

BOARD OF SUPERVISORS

AMENDED 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.

FEBRUARY 14, 2012



8:30 A.M. YUBA COUNTY WATER AGENCY

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.

ADDENDUM TO AGENDA - ADD TO CONSENT AGENDA ITEM B2 AND C5

- I. **PLEDGE OF ALLEGIANCE** - Led by Supervisor Stocker
- II. **ROLL CALL** - Supervisors Vasquez, Nicoletti, Griego, Abe, Stocker
- III. **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. Appoint Sarbdeep Atwal as a District Three representative to the Yuba County Economic Development Advisory Committee to serve at the pleasure of the Board. (047-12)
 - B. Board of Supervisors
 1. Appoint Supervisor Abe as the alternate to the OPUD/County Liaison Committee and Supervisor Vasquez as the alternate to Regional Counties of Rural Counties, at the request of Supervisor Nicoletti. (No background material) (057-12)
 2. Adopt resolution supporting Calpine Sutter Energy Center. (057-12)
 - C. Community Development and Services
 1. Approve amendment to agreement with AECOM Technical Services and authorize the Chair to execute same. (048-12)
 2. Adopt resolution authorizing the purchase of public easements from multiple property owners along Rupert Avenue and authorizing the Agency Director to execute all documents required to finalize purchases. (049-12)
 3. Accept Rose Avenue Improvement Project as complete and authorize Public Works Director to execute and record notice of completion. (050-12)
 4. Adopt resolution authorizing submission of Yuba County's transportation claim to the Sacramento Area Council of Governments. (051-12)
 5. Approve termination of Cooperative Agreement 03-471 - Amendment No. 1 and approve Cooperative Agreement with California Department of Transportation regarding Feather River Boulevard/State Route 70 Interchange Project and authorize the Chair to execute same. (058-12)

D. County Administrator

1. Adopt resolution proclaiming support for recertifying Yuba College Police Academy and keeping operation in Yuba County. (052-12)

E. Sheriff-Coroner

1. Approve cooperative agreement with the U.S. Forest Services' to provide campground patrols on U.S. forestlands, and authorize the Chair to execute same. (053-12)
2. Authorize the Sheriff to seek legislative inclusion of Yuba County to Penal Code Section 830.1(c) regarding Peace Officer status as it relates to Jail Corrections staff. (054-12)

IV. **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.

V. **COUNTY DEPARTMENTS**

A. Community Development and Services

1. Hold workshop, receive presentation, and comments on the Draft East Linda Reinvestment Plan. (60 minute estimate) (056-12)
For Draft Plan click here <http://www.co.yuba.ca.us/Departments/Community%20Development/Planning/>

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.

- A. Public Hearing - Hold public hearing to allow comment on potential Community Development Block Grants. (Ten minute estimate) (055-12)

VII. **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.

VIII. **ADJOURN**

COMMITTEE MEETINGS

02/14/2012 - 5:00 P.M. **Wheatland City/County Liaison Committee - CANCELLED**
Wheatland City Hall
111 C Street
Wheatland, California

02/15/2012 - 5:00 P.M. **Linda Liaison Committee**
Peach Tree Restaurant
1080 North Beale Road
Marysville, California
A. Presentation on Draft East Linda Revitalization Plan
B. Other Reports
C. Adjourn

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 one full business day 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

PUBLIC COMMUNICATIONS: Members of the public shall be allowed to address the Board of Supervisors on items not appearing on the agenda which are of interest to the public and are within the subject matter jurisdiction of the Board, provided that no action shall be taken unless otherwise authorized by law. 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.

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.

PUBLIC INFORMATION: Copies of §6.7 shall be posted along with agendas.

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CONSENT
AGENDA

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The County of Yuba

047-12



Office of Clerk of the Board of Supervisors

To: Board of Supervisors

From: Donna Stottlemeyer, Clerk of the Board

Subject: **Yuba County Economic Development Advisory Committee – District Three Representative**

Date: February 14, 2012

Recommendation

Appoint Sarbdeep Atwal to the Yuba County Economic Development Advisory Committee as a District Three Representative 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 vacancy was posted as an unscheduled vacancy due to the resignation of Mr. Shane Gibbs. One application was received from Mr. Atwal and is attached for your review and consideration

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

Fiscal Impact

None

Committee Action

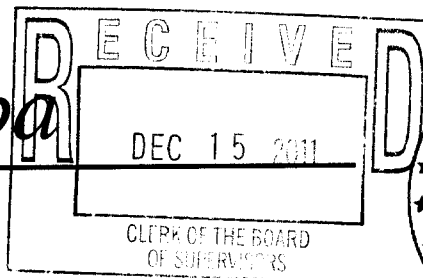
None required.

