The County of Yuba
BOARD OF SUPERVISORS
JUNE 28, 2016

The Honorable Board of Supervisors of the County of Yuba met on the above date, commencing at 09:51 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 Randy Fletcher. Also present were County Administrator Robert Bendorf, County Counsel Angil Morris-Jones and Deputy Clerk of the Board of Supervisors Rachel Ferris. Chairman Abe presided.

I. PLEDGE OF ALLEGIANCE - Led by Supervisor Vasquez

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

A. Administrative Services

1. (246-0616) Adopt resolution authorizing Purchasing Agent to reject bids received for Child Welfare Services door project. Adopted Resolution No. 2016-47, which is filed in Yuba County Resolution Book No. 47.

B. Board of Supervisors

1. (280-0616) Approve and ratify appointments of Maryls Eatmon and Angie Gates to the Yuba County Community Services Commission as Low Income Sector representatives for four year terms. Approved.

C. Clerk of the Board of Supervisors

1. (258-0616) Appoint Richard H. Webb to Yuba County Community Services Commission as a District One Representative with a term to end December 31, 2018.

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

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D. Community Development and Services

1. (259-0616) Adopt resolution supporting Yuba County Water Agency grant application to California Department of Fish and Wildlife for South Canal Fish Screen Project. Adopted Resolution No. 2016-48, which is filed in Yuba County Resolution Book No. 47.

2. (260-0616) Make finding that adequate progress has been made towards providing adequate flood protection facilities for Reclamation District 784 Levee System. Approved.

3. (261-0616) Approve agreement with USDA, Forest Service Plumas National Forest for bridge construction on Oregon Hill Road and authorize Chair to execute. Approved.

4. (262-0616) Award contract to the apparent low bidder DeWitt Brothers and Company Inc., for the Goldfields Parkway Extension project from north end of existing Goldfields Parkway to North Beale Road and authorize Chair to execute upon review and approval of Counsel. Approved.

5. (263-0616) Award contract to the apparent low bidder Steelhead Constructors Inc., for Bridge Replacement and Realignment of Scales Road Bridge over Slate Creek project and authorize Chair to execute upon review and approval of Counsel. Approved.

6. (264-0616) Award contract to the apparent low bidder Lamon Construction Inc., for Hammonton Smartsville Road Shoulder Widening and Curve Corrections at Doolittle Gate to the east of South Golden Parkway to the west of project and authorize Chair to execute upon review and approval of Counsel. Approved.

7. (248-0616) Authorize disbursement in the total amount of $441,431.01 from Measure D Fund 807 to County Road Fund 102 for $418,255.88, City of Marysville for $17,657.24 and City of Wheatland for $5,517.89. Approved.

E. County Administrator

1. (265-0616) Authorize Regional Waste Management Authority grant application to California Department of Resources Recycling and Recovery on County behalf for the Used Oil Payment Program for Fiscal Year 2016-2017 and approve submittal of County Administrator letter. Approved.

F. District Attorney

1. (266-0616) Authorize budget transfer in the total amount of $6,500 to reconcile year-end expenditures for Fiscal Year 2015/2016. Approved.

2. (249-0616) Adopt resolution authorizing District Attorney to execute grant agreements for funding under United States Bureau of Justice Assistance Grant Program. Adopted Resolution No. 2016-49, which is filed in Yuba County Resolution Book No. 47.

G. Health and Human Services

1. (267-0616) Approve agreement with Grace Source, Inc. for differential response services under Child Abuse Prevention, Intervention and Treatment, Community Based Child Abuse Prevention, and County Children's Trust Fund program and authorize Chair to execute. (Human Services Committee recommends approval) Approved.
2. (268-0616) Approve Amendment No. 2 to service agreements in the amount of $25,000 each with Progress House and Community Recovery Resources and authorize Chair to execute. Approved.

