.

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

A. (097-14) Ordinance - Hold public hearing, waive reading, and adopt ordinance repealing and reenacting Chapter 10.05 of the Yuba County Ordinance Code relating to Building Standards and Construction Codes, in its entirety. (Second Reading) (Continued from March 18, 2014) (Land Use and Public Works Committee recommends approval) (Fifteen minute estimate) Supervising Building Official Jeremy Strang summarized changes, additions to code, and addition of Chapter 10.50, and responded to Board inquiries.

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

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

Adopted Ordinance No. 1527, which is on file in Yuba County Ordinance Book No. 24.

B. (098-14) Ordinance - Hold public hearing, waive reading, and adopt ordinance adding Chapter 10.50 to the Yuba County Ordinance Code relating to repair and reconstruction of structures. (Second Reading) (Continued from March 18, 2014) (Fifteen minute estimate)

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

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

Adopted Ordinance No. 1528, which is on file in Yuba County Ordinance Book No. 24.

IX. CORRESPONDENCE

A. (119-14) Letter from Safety Belt Safe U.S.A regarding safety seat checkup week March 30 - April 5, 2014. Received

B. (120-14) Letter from Senator Jim Nielsen regarding the Agriculture Education Incentive Grant Program. Received
C. (121-14) Notice from Three Rivers Levee Improvement Authority correcting time of Board meeting to consider adoption of the mitigated negative declaration for the proposed Yuba Goldfield 100 -Year Flood Protection Plan April 1, 2014 at 3:30 p.m. Received

X. BOARD AND STAFF MEMBERS’ REPORTS:
   Supervisor Abe: RCRC meeting March 20, 2014
   Supervisor Nicoletti: North Beale Road Article
   Supervisor Stocker left the meeting at 12:50 p.m. and did not return.

XI. CLOSED SESSION: The Board retired into closed session at 12:50 p.m. and returned at 1:32 p.m. with all members present as indicated above with the exception of Supervisor Stocker.

A. Conference with Real Property Negotiator pursuant to Government Code §54956.8 - Property: APN 005-260-003/5360 Highway 20 Negotiating Parties: Sukhbir/County of Yuba Negotiation: Terms of Payment By unanimous vote the Board authorized to move forward.

B. Conference with Real Property Negotiator pursuant to Government Code §54956.8 - Property: APN 050-140-056,050-140-055, 055-110-025 Negotiating Parties: Bamford/County of Yuba Negotiation: Terms of Payment By unanimous vote the Board authorized to move forward.

C. Personnel pursuant to Government Code §54957(a) - Labor Negotiations - YCEA/County of Yuba Information provided.

D. Personnel pursuant to Government Code §54957 - Department Head Evaluation/Agricultural Commissioner Postponed to April 15, 2014

XII. ADJOURN at 1:33 p.m.

ATTEST: DONNA STOTTMEMYER
CLERK OF THE BOARD OF SUPERVISORS

By: Rachel Ferris, Deputy Clerk

Approved: April 15, 2014