/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

BOARD/COMMISSION/COMMITTEE

ON WHICH YOU WOULD LIKE TO SERVE: Economic Development Advisory Committee

APPLICANT NAME: SARBOOP Atwal

MAILING ADDRESS: [REDACTED]

PHYSICAL ADDRESS: [REDACTED]

TELEPHONE: HOME: [REDACTED] WORK: [REDACTED]

EMAIL ADDRESS: [REDACTED]

OCCUPATION/PROFESSION: Attorney / Farmer
SUPERVISOR/ DISTRICT NUMBER: Mary Jane Grigo

REASONS YOU WISH TO SERVE ON THIS BODY: I want to be involved in my local community and provide feedback to local business/development

QUALIFICATIONS: go Trinity Law School CA BAR Admitted 2010
Bachelor Science Finance / Risk mgmt

LIST PAST AND CURRENT PUBLIC POSITIONS HELD: Current Trustee Rec District 7th

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.

S. Atwal
SIGNATURE

12/15/2011
DATE

THIS SECTION FOR OFFICE USE ONLY

☐ NO VACANCY CURRENTLY EXISTS ON ABOVE-MENTIONED BODY. APPLICANT NOTIFIED.

☐ APPLICANT APPOINTED: _____

☐ OTHER: _____

**BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF YUBA**

IN RE:

**RESOLUTION SUPPORTING)
CALPINE SUTTER ENERGY)
CENTER)**

RESOLUTION NO. _____

WHEREAS, Calpine's power operation Sutter Energy Center began in 1995; and

WHEREAS, Sutter Energy Center (SEC) is a modern efficient, ultra-low water consumption, natural gas-fired, combined-cycle power generation facility with the capacity to produce up to 578-megawatts of electricity; and

WHEREAS, SEC employs 26 local residents in high-skilled jobs with an annual payroll of approximately \$3 million and over 100 regional contractors provide services to SEC; and

WHEREAS, SEC generates more than \$2.6 million in annual property tax revenue, contributed \$2.5 million over ten years for levee and drainage improvements through the Calpine Levee and Flood Control Improvement Fund, supported and paid its proportionate share of \$30,000 in annual benefit assessment for levee improvements, and helps fund local community and charitable programs; and

WHEREAS, SEC is a vital contributor to the local economy and in the absence of a contract for energy or capacity, SEC will shut down.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Yuba hereby supports Calpine Sutter Energy Center and short-term solutions proposed by California Public Utilities Commission and California Independent System Operator to keep the plant open and operational.

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of Yuba, State of California on the _____ day of _____ 2012.

AYES:

NOES:

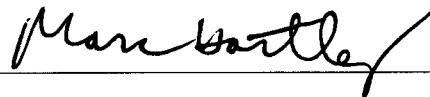
ABSENT:

ABSTAIN:

CHAIRMAN

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

APPROVE AS TO FORM:
COUNTY COUNSEL



Sutter Energy Center

About the Plant

The Sutter Energy Center (SEC) commenced commercial operation in 2011 and at the time was the first major combined-cycle facility build in California in over a decade. It is a modern, efficient, ultra-low water consumption, natural gas-fired, combined-cycle power generation facility with the capacity to produce up to 578 megawatts of electricity.

SEC is a Vital Contributor to the Yuba-Sutter Economy

- Generates more than \$2.6 million in annual property tax revenue;
- Employs 26 local residents in high-skilled jobs with annual payroll of approximately \$3 million;
- Helps fund local community and charitable programs;
- Contributed \$2.5 million over 10 years for levee and drainage improvements through the Calpine Levee and Flood Control Improvement Fund;
- Supported and pays its proportionate share of approximately \$30,000.00 in annual benefit assessment for levee improvements;
- Over 100 regional contractors provide services to the Sutter Energy Center.

Background

- Sutter's contracts expired at the end of 2011. Despite extensive marketing efforts, Calpine has not been able to secure a contract for Sutter's energy or capacity, making it uneconomic to continue to run the plant.
- In the absence of a contract or similar market mechanism, SEC will shut down.
- California has made great strides since the energy crisis to bring on-line new gas-fired and renewable power plants but there currently isn't a market mechanism that provides adequate compensation for plants without long-term contracts.
- The California Independent System Operator (CAISO) has identified the need for an additional 3,750 MW of flexible generation to maintain reliability in 2017. The CAISO's assessment assumes that existing generation remains operating and expected renewables, new gas-fired generation and older once-through cooled power plants along the California coast are retired as required under current regulation.
- The California Public Utilities Commission (CPUC) and the California Independent System Operator (CAISO) have recognized that the capacity and operational flexibility of Calpine's SEC will be needed for system reliability as other power plants retire and new intermittent renewable power generation comes on-line.

