

BOARD OF SUPERVISORS

AGENDA

Meetings are located at:
Yuba County Government Center
Board Chambers, 915 Eighth Street
Marysville, California



Agenda materials are available at the Yuba County Government Center, 915 8th Street, Marysville and www.co.yuba.ca.us. Any disclosable public record related to an open session item and distributed to all or a majority of the Board less than 72 hours prior to the meeting is available for public inspection at Suite 109 of the Government Center during normal business hours.

JANUARY 21, 2014

- 9:30 A.M. YUBA COUNTY BOARD OF SUPERVISORS - Welcome to the Yuba County Board of Supervisors meeting. As a courtesy to others, please turn off cell phones, pagers, or other electronic devices, which might disrupt the meeting. Thank you.**
- I. **PLEDGE OF ALLEGIANCE** - Led by Supervisor Nicoletti
- II. **ROLL CALL** - Supervisors Vasquez, Nicoletti, Griego, Abe, Stocker
- III. **2013 CHAIRMAN OF THE BOARD STATEMENT** - Chairman Andy Vasquez
- IV. **CONSENT AGENDA: All matters listed under the Consent Agenda are considered to be routine and can be enacted in one motion.**
- A. Clerk of the Board of Supervisors
1. (020-14) Appoint Glenn Stifflemire to the Yuba County Economic Development Advisory Committee to serve at the pleasure of the Board.
- V. **PUBLIC COMMUNICATIONS: Any person may speak about any subject of concern provided it is within the jurisdiction of the Board of Supervisors and is not already on today's agenda. The total amount of time allotted for receiving such public communication shall be limited to a total of 15 minutes and each individual or group will be limited to no more than 5 minutes. Prior to this time speakers are requested to fill out a "Request to Speak" card and submit it to the Clerk of the Board of Supervisors. Please note: No Board action can be taken on comments made under this heading.**
- VI. **ORDINANCES AND PUBLIC HEARINGS: If you challenge in court the action or decision of the Yuba County Board of Supervisors regarding a zoning, planning, land use or environmental protection matter made at any public hearing described in this notice, you may be limited to raising only those issues you or someone else raised at such public hearing, or in written correspondence delivered to the Yuba County Board of Supervisors at, or prior to, such public hearing and such public comments will be limited to three minutes per individual or group.**
- A. (021-14) Ordinance - Hold public hearing, waive reading, and introduce ordinance repealing and re-enacting Chapter 7.15.040 relating to smoking in and within 50 feet of any main exit, entrance, or operable window of any County owned or leased building. (First reading) (Public Facilities Committee recommends approval) (Ten minute estimate)
- VII. **CORRESPONDENCE**
- A. (022-14) Notice from State Board of Equalization enclosing annual report for fiscal year 2012-13. (Report on file in Clerk of the Board office)
- B. (023-14) Notice from Office of Governor Brown enclosing proclamation calling Statewide Direct Primary Election on Tuesday, June 3, 2014.
- C. (024-14) Letter from North Yuba Water District regarding district communication.
- D. (025-14) Letter and Certificate of Appreciation from the Veterans' Day Parade Committee for 11th Annual Yuba-Sutter Veteran's Day Parade.
- 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.**

- IX. **CLOSED SESSION:** Any person desiring to comment on any matter scheduled for this closed session may address the Board at this time.
 - A. Pending litigation pursuant to Government Code §54956.9(d)(2) - Maldonado v. Yuba County Housing Authority, et al.
 - B. Personnel pursuant to Government Code §54957 - County Administrator Evaluation
- X. **RECESS TO 11:00 A.M.**
- XI. **BOARD OF SUPERVISORS WORKSHOP** - Strategic Planning (No background material) (026-14)
- XII. **ADJOURN**

2:00 P.M. THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

In compliance with the Americans with Disabilities Act, the meeting room is wheelchair accessible and disabled parking is available. If you have a disability and need disability-related modifications or accommodations to participate in this meeting, please contact the Clerk of the Board's office at (530) 749-7510 or (530) 749-7353 (fax). Requests must be made two full business days before the start of the meeting. To place an item on the agenda, contact the office of the Clerk of the Board of Supervisors at (530) 749-7510.

