The County of Yuba

B O A R D O F S U P E R V I S O R S

A P R I L 1 5 , 2 0 1 4 - M I N U T E S

The Honorable Board of Supervisors of the County of Yuba met 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, Roger Abe, and Hal Stocker. Supervisor Mary Jane Griego was absent. Also present were County Administrator Robert Bendorf, County Counsel Angil Morris-Jones, and Clerk of the Board of Supervisors Donna Stottlemyer. Chairman Nicoletti presided.

Chairman Nicoletti held a moment of silence in recognition of the current conflict.

I. PLEDGE OF ALLEGIANCE - Led by Supervisor Abe

II. ROLL CALL - Supervisors Vasquez, Nicoletti, Griego, 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: Andy Vasquez
SECOND: Roger Abe
AYES: Andy Vasquez, Roger Abe, John Nicoletti, Hal Stocker
NOES: None
ABSENT: Mary Jane Griego
ABSTAIN: None

A. Clerk of the Board of Supervisors

1. (143-14) Approve minutes for the meetings of March 25, and April 1, 2014. Approved as written.

B. Community Development and Services

1. (144-14) Approve Floodplain Development Variance for agricultural storage building at 9670 State Route 70. Approved.

C. Health and Human Services

1. (145-14) Adopt resolution authorizing Interim Director to enter into and execute specific new and ongoing contracts, agreements, grants, and memorandum of understanding in an amount less than $50,000 for Fiscal Year 2014/2015 or multi-years. (Human Services Committee recommends approval) Adopted Resolution No. 2014-24, which is on file in Yuba County Resolution Book No. 45.

2. (146-14) Adopt resolution authorizing the Director or Interim Director of Health and Human Services to enter into and execute Memorandums of Understanding with participating Medi-Cal Managed Care Plans. (Human Services Committee recommends approval (Five minute estimate) Adopted Resolution No. 2014-25 which is on file in Yuba County Resolution Book No. 45.
D. Sheriff-Coroner

1. (147-14) Approve agreement with U.S. Department of Justice, Drug Enforcement Administration to provide law enforcement services relating to the eradication and suppression of illicit marijuana and authorize the Chair to execute. Approved.

IV. SPECIAL PRESENTATION

A. (148-14) Present proclamation recognizing California Aviation Day April 23, 2014. (Ten minute estimate) Chairman Nicoletti read and presented the proclamation to Airport Manager Mary Hansen who recapped activities scheduled.

B. (149-14) Receive Sheriff’s Department’s 2013 Annual Report and presentation. (Fifteen minute estimate) Sheriff Durfor recapped training and highlights including school safety plans, implementation of prison realignment, and recognition of employees.

V. PUBLIC COMMUNICATIONS:

Ms. Mary Battista, Dobbins - dead trees and restriction of fireworks due to drought
Mr. Tom Muellor, Tehama County - State Water Resources Board and ground water

VI. COUNTY DEPARTMENTS

A. Administrative Services

1. (150-14) Approve sublease agreement between Continental Pacific Lumber Industries and Cali Shine Distillery Company, for property located at 5216 Arboga Road, and authorize Chair to execute same. (Public Facilities Committee recommends approval) (Continued from April 15, 2014) (Fifteen minute estimate) Administrative Services Director Doug McCoy and Airport Manager Mary Hansen recapped the sublease terms and responded to Board inquiries.

County Administrator Robert Bendorf responded to Board inquiries.

The following individuals spoke: Auditor Rich Eberle

MOTION: Move to continue to April 22, 2014
MOVED: Andy Vasquez SECOND: Roger Abe
AYES: Andy Vasquez, Roger Abe, John Nicoletti, Hal Stocker
NOES: None ABSENT: Mary Jane Griego ABSTAIN: None

B. Auditor-Controller

1. (151-14) Receive independent auditors report on Financial Statement and Single Audit for fiscal year ended June 30, 2013. (Fifteen minute estimate) Gallina Representative Rich Gonzales recapped highlights of report advising of implementation of past findings and continued implementation of current findings.

