

The County of Yuba

BOARD OF SUPERVISORS

AUGUST 11, 2015



The Honorable Board of Supervisors of the County of Yuba met on the above date, commencing at 10:02 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 Clerk of the Board of Supervisors Donna Stottlemeyer. Chair Griego presided.

- I. PLEDGE OF ALLEGIANCE - Led by Supervisor Fletcher
- 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: John Nicoletti SECOND: Randy Fletcher

AYES: Vasquez, Nicoletti, Griego, Abe, Fletcher

NOES: None ABSENT: None ABSTAIN: None

A. Administrative Services

1. (329-0815) Approve assignment of lease agreement between County of Yuba, BC Schmidt Construction, and BC Air, LLC and authorize Chair to execute. Approved.

B. Auditor-Controller

1. (330-0815) Adopt resolution enacting policies for GASB34 Compliance, recording revenue, inter-fund transactions, end of year audit adjusting entries, and incorporating policies into Administrative Policy and Procedures Manual. Adopted Resolution No. 2015-76, which is on file in Yuba County Resolution Book No. 46.

C. Board of Supervisors

1. (331-0815) Adopt resolution proclaiming support for local water suppliers' drought responses and committing to participate in assisting in the defense of their responses against certain state actions. Supervisor Abe recapped the purpose of the resolution.

The following individuals spoke:

- Mr. Mike Filice
- Mr. Jerry Norene
- Mr. Al Lassaga
- Mr. Zachary Cross

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

Adopted Resolution No. 2015-77, which is on file in Yuba County Resolution Book No. 46.

2. (332-1815) Approve decision and findings of fact for Administrative Appeals regarding 5603 D South Gledhill Avenue, 5519 South Gledhill Avenue, and 5814 Garden Avenue, West Linda, and authorize Chair to execute. Approved.

D. Clerk of the Board of Supervisors

1. (333-0815) Approve minutes of the meetings of July 21 and 28, 2015. Approved as written.
2. (334-0815) Appoint Michael E. Lee to Resource Conservation District for a term ending November 30, 2016. Approved.

E. Community Development and Services

1. (335-0815) Approve Transportation Master Plan 2015-2019 recommended projects, funding sources, and schedule subject to formal approval of projects and funding in each fiscal year budget. Approved.
2. (336-0815) Award contract to apparent low bidder, R & R Horn, Inc., for Olivehurst Avenue Complete Streets Project and authorize Chair to execute. Approved.

F. County Administrator

1. (337-0815) Adopt resolution urging state to provide new sustainable funding for state and local transportation infrastructure. Adopted Resolution No. 2015-78, which is on file in Yuba County Resolution Book No. 46.
2. (338-0815) Approve appoint of Louie Mendoza as Agriculture Commissioner/Sealer of Weights and Measures to successive four-year term effective August 7, 2015. Approved.

G. County Counsel

1. (339-0815) Adopt resolution repealing Resolution No. 2000-105 and establishing new orderly system for destruction of County records and direct staff to incorporate retention policy into Administrative Policy and Procedures Manual. County Counsel Angil Morris-Jones recapped retention of records and responded to Board inquiries.

MOTION: Move to adopt MOVED: Andrew Vasquez SECOND: Randy Fletcher
AYES: Vasquez, Nicoletti, Griego, Abe, Fletcher
NOES: None ABSENT: None ABSTAIN: None

Adopted Resolution No. 2015-79, which is on file in Yuba County Resolution Book No. 46.

H. Emergency Services

1. (340-0815) Adopt resolution proclaiming the existence of ongoing local drought emergency within County. Adopted Resolution No. 2015-80, which is on file in Yuba County Resolution Book No. 46.

I. Health and Human Services

1. (341-0815) Adopt resolution authorizing agreement with California for Multipurpose Senior Services Program for July 1, 2015 through June 30, 2016 and authorizing chair to execute required documents. Adopted Resolution No. 2015-81, which is on file in Yuba County Resolution Book No. 46.