PUBLIC INFORMATION

AGENDA ITEMS: The opportunity of the public to be heard on an item shall be provided during the consideration of that item. In the interest of time, the Board has limited the length of such comment or input on each item to 15 minutes total, with a limit of no more than 5 minutes per person or group. The period for public comments on a particular item may be extended upon a majority vote of the Board. These time limits do not apply to applicants appearing before the Board on behalf of their applications.

ACTION ITEMS: All items on the Agenda under the headings "Consent," "County Departments," Ordinances and Public Hearings," "Items of Public Interest," and "Closed Session," or any of them, are items on which the Board may take any action at this meetings.

PUBLIC HEARINGS: All members of the public shall be allowed to address the Board as to any item which is noticed on the Board's agenda as a public hearing. The Board has limited each person or group input to no more than 3 minutes. Any person or group may provide the Board with a written statement in lieu of or in supplement to any oral statement made during a public hearing. Written statements shall be submitted to the Clerk of the Board.

ORDINANCES: Ordinances shall not be passed within five days of their introductions, nor at other than a regular meeting or at an adjourned regular meeting. The Board of Supervisors will address ordinances at first readings. The public is urged to address ordinances at first readings. Passage of ordinances will be held at second readings, after reading the title, further reading is waived and adoption of the ordinance is made by majority vote. An urgency ordinance may be passed immediately upon introduction. The Board reserves the right to amend any proposed ordinances and to hold a first reading in lieu of a second reading.

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

SCHEDULED LUNCH BREAK: Between the hours of 12:00 noon and 1:00 p.m. and at the discretion of the Chair, the Board will recess one hour for lunch.

SPECIAL MEETINGS: No public comment shall be allowed during special meetings of the Board of Supervisors, except for items duly noticed on the agenda.

End



CONSENT

AGENDA

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The County of Yuba

Office of Clerk of the Board of Supervisors



To: Board of Supervisors

From: Donna Stottlemeyer, Clerk of the Board

A handwritten signature in black ink, appearing to read "D. Stottlemeyer", is written over the printed name of the sender.

Subject: Yuba County Economic Development Advisory Committee

Date: January 21, 2014

Recommendation

Appoint Glenn Stifflemire to the Yuba County Economic Development Advisory Committee to serve at the pleasure of the Board.

Background and Discussion

The Local Appointment List of all Boards/Commissions/Committees is continually posted indicating vacancies, appointees, terms of office, qualifications and meeting information and is updated monthly. This committee may have up to 20 representatives from throughout the County and currently has 16 members. One application has been received from Mr. Stifflemire and is attached for your review and consideration.

In light of the expressed interest, it would be appropriate to make the appointments at this time.

Fiscal Impact

None.

Committee Action

Brought directly to the Board for consideration.

/rf

attachment

The County of Yuba

Application for Board/Commission/Committee
Appointed by the Board of Supervisors



RETURN APPLICATION WITH ORIGINAL SIGNATURE TO

CLERK OF THE BOARD OF SUPERVISORS
YUBA COUNTY GOVERNMENT CENTER
915 EIGHTH STREET, SUITE 109
MARYSVILLE, CA 95901
(530) 749-7510

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COUNTY ADMINISTRATOR

JAN - 3 2014

EDC ADVISORY COMMITTEE

PLEASE FILL IN NAME OF BOARD/COMMISSION/COMMITTEE ON WHICH YOU WOULD LIKE TO SERVE
Clerk/Board of Supervisors

APPLICANT NAME: GLENN STIFFLEMIRE
MAILING ADDRESS: 1530 ELLIS LAKE DRIVE, MARYSVILLE, CA 95901
PHYSICAL ADDRESS: 1530 ELLIS LAKE DRIVE, MARYSVILLE, CA 95901
TELEPHONE: HOME: _____ WORK: 530-749-4705
OCCUPATION/PROFESSION: PUBLISHER - APPEAL DEMOCRAT
SUPERVISOR/ DISTRICT NUMBER: _____