C. Board of Supervisors

1. (152-14) Receive information regarding State of Jefferson and take action as appropriate. (No background material) (Fifteen minute estimate) Supervisor Vasquez recapped investigation of ad hoc committee.
Mr. Mark Baird recapped aspects of impacts of lack of representation and declaration to withdraw from California urging support. Mr. Baird responded to Board inquiries.

Supervisor Abe left the meeting at 11:09 a.m. and returned at 11:13 a.m.

The following individuals spoke:
  ○ Mr. Gary Bradford, Plumas Lake
  ○ Mr. Terry Rapoza, Redding
  ○ Ms. Nicky Harris, Oregon House
  ○ Ms. Sally Rapoza
  ○ Mr. Clyde Beeler

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

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

A. (153-14) Hold public hearing, waive reading, and introduce ordinance adding Article 5 to Chapter 2.50 authorizing the Purchasing Agent to perform all acts necessary regarding the acquisition of real property where the purchase price does not exceed $150,000; and make finding the ordinance is statutorily exempt from the California Environmental Quality Act (CEQA). (Ten minute estimate) Administrative Services Director Doug McCoy advised addition would enhance the purchasing process. There were no public comments.

MOTION: Move to close public hearing, waive reading, introduce ordinance, and find ordinance statutorily exempt from CEQA
MOVED: Hal Stocker  SECOND: Roger Abe
AYES: Hal Stocker, Roger Abe, Andy Vasquez, John Nicoletti
NOES: None  ABSENT: Mary Jane Griego  ABSTAIN: None

B. (154-14) Hold public hearing, waive reading, and introduce ordinance amending Chapters 13.00.030, 13.00.042, 13.00.052, 13.00.056 and 13.00.060 of the Yuba County Ordinance Consolidated Fee Ordinance Code for Administrative Services, Clerk Recorder, Health Services, and Treasurer; and make finding the ordinance is statutorily exempt from the California Environmental Quality Act (CEQA). (Finance and Administration Committee recommends approval) (Ten minute estimate) Financial Analyst Manager Grace Mull recapped. There were no public comments.

MOTION: Move to close public hearing, waive reading, introduce ordinance, and find ordinance statutorily exempt from CEQA
MOVED: Hal Stocker  SECOND: Roger Abe
AYES: Hal Stocker, Roger Abe, Andy Vasquez, John Nicoletti
NOES: None  ABSENT: Mary Jane Griego  ABSTAIN: None

C. (134-14) Hold public hearing, waive reading, and adopt ordinance repealing and reenacting Chapter 13.20 of the Yuba County Ordinance Code relating to Community Development and Services Agency Fees to become operative on July 1, 2014; and make finding the ordinance is statutorily exempt from the California Environmental Quality Act (CEQA). (Land Use and Public Works Committee recommended approval) (Second reading) (Ten minute estimate) There were no public comments.
MOTION: Move to close public hearing, waive reading, adopt ordinance, and find statutorily exempt from CEQA
MOVED: Hal Stocker SECOND: Roger Abe
AYES: Hal Stocker, Roger Abe, Andy Vasquez, John Nicoletti
NOES: None ABSENT: Mary Jane Griego ABSTAIN: None

Adopted Ordinance No. 1529, which is on file in Yuba County Ordinance Book No. 24.

D. (135-14) Hold public hearing, waive reading, and adopt ordinance repealing and reenacting Chapter 13.50 of the Yuba County Consolidated Fee Ordinance Code relating to Countywide Development Impact Fees to become operative on July 1, 2014; and make finding the ordinance is statutorily exempt from the California Environmental Quality Act (CEQA). (Public Works and Land Use committee recommended approval) (Second reading) (Ten minute estimate) There were no public comments.

MOTION: Move to close public hearing, waive reading, adopt ordinance, and find statutorily exempt from CEQA
MOVED: Hal Stocker SECOND: Roger Abe
AYES: Hal Stocker, Roger Abe, Andy Vasquez, John Nicoletti
NOES: None ABSENT: Mary Jane Griego ABSTAIN: None

Adopted Ordinance No. 1530, which is on file in Yuba County Ordinance Book No. 24.

