The County of Yuba

BOARD OF SUPERVISORS

SEPTEMBER 9, 2014 - MINUTES

The Honorable Board of Supervisors of the County of Yuba met on the above date, commencing at 9:59 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 Administrator Robert Bendorf, County Counsel Angil Morris-Jones, and Clerk of the Board of Supervisors Donna Stottlemeyer. Chairman Nicoletti presided.

I. PLEDGE OF ALLEGIANCE - A moment of silence was held for the 4,000 lives lost in the current conflict followed by the pledge led by Supervisor Vasquez.

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.

MOTION: Move to approve

MOVED: Hal Stocker
SECOND: Mary Jane Griego

AYES: Hal Stocker, Mary Jane Griego, Andy Vasquez, John Nicoletti, Roger Abe
NOES: None
ABSENT: None
ABSTAIN: None

A. Community Development and Services

1. (399-14) Approve caretaker agreements with Wesley Dale Everett for Hammon Grove Park and Rodney F. Drumm and Laura D. Kellogg for Sycamore Ranch and authorize Chair to execute. Approved.

2. (400-14) Award contract to DeSilva Gates Construction, apparent low bidder, for 2014 Maintenance of Various County Roads Hot Mix Asphalt Overlay and authorize Chair to execute contract upon review and approval of Counsel. Approved.

3. (401-14) Approve contract change order for State Route 70 at Feather River Boulevard Interchange project. Approved.

4. (402-14) Approve Amendment No. 2 to agreement with Parsons Brinckerhoff for the North Beale Road Complete Streets Design and authorize Chair to execute. Approved.

5. (403-14) Award contract to Advantage Paving and Excavating, apparent low bidder, for the 2014 Maintenance of Various County Road Double Chip Seal and authorize Chair to execute upon review and approval of Counsel. Approved.
B. Emergency Services

1. (404-14) Adopt resolution proclaiming the continued existence of ongoing local drought emergency in County. Adopted Resolution No. 2014-78, which is on file in Yuba County Resolution Book No. 45.

2. (405-14) Adopt resolution authorizing the Yuba County Sheriff's Department, Health and Human Services, and Office of Emergency Services to execute a Memorandum of Understanding with Beale Air Force Base for the purpose of coordinating the Strategic National Stockpile; approve Memorandum of Understanding with 9th Reconnaissance Wing, Beale Air Force Base for same; and authorize Chair to execute. Adopted Resolution No. 2014-79, which is on file in Yuba County Resolution Book No. 45.

C. Human Resources and Organizational Services

1. (406-14) Approve Master Labor Agreement with Yuba County Employees' Association, incorporating Bargaining Unit 2's acceptance of the Master Labor Agreement, and authorize Chair to execute. (Fifteen minute estimate) Approved.

D. Probation

1. (407-14) Approve community recidivism reduction grant and authorize Chair to sign letter of interest. Approved.

IV. PUBLIC COMMUNICATIONS:

Mr. Herman Von Borstel - Russian thistle vegetation
Legislative Affairs Coordinator Russ Brown - AB 543 and AB 2231 Legislation
Supervisor Abe - Groundwater Legislation; Farm Trail Map North Yuba Grown; and Proposition 47

V. COUNTY DEPARTMENTS

A. Community Development and Services

1. (408-14) Adopt resolution authorizing Yuba County Community Development and Services Agency Director or his designee to complete the purchase of APN 005-260-003 to be integrated into Sycamore Ranch Park and execute all documents needed for completion of purchase and reuse as a park including disposition of existing mobile home and structures. Director Kevin Mallen recapped park improvements, expansion of park entrance with acquisition, relocation or disposition of mobile home, and responded to Board inquiries.

MOTION: Move to adopt resolution, make finding the mobile has no value, and authorize Director to dispose of property
MOVED: Mary Jane Griego  SECOND: Andy Vasquez
AYES: Mary Jane Griego, Andy Vasquez, John Nicoletti, Roger Abe, Hal Stocker
NOES: None  ABSENT: None  ABSTAIN: None

Adopted Resolution No. 2014-80, which is on file in Yuba County Resolution Book No. 45.

2. (384-14) Receive update on Olivehurst Public Utilities (OPUD) water rate increase and determine whether to file protest on County-owned properties. (Continued from August 26, 2014) Public Works Director Mike Lee briefly recapped county impacts.
OPUD General Manager Tim Shaw recapped the Proposition 218 rate adjustment process, protest, and responded to Board inquiries and comments.

Following Board discussion, no action was taken.

VI. ORDINANCES AND PUBLIC HEARINGS: The Clerk read disclaimer.

A. (409-14) Public Hearing - Hold hearing and adopt findings of facts, conclusion of law and orders authorizing the assessment of administrative and abatement costs, and recording of lien for 1646 Second Avenue, Olivehurst, Mohammad A. Kahn, in the amount of $12,789.84. (Ten minute estimate) Code Enforcement Manager Jeremy Strang outlined purpose of the hearing, recapped prior and current violations of marijuana cultivation by tenants, and responded to Board inquiries.

Mr. Mohammad Kahn recapped interactions with staff, violations, penalties and responded to Board inquiries.

The Chairman opened the public hearing.

Ms. Mary Jane Salvado, neighbor to property, commented on various problems with tenants.

Following Board discussion, Code Enforcement Officer John Jacenich responded to Board inquiries.