REASONS YOU WISH TO SERVE ON THIS BODY:	<u>GENUINE CONCERN FOR DEVELOPMENT/WELFARE OF THE LOCAL AREA</u> <i>Success &</i>
QUALIFICATIONS:	<u>BUSINESSMAN w/ OVER 40 YEARS OF EXPERIENCE w/ MEDIA & BUSINESS COMMUNITY</u>
LIST PAST AND CURRENT PUBLIC POSITIONS HELD:	<u>BOARD MEMBER ON VARIOUS EDC/CHAMBER ORGANIZATIONS THROUGHOUT US PRESS ASSOCIATIONS</u>

DO YOU HAVE ANY CRIMINAL CONVICTION THAT MAY BE CONSIDERED A CONFLICT OF INTEREST WITH THE COMMITTEE YOU WISH TO SERVE UPON? YES NO
IF YES, PLEASE EXPLAIN. NOTE: THAT A FELONY CONVICTION SHALL PRECLUDE YOU FROM SERVICE.

I UNDERSTAND THAT IF APPOINTED TO A BOARD/COMMISSION/COMMITTEE AND WHAT MAY BE CONSIDERED A CONFLICT OF INTEREST ARISES, THAT I HAVE A DUTY TO GIVE WRITTEN NOTICE OF SUCH TO THE COUNTY.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

SIGNATURE *Glenn Stifflemire* DATE 12/3/13

THIS SECTION FOR OFFICE USE ONLY	
<input type="checkbox"/>	NO VACANCY CURRENTLY EXISTS ON ABOVE-MENTIONED BODY. APPLICANT NOTIFIED.
<input type="checkbox"/>	APPLICANT APPOINTED: _____
<input type="checkbox"/>	OTHER: _____




*ORDINANCES
AND
PUBLIC HEARINGS*

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Administrative Services Memorandum

To: Board of Supervisors
CC: Robert Bendorf, County Administrator
From: Doug McCoy, Director, Administrative Services 
Date: January 21, 2014
Re: Smoking Ordinance

Recommendation

Consider revisions to the County smoking ordinance

Background

Yuba County currently restricts smoking at all County buildings to be more than 20' from a door or operable window except for the Health & Human Services facility, where the perimeter is 50' from any door or operable window.

Discussion

This proposed revision makes all County buildings consistent at a 50' perimeter for smokers to stay away from a door or operable window.

It also significantly reduces a recurring problem of smoke being drawn into a buildings air intakes and being spread throughout the interior of the building. These intake locations are often near doors and windows.

Committee Action

The Public Facilities Committee has approved this being presented to the Board for consideration

Fiscal Impact

There is no fiscal impact to the General Fund to make this change.

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ORDINANCE NO. _____

ORDINANCE REPEALING AND RENACTING CHAPTER 7.15.040 OF THE YUBA COUNTY CODE OF ORDINANCES

The following ordinances consisting of three (3) sections, was duly and regularly passed and adopted by the Board of Supervisors of the County of Yuba, State of California, at a regular meeting of the Board of Supervisors held on _____ day of _____, 2014, by the following vote:

AYES:

NOES:

ABSENT:

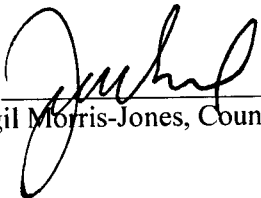
ABSTAIN:

Chair of the Board of Supervisors
County of Yuba
State of California

ATTEST: DONNA STOTTLEMEYER
Clerk of the Board of Supervisors

By: _____

APPROVED AS TO FORM:

By: 

Angil Morris-Jones, County Counsel

THE BOARD OF SUPERVISORS OF THE COUNTY OF YUBA, STATE OF CALIFORNIA DOES ORDAIN AS FOLLOWS:

Section 1. This ordinance shall take effect thirty (30) days after its passage, and shall become operative and in full force on April 1, 2014. Before the expiration of thirty (30) days after its passage a summary shall be published with the names of members voting for and against the same, once in a local newspaper of general circulation in the County of Yuba, State of California.