3. (269-0616) Adopt resolution authorizing agreement with California Department of Public Health Supplemental Nutrition Assistance Program Education (SNAP-Ed) for Fiscal Year 2016-2019. Adopted Resolution No. 2016-50, which is filed in Yuba County Resolution Book No. 47.

H. Office of Emergency Services

1. (250-0616) Adopt resolution proclaiming the existence of ongoing local drought emergency in Yuba County pursuant to Government Code §8630. Adopted Resolution No. 2016-51, which is filed in Yuba County Resolution Book No. 47.

I. Public Guardian

1. (270-0616) Approve Memorandum of Understanding with Sutter-Yuba Mental Health for July 1, 2016 through June 30, 2018 and authorize Chair to execute. Approved.

J. Sheriff-Corner

1. (271-0616) Approve agreement with Yuba County Water Agency for law enforcement services for limited term May 15, 2016 through September 15, 2016 and authorize Chair to execute. Approved.

K. Sutter-Yuba Mental Health Services

1. (279-0616) Adopt resolution to rename Sutter-Yuba Mental Health Services to Sutter-Yuba Behavioral Health. Adopted Resolution No. 2016-52, which is filed in Yuba County Resolution Book No. 47.

IV. CLOSED SESSION: The Board retired into closed session at 9:55 a.m. and returned at 10:24 a.m. with all present as indicated above.

A. Personnel pursuant to Government Code §54957.6(a) - Labor Negotiations DSA/MSA/YCPOA/County of Yuba Negotiating Parties: Abel By unanimous vote the Board gave authorization to the Negotiating team

V. PUBLIC COMMUNICATIONS:

- Mr. Buck Weckman
- Sheriff Durfor – Potential placement of a sexual predator in District 10
- Mr. Don Schrader

VI. COUNTY DEPARTMENTS

A. Auditor-Controller

B. Health and Human Services

1. (273-0616) Authorize Contingency Fund transfer in the amount of $10,000 for General Assistance Program projected year end expenditures for Fiscal Year 2015-2016. (4/5 vote required) Director Jennifer Vasquez provided a brief recap.

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

C. Yuba Sutter Economic Development Corporation


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

   Adopted Resolution No. 2016-54, which is on file in Yuba County Resolution Book No. 47.

D. County Administrator

1. (275-0616) Receive Fiscal Year 2016-2017 Proposed Budget; direct copies be made available to public; accept Proposed Budget as interim spending plan, including position allocation changes; set dates for Budget Workshop of August 16 and 17, 2016; and set Final Budget Hearings for September 20 - 27, 2016. (Thirty minute estimate) County Administrator Robert Bendorf provided a recap of policies, budget development by departments, and a PowerPoint presentation indicating the following:

   o Budget development goals and process
   o Proposed Budget $173,824,015
   o General Fund Discretionary Revenue - $27,602,245

   o Budgeted one-time revenue sources - $425,000
     o General Fund Reserve - $250,000
     o Capital Facility Fund - $175,000
   o General Fund Contingencies - $769,272
   o Significant Cost Increase
     o CalPERS Health Insurance Rates
     o PERS Pension Changes
   o Workforce allocated positions 904

   Mr. Bendorf responded to Board inquiries. Chair Abe opened the floor for public comments. There were none.
MOTION: Move to move approve proposed budget; direct copies be made available to public; accept Proposed Budget as interim spending plan; set dates for Budget Workshop of August 16 and 17, 2016; and set Final Budget Hearings for September 20 - 27, 2016.
MOVED: Mary Jane Griego SECOND: Randy Fletcher
AYES: Andy Vasquez, John Nicoletti, Mary Jane Griego, Roger Abe, Randy Fletcher
NOES: None ABSENT: None ABSTAIN: None

D. Community Development and Services

1. (247-0616) Adopt resolution to authorize borrowing $8,000 from County Service Area 66 to County Service Area 59 for road maintenance. Director Mike Lee recapped loan and repayment terms and responded to Board inquiries.

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

By roll call vote, adopted Resolution No. 2016-54, which is on file in Yuba County Resolution Book No. 47.