MOTION: Move to close hearing, and adopt findings of fact with reduction in daily penalty of one day for a total amount of $ 9,789.84 MOVED: Andy Vasquez SECOND: Hal Stocker
AYES: Andy Vasquez, Hal Stocker, John Nicoletti, Mary Jane Griego, Roger Abe
NOES: None ABSENT: None ABSTAIN: None

B. (389-14) Ordinance - Hold public hearing, waive reading, and adopt ordinance adding Chapter 7.09, Gray Water Systems to the Yuba County Ordinance Code. (Second Reading - Continued from August 26, 2014). Fifteen minute estimate) Environmental Health Supervisor Paul Donoho briefly recapped.

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

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

Adopted Ordinance No. 1536, which is on file in Yuba County Ordinance Bock No. 24.

C. (390-14) Public Hearing - Hold hearing and adopt findings of facts, conclusion of law and orders authorizing the assessment of administrative and abatement costs, and recording of lien for 1321 Country Club Road, Arboga, Robert W. and Vivian S. Morton, in the amount of $23,722.58. (Continued from August 26, 2014) (Ten minute estimate) Code Enforcement Manager Jeremy Strang advised the hearing was continued to allow attendance of property owners counsel who sent correspondence dated September 8, 2014 requesting a waiver of penalties which was provided to the Board. Mr. Strang provided a Power Point presentation recapping the following violations which began in November 2012 and responded to Board inquires:
   o Vacant/abandoned substandard dwelling and accessory structures
   o Overgrown vegetation
Broken fencing
Dilapidated pool covering creating hazardous conditions for children
Storage of junk, trash, and debris
Propagation and harborage of vector and vermin due to lack of maintenance

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

MOTION: Move to close public hearing and adopt findings of fact and costs in the total amount of $23,722.58
MOVED: Mary Jane Griego SECOND: Hal Stocker
AYES: Mary Jane Griego, Hal Stocker, Andy Vasquez, John Nicoletti, Roger Abe
NOES: None ABSENT: None ABSTAIN: None

VII. CORRESPONDENCE: The Board may direct any item of informational correspondence to a department head for appropriate action.

A. (410-14) Three notices from State of California Fish and Game Commission regarding proposed regulatory action relating to the Code of Regulations pertaining to federal ground fish and associated species, and Sport Fishing regulations; and a Notice of Findings regarding the Northeastern Pacific white shark. Accepted.

B. (411-14) Notice from HDR Inc. enclosing Draft Initial Study / Mitigated Negative Declaration prepared for Yuba County Water Agency on Log Cabin Diversion Dam Apron Curtain Repair Project. Accepted.

C. (412-14) Notice from Yuba County Auditor enclosing Independent Audit of the financial records for Dobbins-Oregon House Fire Protection District for year ending June 30, 2013. Accepted.

VIII. BOARD AND STAFF MEMBERS’ REPORTS: This time is provided to allow Board and staff members to report on activities or to raise issues for placement on future agendas.

Supervisors Stocker: Memorial Adjournments - Mr. James Warden and Mr. Richard Smith

Supervisor Abe:
- Welcome Dinner for Beale Base Commander Col. Lee held August 28, 2014
- Water Agency and Reclamation District 817 meetings held September 2, 2014
- BBQ Dinner held September 3, 2014
- CSAC Directors meeting, Water Agency Member Unit meeting, and Trade Delegation meetings held September 4, 2014
- BLMC Golf Tournament held September 5, 2014

Supervisor Vasquez: Memorial Adjournment - Mr. Gerald (Jerry) Verrill

County Administrator Robert Bendorf:
- CFD 2005-1 finalization of bond sale scheduled for Board action on September 23, 2014
- Employee Recognition Picnic at Riverfront Park September 26, 2014
- Tri-County Rehabilitation Center meeting held September 8, 2014
- Regional Fire Study Joint workshop scheduled October 22, 2014 at 6:00 p.m.
Supervisor Nicoletti:
- Flood Management Association Conference held September 2-5, 2014
- County Fish and Game Committee
- Chamber of Commerce committee regarding Marysville businesses
- Tri-County Rehabilitation Center meeting held September 8, 2014
- Welcome Dinner for Beale Base Commander Col. Lee held August 28, 2014

Supervisor Griego: Flood Management Association Conference held September 2-5, 2014

IX. CLOSED SESSION: The Board retired into closed session at 12:33 p.m. and returned at 3:38 p.m. with all present as indicated above, except Supervisor Stocker.

A. Pending litigation pursuant to Government Code §54956.9(e)(3) - One Claim Direction provided.

Supervisor Stocker left closed session at 1:47 p.m.

B. Personnel pursuant to Government Code §54957 - Department Head Evaluation/Public Guardian Evaluation completed.

C. Personnel pursuant to Government Code §54957.6(a) - Labor Negotiations - DBAA/Confidential/Unrepresented/Management Direction provided.

D. Personnel pursuant to Government Code §54957.6(a) - Labor Relations Direction provided.

X. ADJOURN: 3:40 p.m. in memory of Mr. James Warden, Mr. Richard Smith, and Mr. Gerald (Jerry) Verrill.

ATTEST: DONNA STOTTLEMeyer
CLERK OF THE BOARD OF SUPERVISORS

Approved: September 23, 2014