- In separate actions, the CPUC and the CAISO have proposed short-term solutions to keep the plant operational while they focus and work on structural market reforms that will ensure these cost-effective and needed flexible assets can continue to operate and support the grid.
 - The CPUC is expected to vote at its February 16, 2012, meeting on a draft resolution directing the state's three large public utilities to negotiate a contract with Sutter to end no later than December 31, 2012. Such contracts could help prevent SEC's retirement and provide valuable data that may be helpful in charting California's evolving energy future.
 - The CAISO on January 25, 2012 filed with the Federal Energy Regulatory Commission (FERC) for a waiver of the terms of the Capacity Procurement Mechanism (CPM) to allow it to procure, for up to one-year, SEC's full capacity.
- If SEC does not receive compensation in 2012 and is shut-down, it may not return to commercial operation in future years because it would likely need to undergo new source review and obtain new air quality and other environmental permits. This could be very difficult and require substantial new investments and time to modify the facility.
- Under both the CPUC and CAISO proposals, the costs for a several-month 2012 payment would likely be less than \$20 million and spread throughout California.

STATE CAPITOL
ROOM 3070
SACRAMENTO, CA 95814
(916) 651-4004
5800 STANFORD RANCH ROAD
SUITE 720
ROCKLIN, CA 95765
(916) 435-0744
1550 MYERS STREET
SUITE C
OROVILLE, CA 95965
(530) 532-5860
2885 CHURN CREEK ROAD
SUITE C
REDDING, CA 96002
(530) 225-3142
1080 MASON MALL
SUITE 4
CRESCENT CITY, CA 95531
(707) 464-1255

California State Senate

SENATOR
DOUG LA MALFA
FOURTH SENATE DISTRICT



COMMITTEES
NATURAL RESOURCES & WATER
VICE-CHAIR
ELECTIONS & CONSTITUTIONAL
AMENDMENTS
VICE-CHAIR
AGRICULTURE
BUDGET & FISCAL REVIEW
GOVERNANCE & FINANCE
JOINT LEGISLATIVE AUDIT
JOINT FAIRS, ALLOCATIONS &
CLASSIFICATIONS
CHAIR

December 16, 2011

By E-Mail and Electronic Submission (ppettingill@caiso.com)

California Independent System Operator
P. O. Box 639014
Folsom, CA

Re: Support - Basis and Need for Capacity Procurement Mechanism Designation of Sutter Energy Center

Dear Mr. Pettingill:

The *California ISO Report on Basis and Need for CPM Designation for Sutter Energy Center* dated December 6th, 2011, has come to our attention. As state and local representatives of Sutter County where the Sutter Energy Center (SEC) is located, we are writing to offer our full support for your plan, including seeking a FERC waiver, to designate the SEC as capacity at risk of retirement in 2012, pursuant to the provisions of the CAISO Tariff regarding the Capacity Procurement Mechanism (CPM).

The Sutter Energy Center is a vital contributor to the local economy providing employment for 26 residents with an annual payroll of \$3million and generating over \$2.6 million in annual property tax revenue. Calpine has been an excellent community partner for a decade. The Sutter Energy Center not only funds local programs in the Yuba-Sutter community but it has provided \$2.5 million over 10 years for levee and drainage improvements through the Calpine Levee and Flood Control Improvement Act. Over 100 local contractors provide services to the SEC. Sutter County's unemployment rate is around 19%, well-above the States' average and we simply cannot afford to lose these high-wage jobs and property taxes.

We support the representations that if the plant were to be mothballed until it was needed in 2017/18 that it would not be able to return to commercial operation due to permitting issues. We can personally attest to the highly contentious permitting difficulties we experienced 10 years ago when the plant was originally permitted, and can only imagine

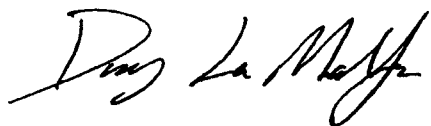
how much more difficult, if not impossible, it would be to re-permit the SEC under new U.S. Environmental Protection Agency standards.

Finally, we are perplexed as to how California's current energy market would result in a situation where a fairly new, highly efficient, flexible and dry-cooled facility would be at risk of retirement while much older, less efficient power plants continue to operate.

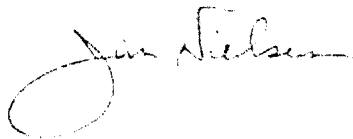
Nonetheless, we understand from your report that you intend to complete a stakeholder process this year to develop longer-term capacity procurement mechanisms to keep plants like the SEC in operation. The short-term and longer-term solutions you have outlined in your report seem to us to be the most prudent and cost-effective course of action not only for Sutter but for the State; and therefore, we offer our support.

Please keep us informed of the ongoing process and let us know how we can be of assistance.