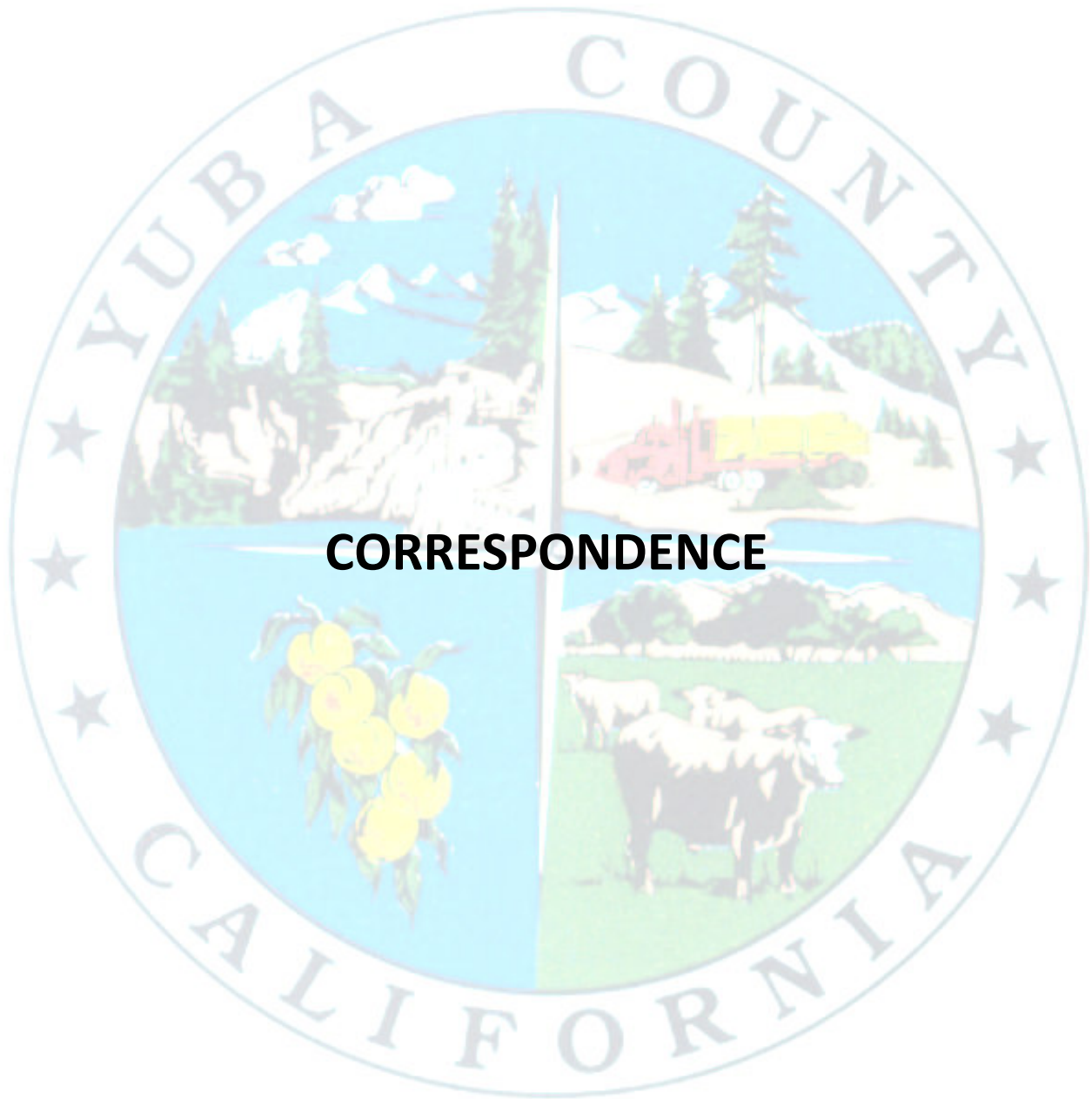
Section 2. Sections 7.15.040 of the Yuba County Code of Ordinances is hereby repealed and re-enacted to read as reflected below and by this reference is incorporated herein as set forth in full:

7.15.040 - Smoking prohibited.

