

The County of Yuba

BOARD OF SUPERVISORS



JANUARY 13, 2015

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, Mary Jane Griego, Roger Abe, and Randy Fletcher. Also present were County Administrator Robert Bendorf, Chief Deputy County Counsel John Vacek, and Clerk of the Board of Supervisors Donna Stottlemeyer. Chair Griego presided.

- I. PLEDGE OF ALLEGIANCE - Led by Supervisor Griego
- 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 MOVED: Andy Vasquez SECOND: Randy Fletcher
 AYES: Andy Vasquez, Randy Fletcher, John Nicoletti, Mary Jane Griego, Roger Abe
 NOES: None ABSENT: None ABSTAIN: None

A. Administrative Services

1. (001-15) Approve Airport lease agreement with OPTEC Solutions and authorize Chair to execute. Approved.
2. (002-15) Approve Airport ground lease renewal and permit with Reach Air Medical Services and authorize Chair to execute. Approved.

B. Board of Supervisors

1. (003-15) Approve appointment of Supervisor Ron Sullenger as the Sutter County Alternate Director to Feather River Air Quality Management District Board for 2015. Approved.
2. (004-15) Approve letters of support for Sutter County Office of Education California Career Pathways Trust Grant, and for Camptonville Community Partnership's Joint Wood Innovations Grant and authorize Chair to execute. Approved.

C. Clerk of the Board of Supervisors

1. (005-15) Approve minutes from the meetings of December 9 and 16, 2014. Approved as written.

D. Community Development and Services

1. (006-15) Adopt resolution authorizing Public Works Director to execute Right of Way Certifications for federally funded projects with CalTrans. Public Works Director Mike Lee responded to inquiries and clarified the certification process regarding clearance prior to construction.

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

Adopted Resolution No. 2015-002, which is on file in Yuba County Resolution Book No. 46.

E. Emergency Services

1. (007-15) Adopt resolution proclaiming the existence of an ongoing local drought emergency in the County of Yuba. Adopted Resolution No. 2015-001, which is on file in Yuba County Resolution Book No. 46.

F. Health and Human Services

1. (008-15) Authorize soliciting request for proposals for Children's Services Differential Response Program services funded by Child Abuse Prevention Intervention and Treatment, Community Based Child Abuse Prevention Programs, and County Children's Trust Fund. Approved.

G. Sutter-Yuba Mental Health Services

1. (009-15) Approve memorandum of understanding with Blue Cross of California Partnership Plan, Inc. and the Counties of Sutter and Yuba for coordination of services for Medi-Cal Managed Care and authorize Chair to execute. Approved.

IV. PUBLIC COMMUNICATIONS:

The following individuals spoke:

- Planning Director Wendy Hartman - Draft County Development Code - Zoning Map released for public comment
- Mr. Nick Spaulding - Consistency of Stormwater Ordinance to General Plan
- Ms. Cathy LeBlanc - Bio Energy Grant Steering Committee appointment

V. COUNTY DEPARTMENTS

A. Board of Supervisors

1. (010-15) Appoint Board representative and alternate to Rural County Representatives of California and California Home Finance Authority for 2015.

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

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

2. (011-15) Consider appointing one individual to the Fish and Game Advisory Commission for a term ending January 13, 2019 and take action as appropriate. Following Board discussion, the following individuals spoke:
- Mr. Buck Weckman
 - Mr. Bill Hodges
 - Mr. Terry Oakes
 - Mr. Steaven Reynolds
 - Ms. Danarae Reed
 - Mr. Dale Whitmore

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

Motion Failed.

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

3. (012-15) Consider Yuba County doe hunt and take action as appropriate. Following Supervisor Vasquez recommending eliminating the doe hunt within the County and board discussion, the following individuals spoke:
- Mr. Dale Whitmore
 - Mr. Steaven Reynolds
 - Mr. Bill Hodges
 - Ms. Danarae Reed

Supervisor Nicoletti moved to follow state recommendations for hunts in Yuba County.

Motion failed for lack of a second.

Supervisor Vasquez moved to eliminate doe hunt in all hunts and initiate a study of number of either sex deer within county followed by workshop, and to seek funding for study.

