The County of Yuba
BOARD OF SUPERVISORS
OCTOBER 27, 2015

The Honorable Board of Supervisors of the County of Yuba met on the above date, commencing at 9:31 a.m. within the Government Center, Marysville, California, with a quorum being present as follows: Supervisors Andy Vasquez, John Nicoletti, Mary Jane Griego, and Randy Fletcher. Supervisor Roger Abe was absent. Also present were County Administrator Robert Bendorf, County Counsel Angil Morris-Jones, and Deputy Clerk of the Board of Rachel Ferris. Chair Griego presided.

I. PLEDGE OF ALLEGIANCE - Led by Chief Webb

II. ROLL CALL - Supervisors Vasquez, Nicoletti, Griego, Abe, Fletcher – Supervisor Abe 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: Andrew Vasquez
SECOND: Randy Fletcher
AYES: John Nicoletti, Andrew Vasquez, Mary Jane Griego, Randy Fletcher
NOES: None
ABSENT: Roger Abe
ABSTAIN: None

A. Board of Supervisors

1. (475-1015) Appoint Rick Brown and Dave Gothrow as Reclamation District 784 Trustees for a four year term ending November 2019. Approved.

2. (476-1015) Appoint Nicholas Iacopi and James Hill to the Board of Directors of Ramirez Water District for four year terms ending November 2019. Approved.

B. Clerk of the Board of Supervisors

1. (477-1015) Approve meeting minutes of October 13, 2015. Approved as written.

C. Community Development and Services

1. (478-1015) Approve contract change orders for State Route 70/Feather River Boulevard Interchange project and authorize Director of Public Works to sign change orders. Approved.

D. Clerk Recorder/Elections

1. (479-.1015) Adopt resolution appointing members in lieu of election to the Board of Directors for Special Districts pursuant to Elections Code §10515. Adopted Resolution No. 2015-112, which is on file in Yuba County Resolution Book No. 46.

E. Health and Human Services

1. (480-1015) Adopt resolution approving Memorandum of Understanding with Sutter-Yuba Mental Health and any amendments thereto regarding the exchange of confidential information and authorize Chair to execute. Adopted Resolution No. 2015-113, which is on file in Yuba County Resolution Book No. 46.
F. Human Resources/County Administrator

1. (481-1015) Adopt resolutions amending the Basic Salary Schedule and Department Allocation Schedule as it relates to the Deputy County Administrator position effective October 1, 2015. (Finance and Administration Committee recommends approval) Adopted Resolution Nos. 2015-114, and 2015-115, which are on file in Yuba County Resolution Book No. 46.

IV. PUBLIC COMMUNICATIONS: None.

V. COUNTY DEPARTMENTS

A. Sheriff-Coroner/Administrative Services

1. (482-1015) Approve agreement with Motorola Solutions, Inc. for a simulcast radio system for Yuba County Sheriff and authorize Chair to execute. (Ten minute estimate). Sheriff Duford recapped project, funding source and amounts, and approach to cover remaining balance. Sheriff Durfor responded to Board inquiries.

County Administrator Robert Bendorf responded to specific inquires regarding payment timelines.

MOTION: Move to approve MOVED: Andrew Vasquez SECOND: John Nicoletti
AYES: John Nicoletti, Andrew Vasquez, Mary Jane Griego, Randy Fletcher
NOES: None ABSENT: Roger Abe ABSTAIN: None

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

A. (483-1015) Public Hearing - Hold public hearing and adopt resolution amending drainage impact fees for Reclamation District 784 and approving Fee Nexus Study for Basin C-2. (Roll Call Vote) (Ten minute estimate)
Director Kevin Mallen recapped location of study area, established fee per acre, and responded to Board inquiries.

General Manager Steve Fordice Reclamation District 784 recapped impact fees, future development, and responded to Board inquiries.

Chair Griego opened the public hearing.

Mr. Fordice responded to specific inquiries relating to fee exemptions.

MOTION: Move to close public hearing and adopt resolution MOVED: Andrew Vasquez SECOND: Randy Fletcher
AYES: John Nicoletti, Andrew Vasquez, Mary Jane Griego, Randy Fletcher
NOES: None ABSENT: Roger Abe ABSTAIN: None

Adopted Resolution No. 2015-116, which is on file in Yuba County Resolution Book No. 46.

VII. BOARD AND STAFF MEMBERS’ REPORTS:

Supervisor Nicoletti:
- SoYouCan Annual Food/Toy giveaway December 19, 2015
- Area 4 Agency on Aging home delivery of Thanksgiving meals
- Memorial Adjournment: Mrs. Michelle Manning
- Commend Kevin Mallen and Wendy Hartman on recent Planning Commission meeting and format
Supervisor Fletcher: Meetings attended:
- October 16, 2015 Tour of the Foothills with Senator Nielson
- October 18, 2015 Annual Chestnut Roast
- October 19, 2015 Town all meeting in Hallwood
- October 26, 2015 community meeting regarding roads

Supervisor Griego:
- Beets and Brews 3rd Annual event October 24, 2015
- Planning Commission meeting October 21, 2015
- South County Economic Development Committee meeting October 22, 2015
- October 29, 2015 Lindhurst High School recognizing and honoring Alumni

VIII. CLOSED SESSION The Board retired into closed session at 10:16 a.m. and returned at 11:15 a.m. with all present as indicated above.