J. Sheriff-Coroner

1. (342-0815) Adopt resolution approving actions necessary in support of creating new programming, medical, and mental health facility adjacent to Yuba County Jail and further support application for SB863 funding. Adopted Resolution No. 2015-82, which is on file in Yuba County Resolution Book No. 46.

IV. SPECIAL PRESENTATION

- A. (343-0815) Present proclamation to Teena Carlquist-Bogdanoff in honor of 25 years of service. (No background information) (Ten minute estimate) County Administrator Robert Bendorf read and presented proclamation along with Board members.

V. PUBLIC COMMUNICATIONS: None.

VI. COUNTY DEPARTMENTS

A. County Administrator

1. (344-0815) Adopt resolution authorizing Amendment No. 1 to Contract with Peterson Consulting Inc. and Shaw/Yoder/Antwhi, Inc. and authorizing Chair to execute. Legislative Affairs Coordinator recapped the agreement and responded to inquiries.

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

Adopted Resolution No. 2015-83, which is on file in Yuba County Resolution Book No. 46

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

- A. (345-0815) Ordinance - Hold public hearing, waive reading, and introduce ordinance repealing and re-enacting Section 4.45.050 of Title IV Board and Commissions as it relates to First Five Yuba Commission membership. (Roll call vote) (First reading) (Ten minute estimate) First Five Yuba Director Cynthia Sodari briefly recapped. Chair Griego opened the public hearing. No one came forward.

MOTION: Move to close the public hearing, waive reading, and introduce ordinance
MOVED: Andrew Vasquez SECOND: John Nicoletti
AYES: Vasquez, Nicoletti, Griego, Abe, Fletcher
NOES: None ABSENT: None ABSTAIN: None

- B. (346-0815) Ordinance - Hold public hearing, waive reading, and introduce ordinance establishing Chapter 4.70 of the Yuba County Ordinance Code establishing Historic Resources Commission. (Roll call vote) (First Reading) (Ten minute estimate) Legislative Coordinator Russ Brown recapped the purpose of the commission and responded to Board inquiries.

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

MOTION: Move to close the public hearing, waive reading, and introduce ordinance

MOVED: Andrew Vasquez SECOND: Roger Abe

AYES: Vasquez, Nicoletti, Griego, Abe, Fletcher

NOES: None ABSENT: None ABSTAIN: None

- C. (347-0815) Ordinance - Hold public hearing, waive reading, and introduce ordinance creating Chapter 10.10 Expedite and Streamline Permit Process for Residential Rooftop Solar Energy System to the Yuba County Ordinance Code and make determination the ordinance is exempt from California Environmental Quality Act (CEQA). (First Reading) (Roll Call Vote) (Ten minute estimate) Chief Building Official Martin Griffin and Code Enforcement Manager Jeremy Strang recapped the ordinance, current and future process for permit and responded to Board inquiries.

Chair Griego opened the public hearing. The following individual spoke:

- o Mr. Zach Cross

MOTION: Move to close the public hearing, waive reading, and introduce ordinance

MOVED: Andrew Vasquez SECOND: Randy Fletcher

AYES: Vasquez, Nicoletti, Griego, Abe, Fletcher

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. (348-0815) Notice from California Fish and Game Commission petition to list Humboldt marten as endangered. Received.
- B. (349-0815) Received from Board of State and Community Corrections regarding recidivism reduction grants. Received.
- C. (350-0815) Letter from Brophy Farming Community regarding Cross Roads Community Church Joshua House. Directed staff to provide response.
- D. (351-0815) Letter from United States Bureau of Reclamation enclosing DVD copy of Draft Environmental Impact Statement for coordinated long-term operation of the Central Valley Project and State Water Project. Received.