Motion failed for lack of a second.

With no further motions, the matter died.

B. County Administrator

1. (014-15) Receive presentation regarding financing a portion of project costs for Sheriff's Yuba Street Facility and provide direction as appropriate. (Ten minute estimate) County Administrator Robert Bendorf and Consultant Jeff Small provided a Power Point presentation recapping the following and responded to Board inquiries:
 - Sheriff's Facility Estimated Project Costs \$10,000,000
 - Financed Project Costs \$6,000,000 and Financing Parameters
 - Estimated Project Sizing for Certificates of Participation
 - Estimated Annual Debt Service of \$290,000 through 2020 with \$410,000 from 2021-2045
 - Certificate of Participation Repayment Sources
 - Financing Structure
 - Interest-only payments for five years
 - Five year call protection
 - Premium bond structure

MOTION: Move to approve proceed with the financing and issuance of bonds which included the bond insurance aspect

MOVED: Roger Abe

SECOND: Andy Vasquez

AYES: Roger Abe, Andy Vasquez, John Nicoletti, Mary Jane Griego, Randy Fletcher

NOES: None ABSENT: None ABSTAIN: None

C. Administrative Services

1. (015-15) Approve conditional award of contract to Randy Hill Construction, apparent low bidder, for construction of new Sheriff's facility, pending approval of the financing for the project; and adopt resolution delegating final execution of the contract with Randy Hill Construction to the Purchasing Agent once financing is in place, final negotiations are complete, and upon review and approval by County Counsel. (Ten minute estimate) Director Doug McCoy recapped the process for bids and selection of the low bidder, Randy Hill and responded to Board inquiries.

MOTION: Move to approve

MOVED: John Nicoletti

SECOND: Andy Vasquez

AYES: John Nicoletti, Andy Vasquez, Mary Jane Griego, Roger Abe, Randy Fletcher

NOES: None ABSENT: None ABSTAIN: None

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

- A. (524-14) Ordinance - Hold public hearing, waive reading, and adopt ordinance repealing and re-enacting Chapter 10.30 regarding requirements of the National Flood Insurance Program and Community Rating System. (Second Reading continued from December 9, 2014) (Land Use and Public Works Committee recommend approval) (Ten minute estimate) (Roll Call Vote) Supervisor Abe requested and with Board consensus, the matter was postponed to March 24, 2015.

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

- A. (016-15) Four notices from State of California Fish and Game Commission regarding the Tricolored Blackbird, central valley and ocean salmon sport fishing, mammal hunting regulations, and Clear Lake hitch. Received.

- B. (017-15) Yuba Sutter Regional Conservation Plan Notice of Preparation for Environmental Impact Report and Scoping meetings January 6, 2015 at 3:00 pm to 5:00 pm and 6:00 pm to 8:00 pm, at the Yuba County Government Center, Wheatland Room; and public comment period December 12, 2014 through January 25, 2015. Received.
- C. (018-15) Two notices from Yuba County Auditor-Controller inclosing Independent Audit of the financial records for Wheatland Cemetery District for year ending June 30, 2014, and Browns Valley Irrigation District for year ending December 31, 2013. Received.
- D. (019-15) Health and Human Services Public Health End of Year Report for 2014. Director Jennifer Vasquez responded to Board inquiries. Received.

VIII. BOARD AND STAFF MEMBERS' REPORTS

Supervisor Vasquez: Received consensus to bring back for discussion the Stormwater Ordinance at future meeting

Supervisor Nicoletti:

- Memorial Adjournment - Mr. Donald -"Short Stack" Oliver
- Received update on Regional Conservation Plan
- Sycamore Ranch gathering of Tri- Akim Maidu Tribe January 29 at 11:00 a.m.

Supervisor Abe:

- Sierra Sacramento Valley EMS meeting January 9, 2015
- Memorial Adjournment - Mr. Wesley Goforth

Supervisor Fletcher:

- North Yuba Grow
- Memorial Adjournment - Mr. Russell Young

County Administrator Robert Bendorf: Panel participant at upcoming CSAC event in San Diego

- IX. CLOSED SESSION: The Board retired into closed session at 12:01 p.m. and returned at 1:30 p.m. with all present as indicated above. There was not report.