A. Personnel pursuant to Government Code §54957 – Department Head Evaluation/Health Officer No report

B. Personnel pursuant to Government Code §54957 – Department Head Evaluation/Agriculture Commissioner No report

IX. 1:30 P.M. ORDINANCES AND PUBLIC HEARINGS: The clerk read the disclaimer and administered the oath to all parties testifying.

A. 1:30 P.M. (484-1015) Public Hearing - Hold public hearing and adopt findings of facts, conclusions of law and orders authorizing the assessment of administrative and abatement costs and penalties in the amount of $15,599.79 and the recording of a lien regarding Vacant Lot on Sun Avenue, Linda, Mohammad A. Khan and Lucy Salva. (Roll Call Vote) (30 minutes estimate) Chair Griego opened the public hearing.

Code Enforcement Manager Jeremy Strang informed the board the referenced date of July 18, 2015 was incorrect and should be July 29, 2015. Mr. Strang presented a PowerPoint presentation depicting photos of the violations, recapping timelines for notification, inspections, and a history of violations at this property and other properties owned by Mr. Khan.

County Counsel Angil Morris-Jones responded to specific objections relating to past history from Ms. Charnel James, Counsel for property owner Mr. Mohammed Khan.

Ms. James provided copies of plane tickets showing Mr. Khan was out of the country from April 4, 2015 through July 28, 2015. Mr. Khan indicated Mr. Ron Dobson was given permission to use his truck to clean up property, repair the fence, and lock the gate.

Mr. Ron Dobson stated he did not have permission to grow marijuana or live on the property and was only authorized to make repairs.

The following individuals spoke:
- Ms. Karen Liggett
- Mr. Mary Dobson
- Mr. Bryan Badsen

Chair Griego closed the public hearing.

The Board recessed at 2:15 p.m. and returned at 2:28 p.m. with all present.
MOTION: Move to close public hearing, and adopt findings of fact, conclusions of law and orders authorizing the assessment of administrative and abatement costs and penalties in the amount of $15,599.79 and the recording of a lien regarding vacant lot on Sun Avenue
MOVED: John Nicoletti  SECOND: Andy Vasquez
AYES: John Nicoletti, Andrew Vasquez, Randy Fletcher
NOES: Mary Jane Griego  ABSENT: Roger Abe  ABSTAIN: None

B. 1:30 P.M. (485-1015) Public Hearing - Hold public hearing and adopt findings of facts, conclusions of law and orders authorizing the assessment of administrative and abatement costs and penalties in the amount of $18,409.05 and the recording of a lien regarding 5919 Park Court, Linda, CA 95901, Diego Araujo Jr. (Roll Call Vote) (30 minutes estimate) Chair Griego opened the public hearing.

Code Enforcement Manager Jeremy Strang provided a PowerPoint presentation depicting photos of marijuana plants and other associated violations, recapped timelines for notification, inspections, cost accounting, and a sale of property.

Mr. Tommy Christy, Hyalite Investment Inc., advised prior to purchasing the property at auction he was aware of pending lien, and submitted an outline of amended fees for Board consideration. Mr. Christy advised the previous tenant is still occupying the property and has been served a three day notice to vacate the property.

The following individual spoke: Ms. Karen Liggett

Chair Griego closed the public hearing.

MOTION: Move to confirm cost accounting, adopt findings of fact, conclusions of law and orders authorizing the assessment of administrative and abatement costs and penalties and the recording of a lien in the amount of $18,409.05.
MOVED: Andy Vasquez  SECOND: Randy Fletcher
AYES: Andrew Vasquez, Randy Fletcher
NOES: John Nicoletti, Mary Jane Griego  ABSENT: Roger Abe  ABSTAIN: None

Motion failed.

MOTION: Move to accept 50 percent of fine in the amount of $9,204.53 as penalty due; prepare draft agreement with property owner and require bond for remaining amount of $9,204.53 to be held in reserve for three years, and present agreement for Board approval November 17, 2015
MOVED: Randy Fletcher  SECOND: Andy Vasquez
AYES: Randy Fletcher, Andrew Vasquez, John Nicoletti, Mary Jane Griego
NOES: Mary Jane Griego  ABSENT: Roger Abe  ABSTAIN: None

X. ADJOURN 3:20 p.m. in memory of Mrs. Michelle Manning.

Chrr

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

Approved: November 17, 2015