IX. BOARD AND STAFF MEMBERS' REPORTS:

Supervisor Nicoletti:

- o Farm Fresh Health Care Forum held in Sacramento

- Various local water resource meetings
- TRLIA meeting August 4, 2015 regarding Goldfields Project
- Community Service Commission meeting August 6, 2015
- Beale Community Partnership Wastewater Systems
- Tri County Juvenile Hall meeting July 31, 2015

Supervisor Abe:

- FRAQMD Meeting August 1, 2015
- Water meeting on August 6, 2015
- LAFCO meeting August 5, 2015
- Memorial Adjournment - Mr. Frank McGee

Supervisor Fletcher:

- Various Water meetings
- Leadership breakfast with elected officials
- Hallwood/District10 Community Services District and retirement of Chris Haile

Supervisor Griego:

- FRAQMD meeting August 1, 2015
- LAFCO meeting August 5, 2015
- SACOG Transportation Workshop

County Counsel Angil Morris-Jones: October 16, 2015 swearing in ceremony

County Administrator Robert Bendorf:

- Employee healthcare choices
- Economic development coordination
- Tri County Juvenile Hall agreement
- LAFCO staff allocation

X. CLOSED SESSION The Board retired into closed session at 11:32 a.m. and returned at 1:32 p.m. with all present as indicated above.

A. Pending litigation pursuant to Government Code §54956.9(e)(3) – One Claim/Jimenez By unanimous vote the Board denied claim.

B. Pending litigation pursuant to Government Code §54956.9(d)(4) - Two Cases No report.

XI. 1:30 P.M. ADMINISTRATIVE APPEAL HEARING

(353-0815) Administrative Appeal Hearing: Hold appeal hearing to determine administrative penalty regarding APN 021-251-012/Ramirez, 5824 Montclair Avenue, East Linda. (Sixty minute estimate) Chief Deputy Counsel John Vacek administered the oath to Paula Almaguer for translation services.

The clerk administered the oath of testimony to those wishing to address the Board.

Code Enforcement Manager Jeremy Strang provided a PowerPoint presentation depicting marijuana cultivation; and recommended action to confirm the existence of a public nuisance, penalties, and costs; and responded to Board inquiries.

Mr. Luis Silva responded to inquiries from Mr. Strang relating to the number of plants, and when they were pulled, confirmed he had a prescription for 99 plants, and he rented the property from Martha Ramirez.

Mr. Santiago Ramirez responded to specific inquiries regarding joint ownership of the property with Mrs. Martha Ramirez.

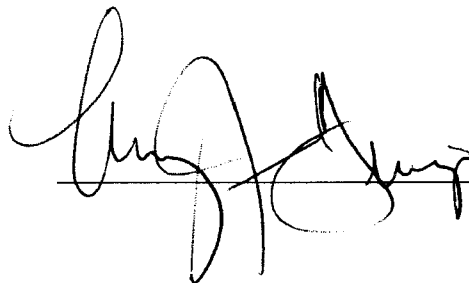
The Chair opened the public hearing. No one came forward.

Following additional Board discussion, the Chair closed the public hearing.

MOTION: Move to confirm existence of public nuisance; confirm administrative penalty for \$10,300.00 per day; confirm enforcement costs of \$14,351.32; ordered enforcement costs be paid within 30 days of the date of order; ordered a special tax assessment when fees go unpaid and a lien be recorded with the Yuba County Recorder's Office

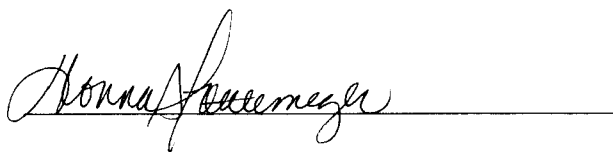
MOVED: Andrew Vasquez SECOND: Randy Fletcher
AYES: Vasquez, Nicoletti, Griego, Abe, Fletcher
NOES: None ABSENT: None ABSTAIN: None

XII. ADJOURN 2:13 p.m. in honor of Frank McGee.



Chair

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS



Approved: September 1, 2015