The County of Yuba

BOARD OF SUPERVISORS

OCTOBER 28, 2014 - 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 Administrator Robert Bendorf, County Counsel Angil Morris-Jones, and Deputy Clerk of the Board of Supervisors Rachel Ferris. Chairman Nicoletti presided.

I. PLEDGE OF ALLEGIANCE - A moment of silence honoring members of the armed services and their families whose lives have been lost followed by the pledge led by Supervisor Griego

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

A. Community Development and Services

1. (487-14) Receive notice of final map under review pending approval identified as Tract Map 2014-01 Montrose at Edgewater Unit 4 Final Map. Received.

B. Emergency Services

1. (488-14) Adopt resolution proclaiming the existence of an ongoing local drought emergency in the County of Yuba. Adopted Resolution No. 2014-100, which is on file in Yuba County Resolution Book No. 45.

C. Health and Human Services


2. (490-14) Approve Children's Medical Services Plan and Fiscal Guidelines for Fiscal Year 2014-2015 and authorize Chair to execute certification statements. Approved.
D. Human Resources and Organizational Services

1. (503-14) Adopt resolution amending the Classification System Basic Salary/Hourly Schedule as it relates to the County Administrator. Adopted Resolution No. 2014-102, which is on file in Yuba County Resolution Book No. 45.

IV. SPECIAL PRESENTATION

A. (491-14) Present proclamations recognizing Master Gardeners. (Ten minute estimate) Chairman Nicoletti and Supervisor Stocker presented proclamations recognizing Master Gardeners Kathy Jensen, Barbara Kiernan, Joan Hamill, Barbara McMath, Sara Harris, Gail Roughton, and Cynthia Slayton.

V. PUBLIC COMMUNICATIONS:
Agricultural Commissioner Louie Mendoza advised of press release for cash buyers of walnuts, in accordance with the Yuba County Ordinance Code, and responded to Board inquiries.

VI. COUNTY DEPARTMENTS

A. Community Development and Services

1. (492-14) Approve regionalization of the Housing Authority and adopt resolutions amending Community Development and Service Agency Position Allocation Schedule and Basic Salary Schedule relating to Housing Program Manager and Housing Specialist effective December 1, 2014, and Senior Housing Specialist effect January 1, 2015. (Ten minute estimate) Planning Director Wendy Hartman recapped the regionalization of the Housing Authority, location of regional housing office, and responded to Board inquiries.

MOTION: Move to adopt
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 Resolution No. 2014-103, Resolution No. 2014-104, which are on file in Yuba County Resolution Book No. 45.

B. County Administrator

1. (493-14) Approve agreement with Yuba County Water Agency relating to the Yuba Levee Financing Authority Revenue Bonds, 2008 Series A, and 2008 Series B, for such purposes, approve related actions and authorize Chair to execute. (Ten minute estimate) County Administrator Robert Bendorf provided a brief recap and advised bonds were approved by the Yuba Levee Finance Authority and the Yuba County Water Agency, and responded to Board inquiries.

MOTION: Move to approve
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

2. (494-14) Approve Yuba County Employee's Association (YCEA) Master Labor Agreement application of benefits, and benefits specific to Unrepresented Management/Confidential and approve amendment to the Classification System-Basic Salary/Hourly Schedule with the approval of the differential pay adjustment
for the Confidential classification. (Ten minutes estimate) County Administrator Robert Bendorf recapped the following and responded to Board inquiries:

- Cost of Living Adjustment increase of net 2 percent in third year
- Lump sum payments similar to YCEA
- Equity Adjustments
- CalPERS Retirement Contribution
- Health Insurance share of cost
- Vacation conversion to Deferred Compensation
- Specialty Pay - Confidential employees

MOTION: Move to approve 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

3. (495-14) Adopt resolution authorizing the Issuance of Special Tax Bonds of the County for the County of Yuba Community Facilities District No. 2005-1(Orchard/Montrose Public Improvements) related to Improvement Area "A" of the District, approving and directing the execution of a Fiscal Agent Agreement and approving other related documents and actions. County Administrator Robert Bendorf recapped Special Tax Bonds for Community Facilities District No. 2015-1 (Orchard/Montrose Public Improvements) and history, and responded to Board inquiries.

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

Adopted Resolution No. 2014-105, which is on file in Yuba County Resolution Book No. 45.