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

A. (276-0616) Letter from Office of the Governor enclosing a proclamation calling the General Election on Tuesday, November 8, 2016. Received.

B. (277-0616) Audit Report for Community Services Commission from 07/01/2014 - 06/30/2015. Received.

C. (278-0616) Annual Sutter-Yuba Behavioral Health Advisory Board's Report for Fiscal Year 2015-16. Received.

D. (255-0616) Two notices from California Fish and Game Commission regarding Conflict of Interest Code and Coast yellow leptosiphon croceus as endangered species. Received.

E. (256-0616) Agenda from Central Valley Regional Water Quality Control for June 22 - 24, 2016. Received.

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.

Supervisor Vasquez:
- June 22 RCRC meeting
- SB 1146 concerning post-secondary education

Supervisor Griego left the meeting at 11:53 a.m. and did not return.

Supervisor Fletcher - Meetings attended:
- June 16 Yuba County Water Agency, and Yuba Sutter Transit Authority meetings
- June 17 Toured Tahoe National Forest
- June 21 ACWA Region II meeting
June 22 Yuba County Water Agency meeting
June 23 Toured Plumas Nation Forest

Supervisor Abe: Attended Local Emergency Medical Services meeting held June 15

County Administrator Robert Bendorf:
- Recapped regional homeless efforts, next steps, and requested a Board member be appointed to attend draft plan review meeting - Chairman Abe appointed Randy Fletcher
- Received consensus to recess during the Board meeting of July 12 to attend a brief dedication ceremony for the 14 Forward site on 14th Street

IX. CLOSED SESSION

B. Conference with Real Property Negotiator pursuant to Government Code §54956.8 - Property: APN 019-270-047, 048, 049 (Owners Brolliar, Milton and Sandra) Negotiating Parties: Mike Lee Negotiation: Terms of Price Direction provided by unanimous vote.

X. RECESS TO 1:30 P.M.: The Board reconvened at 1:30 p.m. with Supervisors Griego absent.

XI. COST ACCOUNTING HEARINGS: The Clerk read the disclaimer and administered an oath to all parties testifying.

A. (150-0416) Hold 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 $15,871.28 and the recording of a lien regarding 9248 Spring Valley Road, Marysville, CA 95901, Charles M. and Maurine L. Harrold. (Continued from April 26, 2016) (Roll call vote) (Ten minutes) Code Enforcement Manager Jeremy Strang recapped the determining factors, relevant facts and dates regarding cultivation of 102 plants outdoors without approved accessory structure, lack of registration, use of extension cords, debris, construction of building without permits, and responded to inquiries.

Attorney Roberto Marquez, on behalf of property owner, questioned Mr. Strang, recapped laws regarding noticing requirements, and felt costs of abatement were not reasonable.

Code Enforcement Officer John Jacenich responded to Board inquiries.

The following individual spoke: Ms. Karen Liggett

MOTION: Move to adopt findings of facts, conclusions of law and orders authorizing the assessment of administrative and abatement costs and penalties in the amount $15,871.28 and the recording of a lien
MOVED: Andy Vasquez SECOND: Roger Abe
AYES: Andy Vasquez, John Nicoletti, Roger Abe
NOES: Randy Fletcher ABSENT: Mary Jane Griego ABSTAIN: None

B. (153-0416) Hold 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 $105,441.41 and the recording of a lien regarding 1791 East Eleventh Avenue, Olivehurst, CA 95961, owned by Diane Stanaland. (Continued from April 26, 2016) (Roll call vote) (Ten minutes) Code Enforcement Manager Jeremy Strang recapped request for continuance regarding title of property to Mr. William Leach, the determining factors, relevant facts and dates regarding cultivation of 63 plants outdoor without approved accessory structure, lack of registration, propagation of debris, recommended reducing to $92,241.40 and responded to inquiries.