Smoking is prohibited in all County-owned/leased buildings and all County-owned vehicles, as defined in this Chapter.

- (1) No public employee or member of the public shall smoke any tobacco product inside a County-owned/leased building, or in an outdoor area within 50 feet of the main exit, entrance or operable window of a County-owned/leased building.

Section 3. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and every subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional.



CORRESPONDENCE



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STATE OF CALIFORNIA

STATE BOARD OF EQUALIZATION
 450 N STREET, SACRAMENTO, CALIFORNIA
 PO BOX 942879, SACRAMENTO, CALIFORNIA 94279-0073
 1-916-327-4975 • FAX 1-916 327-2568
 www.boe.ca.gov

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JAN - 7 2014

Clerk/Board of Supervisors

BETTY T. YEE
 First District, San Francisco

SEN. GEORGE RUNNER (RET.)
 Second District, Lancaster

MICHELLE STEEL
 Third District, Orange County

JEROME E. HORTON
 Fourth District, Los Angeles

JOHN CHIANG
 State Controller

CYNTHIA BRIDGES
 Executive Director

January 2, 2014

Board of Supervisors
 County of Yuba
 915 Eighth Street, Suite 109
 Marysville, CA 95901

**COPY OF REFERENCED
 DOCUMENT ON FILE WITH
 CLERK OF THE BOARD**

Dear Member:

I am pleased to present the BOE Annual Report for Fiscal Year 2012-13.

This report documents our journey as we embrace greater transparency and accountability in the fulfillment of our obligation to administer tax programs for the state of California. This report is a significant departure from previous reports and distinguishes itself in several important ways:

- The report provides BOE data and information in a clear, easy-to-read format and highlights the collection of more than \$56 billion in revenue during fiscal year 2012-13.
- The sources of revenues reported by BOE are featured to better inform Californians of the benefits and uses of their tax dollars.

We look forward to meeting the exciting challenges of the future and are proud to serve our great state by doing our part to contribute to a better quality of life for all Californians.

Sincerely,

Cynthia Bridges
 Executive Director

CB:az

Enclosures

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OFFICE OF THE GOVERNOR

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JAN - 8 2014

January 6, 2014

Clerk/Board of Supervisors

To the California County Boards of Supervisors:

Consistent with the requirement in Elections Code section 12000, enclosed please find a copy of the proclamation calling the Statewide Direct Primary Election on Tuesday, June 3, 2014.

Sincerely,

A handwritten signature in black ink that reads "Jonathan K. Renner".

JONATHAN K. RENNER
Legal Affairs Secretary

Enclosure

BOS CORRESPONDENCE B

Executive Department
State of California

A PROCLAMATION

BY THE GOVERNOR OF THE STATE OF CALIFORNIA

I, **EDMUND G. BROWN JR.**, Governor of the State of California, pursuant to section 12000 of the Elections Code, proclaim that a Statewide Direct Primary Election will be held throughout this State on Tuesday, the 3rd day of June, 2014, at which the following offices are to be filled:

GOVERNOR;

LIEUTENANT GOVERNOR;

SECRETARY OF STATE;

CONTROLLER;

TREASURER;

ATTORNEY GENERAL;

INSURANCE COMMISSIONER;

MEMBERS OF THE STATE BOARD OF EQUALIZATION from each of the four equalization districts of the State;

REPRESENTATIVES TO THE CONGRESS OF THE UNITED STATES from each of the 53 congressional districts of the State;

STATE SENATORS from even-numbered districts of the 40 senatorial districts of the State;

MEMBERS OF THE ASSEMBLY from each of the 80 assembly districts of the State;

SUPERINTENDENT OF PUBLIC INSTRUCTION; and

All such other state, county, judicial, or other officers as are provided by law to be filled at such election.