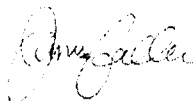
Sincerely,



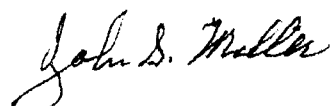
Senator Doug LaMalfa
California State Senate



Assembly Member Jim Nielsen
California State Assembly



Supervisor James Gallagher, Chairman
Sutter County Board of Supervisors



Mayor John Miller
City of Yuba City

Cc: Michael R. Peevey, President, PUC
Timothy Alan Simon, Commissioner, PUC
Michel Peter Florio, Commissioner, PUC
Catherine J.K. Sandoval, Commissioner, PUC
Mark J. Ferron, Commissioner, PUC

The County of Yuba

Community Development & Services Agency

Kevin Mallen, Director

Phone - (530) 749-5430 • Fax - (530) 749-5434
915 8th Street, Suite 123
Marysville, California 95901
www.co.yuba.ca.us



048-12

BUILDING
9-5440 • Fax 749-5616

CODE ENFORCEMENT
9-5455 • Fax 749-5464

ENVIRONMENTAL HEALTH • CUPA
749-5450 • Fax 749-5454

HOUSING AND COMMUNITY SERVICES
749-5460 • Fax 749-5464

PLANNING
749-5470 • Fax 749-5434

PUBLIC WORKS • SURVEYOR
749-5420 • Fax 749-5424

FINANCE AND ADMINISTRATION
749-5430 • Fax 749-5434

TO: BOARD OF SUPERVISORS

FROM: Wendy Hartman, Planning Director
Dan Cucchi, Project Planner

SUBJECT: Approve an Amendment to a Professional Services Agreement with AECOM Regarding the Magnolia Ranch Project and Authorize the Chair to Execute Same

DATE: February 14, 2012

Recommendation:

Approve a minor amendment to a Professional Services Agreement with AECOM regarding Magnolia Ranch Project and authorize the Chair to execute same.

Background:

CEM Investments submitted applications for a General Plan Amendment, Specific Plan Amendment, Change of Zone, Tentative Subdivision Map (Large and/ or Small Lot), and Development Agreement for the Magnolia Ranch Project. The project proposes development of approximately 1,028 acres located south of Ostrom Road, east of Bradshaw Road and west of South Beale Road. The project is located within the Employment Village in the Yuba County 2030 General Plan land use map.

In accordance with the California Environmental Quality Act (CEQA) and State CEQA Guidelines, an environmental impact report will be prepared for the Magnolia Ranch project and an Agreement for Professional Services with AECOM was approved on September 14, 2010.

Discussion:

Due to delays, the current expiration date of April 14, 2012 is insufficient to allow for completion of the project. This amendment will extend the expiration date to June 30, 2013. No other changes are proposed.

Committee Action:

The Agreement was previously heard and approved by the Board on September 14, 2010.

Fiscal Impact:

By approving the reimbursement agreement on September 14, 2010, the Board ensured that CEM Investments pays costs associated with professional planning services, environmental documents, fiscal analysis, and processing entitlements for the proposed project. No net decrease in County funds will result from approving this minor amendment to the Agreement for Professional Services.

Attachment(s):

1. Amendment #1 to Professional Services Agreement

**PROFESSIONAL SERVICES AGREEMENT
AECOM TECHNICAL SERVICES, Inc.**

AMENDMENT #1

This is the first amendment to the Agreement, dated September 14, 2010, for consultant services between the County of Yuba (County) and AECOM TECHNICAL SERVICES (Consultant) ("Amendment #1").

Pursuant to Payment Condition D.22, "Modifications" of the basic Agreement, the following changes to the terms and conditions are hereby made:

(1) **Modify "Term"**

The expiration date of this contract with Contractor shall be modified as follows:

"Termination Date: June 30, 2013

The term of this Agreement shall become effective on September 14, 2010, and shall continue in force and effect ~~for a period of nineteen (19) months~~ until the above Termination Date, unless sooner terminated in accordance with the terms of this Agreement."

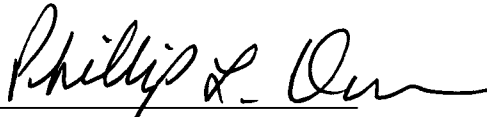
All other terms and conditions remain unchanged.

In witness whereof, the parties hereto have executed this Amendment #1 to the Agreement on _____, 2012.

"COUNTY"
County of Yuba

"CONSULTANT"
AECOM TECHNICAL SERVICES, Inc.

Chairman of the Board,
Board of Supervisors




Vice-President

ATTEST:

APPROVED AS TO FORM:

Donna Stottlemeyer,
Clerk of the Board of Supervisors



Angil P. Morris-Jones,
County Counsel

The County of Yuba

Community Development & Services Agency

Kevin Mallen, Director

Phone - (530) 749-5430 • Fax - (530) 749-5434
915 8th Street, Suite 123
Marysville, California 95901
www.co.yuba.ca.us



049-12

BUILDING

749-5440 • Fax 749-5616

CODE ENFORCEMENT

749-5455 • Fax 749-5464

ENVIRONMENTAL HEALTH • CUPA

749-5450 • Fax 749-5454

HOUSING AND COMMUNITY SERVICES

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PLANNING

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FINANCE AND ADMINISTRATION

749-5430 • Fax 749-5434

February 14, 2012

TO: YUBA COUNTY BOARD OF SUPERVISORS

FROM: MICHAEL G. LEE, DIRECTOR OF PUBLIC WORKS 

SUBJECT: RUPERT AVENUE IMPROVEMENT PROJECT

RECOMMENDATION:

Adopt resolution authorizing the Public Works Director to execute agreements and purchase contracts for acquisition of easements for the Rupert Avenue Improvement Project.