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

A. (496-14) Public Hearing - Hold hearing and adopt findings of facts, conclusion of law and orders authorizing the assessment of administrative and abatement costs and penalties, and recording of lien regarding 3203 Feather River Boulevard, Arboga, (JNK Inc), in the amount of $30,296.02. (Ten minute estimate) Supervising Code Enforcement Officer Jeremy Strang provided a PowerPoint presentation, including images of property and marijuana cultivation, and responded to Board inquiries.

Chairman Nicoletti opened the public hearing. Mr. Rashmir Rai advised the property is a rental and was unaware the activity was illegal.

MOTION: Move to close public hearing and adopt findings of fact and costs in the total amount of $30,296.02
MOVED: Andy Vasquez SECOND: Roger Abe
AYES: Andy Vasquez, Roger Abe, John Nicoletti, Mary Jane Griego, Hal Stocker
NOES: None ABSENT: None ABSTAIN: None

B. (497-14) Public Hearing - Hold hearing and adopt findings of facts, conclusion of law and orders authorizing the assessment of administrative and abatement costs and penalties, and recording of lien regarding 5167 Western Avenue, Olivehurst, (Jagjit Singh Chima), in the amount of $7,509.05. (Ten minute estimate) Supervising Code Enforcement Officer Jeremy Strang provided a PowerPoint presentation, including images of property and marijuana cultivation, and responded to Board inquiries.
Code Enforcement Officer John Jacenich responded to specific inquiries regarding when the property became compliant.

Chairman Nicoletti opened the public hearing. Mr. Jasjit Singh Chima advised he was unaware the activity was illegal and felt the property owner should not be held responsible for the costs incurred since the property was a rental.

MOTION: Move to close public hearing and adopt findings of fact and costs in the total amount of $7,509.05.
MOVED: Andy Vasquez SECOND: Mary Jane Griego
AYES: Andy Vasquez, Mary Jane Griego, John Nicoletti, Roger Abe, Hal Stocker
NOES: None ABSENT: None ABSTAIN: None

C. (498-14) Public Hearing - Hold hearing and adopt findings of facts, conclusion of law and orders authorizing the assessment of administrative and abatement costs and penalties, and recording of lien regarding 5390 Feather River Boulevard, West Linda, (Charles Robert Newton) in the amount of $11,749.02. (Ten minute estimate) Supervising Code Enforcement Officer Jeremy Strang provided a PowerPoint presentation including images of property and marijuana cultivation.

Supervisor Stocker left the meeting and 11:02 a.m. and returned at 11:08 a.m.

Chairman Nicoletti opened the public hearing. Ms. Payao Hill advised she had a prescription for 99 plants. Mr. Newton clarified the size of the property as two adjacent lots with a total combined area of 1.25 acres; Ms. Hill and Mr. Newton responded to Board inquiries.

County Counsel Angil Morris-Jones provided clarification between the State regulation and County Ordinance.

MOTION: Move to close public hearing and adopt findings of fact and costs in the total amount of $11,749.02 MOVED: Andy Vasquez SECOND: Mary Jane Griego
AYES: Andy Vasquez, Mary Jane Griego, John Nicoletti, Roger Abe, Hal Stocker
NOES: None ABSENT: None ABSTAIN: None

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

A. (499-14) Letter from Mr. Frank Allen regarding Fish and Game Advisory Commission's bylaw relating to prospective commissioners. Accepted.

B. (500-14) Notice from California Fish and Game Commission regarding sport fishing regulations for 2015. Accepted.

IX. BOARD AND STAFF MEMBERS' REPORTS:

Supervisor Stocker: Memorial Adjournment - Ms. Cheryl Rapp

Supervisor Nicoletti:
- Regional Fire Study Workshop held October 22, 2014
- Boots and Brew held October 24, 2014
Slow Rise Flood Event training held October 23, 2014
Lighting issues at N. Beale Road at Lowe Avenue
Memorial Adjournment - Mr. Curtis Padget

County Administrator Robert Bendorf left the meeting at 11:26 a.m. and did not return.

X. CLOSED SESSION: The Board retired into closed session at 11:26 a.m. and returned at 11:59 a.m. with all
members present as indicated above.

A. Personnel pursuant to Government Code §54957(b)(1) - Public Appointment Health Officer Direction
 provided.

B. Personnel pursuant to Government Code §54957.6(a) - Labor Negotiations - DDAA Direction provided.

XI. ADJOURN 12:00 p.m. in memory of Ms. Cheryl Rapp and Mr. Curtis Paget.

ATTEST: DONNA STOTTMeyer
CLERK OF THE BOARD OF SUPERVISORS

By: Rachel Ferris, Deputy Clerk

Chair

Approved: November 18, 2014