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Mr. William Leach recapped circumstances taken to gain control of property following death of his mother Ms. Stanaland, felt Ms. Tina McDonald should bear cost of penalties, who was in control of the property at the time the abatement was ordered and responded to inquiries.

MOTION: Move to adopt findings of facts, conclusions of law and orders authorizing the assessment of administrative and abatement costs and penalties in the amount $6,441.40 contingent upon code enforcement inspection with violations removed within 30 days, property to remain free of violations for three years, and would revoke to $92,241.40 upon sale of property prior to the end of three years
MOVED: Andy Vasquez    SECOND: Roger Abe
AYES: Andy Vasquez, John Nicoletti, Roger Abe
NOES: Randy Fletcher    ABSENT: Mary Jane Griego    ABSTAIN: None

C. (154-0416) Hold 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 $462,954.42 and the recording of a lien regarding 9943 Camper Lane, Brownsville, CA 95919, Rufus M. and AE Sun Monts.
(Continued from April 26, 2106) (Roll call vote) (Ten minutes)

Chief Deputy County Counsel John Vacek advised of new owners and received Board consensus to continue the cost accounting hearing to August 23, 2016, to allow Title Company an opportunity to research and remedy mistake of overlooking recorded Notice of Noncompliance.

Mr. Rick St. Sauver Jr., property owner, requested the Board to authorize issuance of a permit for solar installation on the property and responded to inquiries.

Code Enforcement Manager Jeremy Strang responded to Board inquiries regarding permit.

MOTION: Move to authorize issuance of permit for solar system on property
MOVED: Randy Fletcher    SECOND: Andy Vasquez
AYES: Andy Vasquez, John Nicoletti, Roger Abe, Randy Fletcher
NOES: None    ABSENT: Mary Jane Griego    ABSTAIN: None

Supervisor Nicoletti left the meeting at 2:45 p.m.

XI. PUBLIC HEARINGS AND ORDINANCE: The clerk read the disclaimer.

A. (251-0616) Public Hearing - Hold public hearing to consider proposed change to assessments for County Service Area No. 9, absent a majority protest, adopt resolution to establish assessments to take effect on July 1, 2016. (Roll Call Vote) (Fifteen minute estimate) Chairman Abe opened the public hearing. No one came forward.

Ballots were opened and counted with an outcome of a majority protest. No further action taken.

B. (252-0616) Public Hearing - Hold public hearing to consider proposed change to assessments for County Service Area No. 20, absent a majority protest, adopt resolution to establish assessments to take effect on July 1, 2016. (Roll Call Vote) (Fifteen minute estimate) Chairman Abe opened the public hearing. No one came forward.

Ballots were opened and counted with an outcome of a majority protest. No further action taken.
C. (253-0616) Public Hearing - Hold public hearing to consider proposed change to assessments for County Service Area No. 39, absent a majority protest, adopt resolution to establish assessments to take effect on July 1, 2016. (Roll Call Vote) (Fifteen minute estimate) Chairman Abe opened the public hearing. No one came forward.

Ballots were opened and counted with a majority approval.

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

By roll call vote, adopted Resolution No. 2016-55, which is on file in Yuba County Resolution Book No. 47.

D. (254-0616) Ordinance - Hold public hearing, waive reading and adopt ordinance repealing and reenacting certain Chapters and Sections of Title 11 Development Code; approve changes to Zoning Map; and adopt Initial Study and Negative Declaration. (Thirty minute estimate) (Continued from June 21, 2016 for lack of a quorum per Government Code §65095) (Roll Call Vote) Community Development and Services Director Kevin Mallen advised of minor changes throughout the code and approve recommendation of the Planning Commission.

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

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

By roll call vote, adopted Ordinance No. 1556 which is on file in Yuba County Ordinance Book No. 25.

XII. ADJOURN: 3:30 p.m.

Chair

ATTEST: DONNA STOTTLMEYER
CLERK OF THE BOARD OF SUPERVISORS

By: Rachel Ferris, Deputy Clerk

Approved: July 12, 2016