BACKGROUND:

The project in general will consist of constructing roadway and intersection improvements, drainage facilities, bike lanes, curbs, gutters, and sidewalks. The project will be funded with Community Development Block Grant (CDBG) and East Linda Specific Plan (ELSP) funds.

DISCUSSION:

The right of way work will consist of acquiring easements over portions of approximately 23 properties. The additional easements are required in order to place a portion of the bike lanes and drainage facilities as well as curbs, gutters, and sidewalks. The existing right of way is a 40 foot strip. The proposed right of way will be a 60 foot strip with an additional 10 foot Public Utility Easement (PUE) along the east side.

The right of way estimate for this project is approximately \$200,000, and acquisition is expected to be completed by June 2012.

COMMITTEE ACTION:

The Land Use & Public Works Committee was bypassed as this project is included in the Public Works Budget.

FISCAL IMPACT:

Approximately 90% of the right of way project cost will be funded through CDBG. The remainder will be funded from Trust 192 (ELSP).

**BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF YUBA**

**RESOLUTION AUTHORIZING THE PURCHASE)
OF PUBLIC EASEMENTS FROM MULTIPLE)
PROPERTY OWNERS OF PROPERTIES ALONG)
RUPERT AVENUE AND AUTHORIZING THE)
PUBLIC WORKS DIRECTOR TO EXECUTE ALL)
DOCUMENTS REQUIRED TO FINALIZE THE)
PURCHASE OF THE PROPERTIES BY)
THE COUNTY OF YUBA)**

RESOLUTION NO. _____

WHEREAS, the real properties located at:

1404 Hammonton-Smartsville Road	APN 021-281-018
5864 Rupert Avenue	APN 021-281-019
5862 Rupert Avenue	APN 021-281-020
5840 Rupert Avenue	APN 021-281-022
5828 Rupert Avenue	APN 021-281-023
5816 Rupert Avenue	APN 021-281-025
5804 Rupert Avenue	APN 021-321-012
5792 Rupert Avenue	APN 021-321-014
5788 Rupert Avenue	APN 021-321-015
5778 Rupert Avenue	APN 021-321-016
5774 Rupert Avenue	APN 021-321-017
5774 Rupert Avenue #a	APN 021-321-018
5799 Rupert Avenue	APN 021-322-002
5805 Rupert Avenue	APN 021-282-014
5811 Rupert Avenue	APN 021-282-013
5817 Rupert Avenue	APN 021-282-018
5819 Rupert Avenue	APN 021-282-017

5839 Rupert Avenue	APN 021-520-001
5843 Rupert Avenue	APN 021-282-016
5847 Rupert Avenue	APN 021-282-008
5855 Rupert Avenue	APN 021-282-020
5861 Rupert Avenue	APN 021-282-006
1432 Hammonton-Smartsville Road	APN 021-282-003

are properties adjacent to the proposed project along Rupert Avenue; and

WHEREAS, easements over portions of the properties are required for utility relocation and to construct roadway, pedestrian, bike lane and drainage improvements along Rupert Avenue between Puddle Drive and Hammonton-Smartsville Road; and

WHEREAS, the Board has previously approved the Public Works Director to make, and he has made, or is making, purchase offers to the current owners of the properties; and

WHEREAS, purchase costs will be covered by a Community Development Block Grant and Trust 192 (East Linda Specific Plan); and

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Yuba hereby authorizes the Public Works Director to complete the purchase of the required portions of the above listed properties, and execute any necessary documents needed to complete the purchase/escrow, subject to County Counsel review.

BE IT FURTHER RESOLVED that the Public Works Director is authorized to perform any and all acts necessary to carry out the purposes of the authorized purchase of the real properties, including but not limited to, the signing of the documents necessary to finalize the purchase of the properties.

PASSED AND ADOPTED this _____ day of _____
2012, by the Board of Supervisors of the County of Yuba, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Hal Stocker, Chair

ATTEST: DONNA STOTTLEMEYER
Clerk of the Board of Supervisors

APPROVED AS TO FORM:



Angil P. Morris-Jones, County Counsel

The County of Yuba

Community Development & Services Agency

Kevin Mallen, Director

Phone - (530) 749-5430 • Fax - (530) 749-5434
915 8th Street, Suite 123
Marysville, California 95901
www.co.yuba.ca.us



050-12

BUILDING

749-5440 • Fax 749-5616

CODE ENFORCEMENT

749-5455 • Fax 749-5464

ENVIRONMENTAL HEALTH • CUPA

749-5450 • Fax 749-5454

HOUSING AND COMMUNITY SERVICES

749-5460 • Fax 749-5464

PLANNING

749-5470 • Fax 749-5434

PUBLIC WORKS • SURVEYOR

749-5420 • Fax 749-5424

FINANCE AND ADMINISTRATION

749-5430 • Fax 749-5434

February 14, 2012

TO: YUBA COUNTY BOARD OF SUPERVISORS

FROM: MICHAEL G. LEE, DIRECTOR OF PUBLIC WORKS

A handwritten signature in black ink, appearing to read "Michael G. Lee", is written over the "FROM:" line.