- A. Personnel pursuant to Government Code §54957 - Public Appointment/Health Officer Recruitment No report.

- X. RECESS TO 1:30 P.M.

- A. (020-15) Adopt findings of facts, conclusion of law and orders authorizing the assessment of administrative and abatement costs and penalties and the recording of lien in the amount of \$114,804.84 regarding 10137 Clark Ranch Way, Dobbins, CA owned by Karen Ungles Robins. (Thirty minute estimate) The clerk administered the oath to those individuals planning to give testimony.

Chief Code Enforcement Officer Jeremy Strang presented a PowerPoint presentation on the following:

- Property description and location
- Number of Greenhouses and plant count
- Map of property location, number and size of plants
- Administrative Chronology of Case

- Mr. Russell Ensslin, Linda
- Mr. Gene Weckman, Brownsville
- Ms. Mary Salvato, Olivehurst
- Ms. June Muncy
- Ms. Jolie Perca
- Ms. Marcia Cecil, Browns Valley
- Mr. Oz Neitzer, Wheatland
- Mr. Rick Reiss, Edgewater
- Ms. Carol Tindall

Sheriff Durfor provided comments regarding grows, the current ordinance, the need to be more assertive and lack of enforcements resources.

Board members recapped their recommendations for inclusion in a draft ordinance that would be brought back for a Board workshop scheduled February 10, 2015 at 3:00 p.m.

Chair Griego formed an Ad Hoc Committee appointing Supervisor Nicoletti and herself as representatives to assist staff with cultivation ordinance considerations.

XII. RECESS TO 6:00 P.M.: The Board recessed at 5:48 p.m. and reconvened at 6:00 p.m. with all members present as indicated above.

- A. (013-15) Direct staff to initiate Proposition 218 process to propose increase to water rates for River Highlands Gold Village. (Thirty minute estimate) Director Kevin Mallen advised the previous meeting discussed both water and sewer and this discussion would be water only.

Principal Engineer Dan Peterson recapped the following and responded to Board inquiries:

- State law requires moving to metered rate
- Grants require metered rates as prerequisite
- Proposed metered water rates
- Typical water consumption
- Monthly water charge by use
- Water System annual expenses

The following individuals spoke:

- Mr. Greg Bock
- Ms. Claire Convery
- Ms. Carol Lawrence
- Ms. Cathy Kirby
- Mr. Jones
- Ms. Denise Walker
- Ms. Vicki Sagaral
- Ms. Susie Rosa
- Mr. Jim Edfrey
- Mr. Jones
- Ms. Kelly

Mr. Peterson recapped the Proposition 218 process for noticing, public hearing, protesting rate increase, and implementation should new rates be implemented and responded to public comments and inquiries.

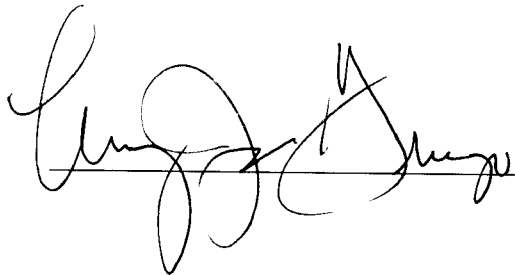
County Administrator Robert Bendorf commented on the County's initial intervention in 2009 and subsequent grant funding for sewage and water for the district.

Finance and Administration Director Sean Powers responded to Board and public inquiries regarding funding and reserves.


Mr. Mallen discussed the reserve fee purpose and provided an option of lowering the fee to \$15 and the implications of lowering the fee.

MOTION: Move to staff to initiate Proposition 218 process to propose increase to water rates with a reserve rate of \$15 MOVED: John Nicoletti SECOND: Andy Vasquez
AYES: John Nicoletti, Andy Vasquez, Mary Jane Griego, Roger Abe, Randy Fletcher
NOES: None ABSENT: None ABSTAIN: None

XIII. ADJOURN: 7:55 p.m. in memory of Mr. Donald -"Short Stack" Oliver, Mr. Wesley Goforth, and Mr. Russel Young.


Chair

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS



Approved: February 3, 2015