E. (136-14) Hold public hearing, waive reading, and adopt ordinance amending Section 13.80.070 of Chapter 13.80 relating to deferral and waiver of certain impact fees to extend expiration from June 30, 2014 to June 30, 2016. (Public Works and Land Use committee recommended approval) (Second reading) (Ten minute estimate) There were no public comments.

MOTION: Move to close public hearing, waive reading, adopt ordinance, and find statutorily exempt from CEQA
MOVED: Hal Stocker SECOND: Roger Abe
AYES: Hal Stocker, Roger Abe, Andy Vasquez, John Nicoletti
NOES: None ABSENT: Mary Jane Griego ABSTAIN: None

Adopted Ordinance No. 1531, which is on file in Yuba County Ordinance Book No. 24.

VIII. CORRESPONDENCE

A. (155-14) Notice from State of California Fish and Game Commission regarding proposed regulatory action relating to Pacific halibut sport fishing. (Copy provided to Agricultural Commissioner) Received.

B. (156-14) Letter from State Board of Equalization announcing Taxpayers' Bill of Rights public hearings May 22 and June 24, 2014. Received.

C. (157-14) Letter from Department of Veterans Affairs commending Veterans Service Officer Marvin King for work done securing benefits for local veterans and their families. (Copy provided to Human Resources) Received.

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D. (158-14) Letter from Cal OES regarding drought emergency, the establishment of a Drought Task Force and other financial services and assistance they offer. (Copy provided to Emergency Services and Agricultural Commissioner) Received.

E. (159-14) Schedule of Proposed Actions from the United States Forest Service regarding Plumas National Forest for the period of April 1, 2014 through June 30, 2014. Received.

IX. BOARD AND STAFF MEMBERS' REPORTS

Supervisor Vasquez: Groundwater Conference held April 3 and 4, 2014

Supervisor Abe:
- Memorial Adjournments - Mr. John Dunham, Mr. Ralph Whiteley, Mr. John Billingsly, Mr. David Alexander Hammons, Ms. Virginia Parker, Ms. Margarita Salgado
- Walter allocation committee meeting April 3, 2014
- Meeting with Val Elliott regarding smoke free parks
- Eagle Scout project which benefited Juvenile Hall
- Employee recognition luncheon held April 4, 2014
- Wheatland Lions cleanup of Highway 65 held April 12, 2014
- Walter Agency subcommittee meeting April 14, 2014

Supervisor Stocker: Memorial Adjournments - Mr. Ralph Whiteley, Mr. Bobby "Jobber" Johnston, Ms. Cindy Reece

Supervisor Nicoletti:
- Yuba Sutter EDC Board meeting
- Marysville Oversight Board
- Memorial Adjournment - Mr. Duke Griego

County Administrator Robert Bendorf:
- Regional Fire Study and future meeting with consultant
- Fiscal Year 2014-2015 proposed budget

X. CLOSED SESSION: The Board retired into closed session at 12:20 p.m. and returned at 1:32 p.m. with all present as indicated above, except Supervisor Stocker.

Supervisor Stocker left closed session at 12:45 p.m. and did not return.

A. Pending litigation pursuant to Government Code §54956.9(e)(3) - One Claim/Tomko Rejected claim by unanimous vote

B. Personnel pursuant to Government Code §54957(a) - Labor Negotiations - YCEA/County of Yuba No report

C. Personnel pursuant to Government Code §54957 - Department Head Evaluation/Agricultural Commissioner No report
XI. **ADJOURN:** 1:32 p.m. in memory of Mr. John Dunham, Mr. Duke Griego, Mr. John Billingsly, Mr. David Alexander Hammons, Ms. Margarita Salgado, Mr. Bobby "Jobber" Johnston, Mr. Ralph Whiteley, Ms. Virginia Parker, and Ms. Cindy Reece.

[Signature]

Chair

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

[Signature]

Approved: *May 13, 2014*