SUBJECT: ACCEPT ROSE AVENUE IMPROVEMENT PROJECT AS COMPLETE AND
AUTHORIZE PUBLIC WORKS DIRECTOR TO SIGN AND RECORD
NOTICE OF COMPLETION

RECOMMENDATION:

The Public Works Department recommends that the Board of Supervisors accept the project as complete and authorize the Public Works Director to sign and record the Notice of Completion.

BACKGROUND:

Eschelman Construction was awarded the contract for the Rose Avenue Improvement Project on July 26, 2011. The project consisted of the installation of curb, gutter, sidewalk, drainage facilities, and hot mix asphalt along Rose Avenue.

DISCUSSION:

The Contractor has completed the work and has provided adequate documentation for project close out to Public Works. Once the Board accepts the project as complete the Public Works Department will file a Notice of Completion with the Yuba County Recorder.

COMMITTEE ACTION:

The Land Use & Public Works Committee was bypassed as this project is included in the Public Works Budget.

FISCAL IMPACT:

The project was funded through Trust 395 with a \$39,000 developer contribution and the remainder from the Road Fund.

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The County of Yuba

Community Development & Services Agency

Kevin Mallen, Director

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FINANCE AND ADMINISTRATION
749-5430 • Fax 749-5434

PARKS AND RECREATION
749-5430 • Fax 749-5434

To: Board of Supervisors

From: Michael G. Lee, Public Works Director

Subject: Adopt Resolution authorizing submission of Transportation Claim to SACOG.

Date: February 14, 2012

Recommendation

Adopt the attached resolution which authorizes the submission of Yuba County's Transportation Claim to the Sacramento Area Council of Governments (SACOG).

Background/Discussion

Attached is the Annual Transportation Claim for funds from the Transportation and Development Act of 1971 as amended by SB 1335 approved June 25, 1982. The amount for the fiscal year 2011/2012 is \$728,662. This total includes:

Streets and Roads Claim	242,523.00
Yuba-Sutter Transit Authority	464,279.00
SACOG Planning	21,860.00

This request has been made in accordance with information provided by Yuba-Sutter Transit Authority that the above-mentioned funding is needed for fiscal year 2011/2012 to meet their transit needs.

Committee

Committee has been bypassed as no committee action is required.

Fiscal Impact

No fiscal impact to the General Fund. Revenue has been budgeted in the Road Fund.

**BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF YUBA**

**RESOLUTION AUTHORIZING SUBMISSION)
OF TRANSPORTATION CLAIM FOR FUNDS)
FROM THE TRANSPORTATION AND)
DEVELOPMENT ACT OF 1971 AS AMENDED)**

RESOLUTION NO. _____

WHEREAS, the County of Yuba intends to submit a Transportation Claim to the Sacramento Area Council of Governments (SACOG) for funds available from the Transportation Development Act of 1971, as amended, and

WHEREAS, the Sacramento Area Council of Governments has advised Yuba County of an apportionment for fiscal year 2011/2012 of \$728,662; this total amount includes the sum required for transit needs in the amount of \$464,279, and

WHEREAS, the funds required to meet the requirements of fiscal year 2011/2012 of the Yuba-Sutter Transit Authority can be met from the sum of \$464,279, the sum of \$242,523 can be utilized for street and road purposes, and the remaining sum of \$21,860 will be available for SACOG Planning Program.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Yuba hereby finds and declares that there are no areas within it's jurisdiction with unmet transit needs which can reasonably be met either through expansion of existing transportation systems or by establishing new systems;

BE IT FURTHER RESOLVED, that the Board of Supervisors hereby authorizes submission of an Annual Transportation Claim to the Sacramento Area Council of Governments for \$728,662; such funds to be used for purposes indicated in claim with \$464,279 apportioned

to Yuba-Sutter Transit Authority, \$242,523 for street and road purposes, and \$21,860 to SACOG for the Planning Program.