I further proclaim that at such election there will also be submitted to the vote of the electors such proposed constitutional amendments, questions, and propositions as are required to be so submitted by the Constitution and laws of this State.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 6th day of January 2014.

Edmund G. Brown Jr.

EDMUND G. BROWN JR.
Governor of California

ATTEST:

Debra Bowen

DEBRA BOWEN
Secretary of State

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NORTH YUBA
WATER DISTRICT

January 7, 2014

Yuba County Board of Supervisors
915 8th Street
Marysville, CA 95901

RECEIVED

JAN - 9 2014

Clerk/Board of Supervisors

Re: Communications from Board; Authority to speak on Behalf of District

Dear Board of Supervisors:

On occasion, the North Yuba Water District may communicate with representatives of your agency to conduct official business. In addition, members of our Board of Directors may contact you for various purposes, possibly related to the District's business. We would like to clarify that no individual Director speaks for the District or for the Board of Directors as a whole.

The Board of Directors has determined that all official communication, and authority to enter into agreements with individuals or organizations, is conducted solely through the District's General Manager. The opinions, questions, promises, and statements of any individual Director are theirs alone, and are not representative of, or binding on, the District or the Board as a whole.

If you have any questions or concerns regarding any issue with the District, please do not hesitate to contact me directly.

Thank you.



Jeff Maupin
General Manager
North Yuba Water District

CC: President Olsen and members of the Board
JM:pmg

8691 LaPorte Rd. / P.O. Box 299 / Brownsville, CA 95919 / Phone: 530 675 2567 FAX: 530 675 0462

BOS CORRESPONDENCE C

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**THE ANNUAL YUBA-SUTTER VETERANS'
DAY PARADE**

025-14

"Show Your Pride for Our G.I.s"

P.O. Box 522

Olivehurst, CA 95961

530-743-2390/ 530-701-7349

lexluther2010@hotmail.com

**The Veterans' Day Parade
Committee:**

Cindy Verrill,
American Legion Post 807 and
Co-Chairman,
530-743-2390/530-701-7349
[Lexluther2010@hotmail.com](mailto:lexluther2010@hotmail.com)

Chuck Carver,
VFW Post 948 and Co-Chairman
743-7554
pcarver@clear-cxn.net

Bonnye Hughes,
Veterans Memorial Committee
701-9085
bonnyehughes@yahoo.com

Mike Fitzgerald,
Local Businessman
742-6387
FitzMike@syix.com

Donna Hannaford,
Volunteer
846-3375
djhdesigns@yahoo.com

T.J. Fetters,
American Legion Post 807,
673-2961
tifetters45@gmail.com

Susan Johnson,
American Legion Post 807
530-742-2858
Susan.Johnson@beale.af.mil

Jerry Verrill
American Legion Post 807,
530-743-2390/530-701-7349
Lexluther2010@hotmail.com

**Honorary Committee
Members**

The City of Marysville, CA

American Legion Post 807

Veterans of Foreign Wars Post
948

January 6, 2014

To: Yuba County Board of Supervisors
915 Eighth St.
Marysville, CA 95901

*It is with our sincere appreciation that I express our
Thanks for your Participation in the 11th Annual Yuba-Sutter
Veterans' Day Parade. Without the support of our
Participants, we would not have had such a large and
successful parade.*

*Again, please accept Our Thanks and we look forward to
next year for what promises to be an even bigger event. The
enclosed certificate is just a small token of Our Thanks.*

Sincerely,


Cynthia Verrill
Co-Chairman

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JAN 10 2014

Clerk/Board of Supervisors



"Like" Us on Facebook.



THE 11th ANNUAL YUBA-SUTTER VETERANS' DAY PARADE

YUBA COUNTY BOARD OF SUPERVISORS

Presented to:

Thank You for your participation in this year's parade.
The support from Beale AFB and the Local
Community are the reasons that this event is so
successful.

November 11, 2013

Cindy Vefrill, Parade Co-Chairman