PASSED AND ADOPTED this _____ day of _____
2012, by the Board of Supervisors of the County of Yuba, by the following vote:

AYES:

NOES:


ABSENT:

ABSTAIN:

HAL STOCKER, CHAIRMAN

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

APPROVED AS TO FORM: COUNTY COUNSEL
ANGIE MORRIS-JONES



TDA-1
TRANSPORTATION DEVELOPMENT ACT CLAIM

TO: Sacramento Area Council of Governments
1415 L Street, Suite 300
Sacramento, CA 95814

FROM:

Claimant	County of Yuba, Department of Public Works		
Address	915 8 th Street, Suite 125		
City	Marysville	Zip Code	95991
Contact Person	Michael Lee		
Telephone	(530) 749-5420		
E-Mail	mlee@co.yuba.ca.us		
Facsimile	(530) 749-5424		

The above claimant hereby requests, in accordance with authority granted under the Transportation Development Act and applicable rules and regulations adopted by the Sacramento Area Council of Governments (SACOG), that its request for funding be approved as follows:

LTF:

\$264,383	FY 2011/2012
	FY
	FY
	FY
	FY

STA:

FY
FY
FY
FY
FY

Submitted by:



, Michael G. Lee

Title:

Public Works Director

Date:

February 1, 2012

TDA-2

Claimant: County of Yuba, Department of Public Works

TDA-3
STATUS OF PREVIOUSLY APPROVED PROJECTS

Instructions — Describe the status of all prior fiscal year TDA claim projects and any projects from previous years that are still active, as follows:

- Include both operating and capital budgets
- Approved amounts should be specified in TDA claims approved by SACOG
- Expenditures should be to date
- Project status should be either "Complete" or "Active"

Fiscal Year	Project Title	Amount Approved		Expenditures		Project Status
2010/2011	Article 8 – Section 99400 (a) for Streets & Roads, Routine Maintenance	373,322		373,322		Complete
2010/2011	SACOG Planning	22,285		22,285		Complete
TOTAL		\$ 395,607	\$	\$ 395,607	\$	

TDA-4
STATEMENT OF CONFORMANCE

Form TDA-4 must be completed and signed by the Administrative Office of the submitting claimant.

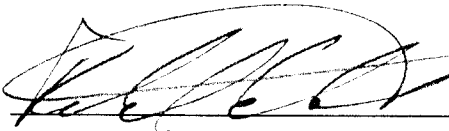
The Yuba County Board of Supervisors

hereby certifies that the Transportation Development Act claim for fiscal years 2011/2012

in the amount of \$ 264,383.00 (LTF) and \$ 0.00 (STA)

for a total of \$ 264,383.00 conforms with the requirements of the Transportation Development Act and applicable rules and regulations (see Attachment A for listing of conformance requirements).

Certified by Chief Financial Officer



Title Auditor / Controller

Date 1/31/12

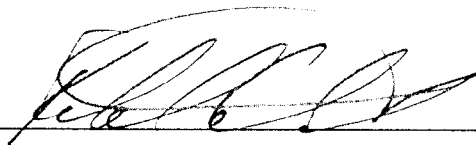
TDA-5
TDA CLAIM CERTIFICATION FORM

I, C. Richard Eberle, Chief Financial Officer for the County of Yuba

do hereby attest, as required under the California Code of Regulations, Title 21, Division 3, Chapter 2, Section 6632, to the reasonableness and accuracy of the following:

- (a) The attached budget or proposed budget for FY 2011-2012
- (b) The attached certification by the Department of the California Highway Patrol verifying that N/A is in compliance with Section 1808.1 of the Vehicle Code, as required in Public Utilities Code Section 99251.
- (c) The estimated amount of FY 2011-2012 maximum eligibility for moneys from the Local Transportation Fund and State Assistance Fund, as defined in Section 6634 is \$ 264,383.00

Signature of Chief Financial Officer



Agency Name County of Yuba

Date

1/31/12

The County of Yuba

Community Development & Services Agency

Kevin Mallen, Director

Phone - (530) 749-5430 • Fax - (530) 749-5434
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Marysville, California 95901
www.co.yuba.ca.us



058-12 BUILDING
440 • Fax 749-5616
CODE ENFORCEMENT
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February 14, 2012

TO: YUBA COUNTY BOARD OF SUPERVISORS

FROM: MICHAEL G. LEE, DIRECTOR OF PUBLIC WORKS

SUBJ: AUTHORIZATION TO TERMINATE COOPERATIVE AGREEMENT 03-0471 AND EXECUTE COOPERATIVE AGREEMENT 03-0498 FOR THE FEATHER RIVER BLVD. /SR 70 INTERCHANGE PROJECT

RECOMMENDATION:

That the Board approve the termination of Cooperative Agreement 03-0471 and enter into Cooperative Agreement 03-0498 and authorize the chair to execute same.

BACKGROUND:

Yuba County entered into a Cooperative Agreement with Caltrans on February 22, 2006. The agreement outlined the purchasing of right of way parcels for the Feather River Blvd. /SR-70 Interchange project by Caltrans for Yuba County. Yuba County provided \$950,000 to Caltrans for the purchase of these parcels since Caltrans was purchasing adjacent right of way for its SR 70 expressway project. The State purchased the property required for the interchange with the exception of two parcels. With two parcels still not acquired, and the SR 70 expressway project coming to a close, Caltrans and the County entered into another agreement affirming the State would continue their efforts to purchase the required property for the interchange. This agreement (03-0471) was executed on March 1, 2011.

DISCUSSION:

At this time County staff and Caltrans agree that the most efficient method of obtaining the remaining property in a timely manner is for Caltrans to refund the unused portion of the County's \$950,000 contribution, in the amount of \$314,959.03, and have the County acquire the remaining properties.

To accept the refund and the acquisition responsibility, Cooperative Agreement 03-0471 must be terminated and Cooperative Agreement 03-0498 must be executed. County Counsel has approved the agreements as to legal form.

COMMITTEE ACTION:

The Land Use and Public Works Committee was bypassed due to the routine nature of cooperative agreements.

FISCAL IMPACT:

The County will be refunded \$314,959.03 which will be adequate to obtain the remaining property required for the interchange.

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The County of Yuba

052-12



Office of the County Administrator

Robert Bendorf, County Administrator
John Fleming, Economic Development Coordinator
Russ Brown, Communications & Legislative Affairs Coordinator
Grace M. Mull, Administrative Analyst
Teena L. Carlquist, Executive Assistant to the County Administrator
Yuba County Government Center
915 8th Street, Suite 115
Marysville, CA 95901

Phone: (530) 749-7575
Fax: (530) 749-7312
Email: rbendorf@co.yuba.ca.us
jfleming@co.yuba.ca.us
rbrown@co.yuba.ca.us
gmull@co.yuba.ca.us
tcarlquist@co.yuba.ca.us

DATE: February 14, 2012
TO: Board of Supervisors
FROM: Russ Brown, Communications & Legislative Affairs Coordinator
SUBJECT: Resolution Supporting Efforts to Keep Police Academy at Yuba College

Recommended Action

Authorize Chair to sign resolution supporting efforts to keep the Yuba College Police Academy in Yuba County.

Background & Discussion

The Police Academy at Yuba College began in 1997 and has trained hundreds of law enforcement officers and investigators representing entities in 45 California counties and numerous State agencies. In 2009 most Academy operations were suspended by the California Commission on Peace Officer Standards and Training (POST), citing concerns over training facilities and staffing issues.

In the months following the suspension, Academy officials addressed all of the documented personnel concerns, and there were plans to upgrade training facilities. Funds from a November 2006 voter-approved bond measure were used for a \$20 million construction program on the main Yuba College Campus for nursing, firefighting, and police training. The new facility opened in August 2011 and includes all the required elements to address issues cited in the Academy suspension.

Although Yuba College Police Academy officials say all suspension concerns have been addressed, POST has not lifted the suspension. There are indications some POST officials are interested in establishing the regional Academy in Yolo County, leaving the future of the Yuba County-based Academy unclear.

The devotion of Academy staff time to address suspension issues and the dedication of local bond funds to build new facilities has not swayed POST to lift the suspension. In response, the Board directed County staff to draft a resolution supporting efforts to keep the Academy in Yuba County.

Committee Action

This resolution was drafted at the request of the full Board and therefore was not presented at the committee level.

Fiscal Impact

None

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**BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF YUBA**

**RESOLUTION PROCLAIMING)
SUPPORT FOR RECERTIFYING)
POLICE ACADEMY AND KEEPING)
OPERATION IN YUBA COUNTY)**

RESOLUTION NO. _____

WHEREAS, Yuba College held its first intensive class of the Basic Police Academy in 1997, which was the first of 24 sessions over a twelve year period; and

WHEREAS, the Academy's training programs have benefited police and investigative agencies representing 45 different California counties and numerous state agencies; and

WHEREAS, since 2001, there have been 20 different police and sheriff departments that have seen 348 trainees graduate from the Yuba College Police Academy; and

WHEREAS, the Academy's Special Investigation Basic Course during the same period trained 264 individuals from 30 agencies throughout California, including 17 state agencies; and

WHEREAS, the Academy's Investigation and Trial Prep program trained personnel from 32 District Attorney Offices from as far away as San Diego County.

WHEREAS, Correctional Officer Core Course Academy at the college graduated 496 individuals representing 24 counties in California over the past eleven years; and

WHEREAS, the Academy lost its certification in 2009 on the basis of inadequate facilities and staffing deficiencies,

WHEREAS, Academy officials revamped its programs to correct all of the training problems cited in the 2009 notice that decertified the school,

WHEREAS, Yuba County voters supported a \$20 million bond measure that provided for construction of state-of-the art training facilities and classrooms, which are now open and ready to train peace officers.

WHEREAS, the Academy has a well-earned reputation for providing quality training of peace officers, and as such attracts trainers and trainees that contribute to the economy of the region.

WHEREAS, the residents of Yuba County have long supported Yuba Community College and have demonstrated a strong belief in the value of the Academy through support of the bond measure and construction of the training facility.

NOW, THEREFORE, BE IT RESOLVED, The Yuba County Board of Supervisors hereby supports the recertification of the Yuba College Police Academy to maintain its operation in Yuba County in the new facilities at Yuba Community College.

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of Yuba, State of California on the _____ day of _____, 2012 by the following vote:

AYES:

NOES:

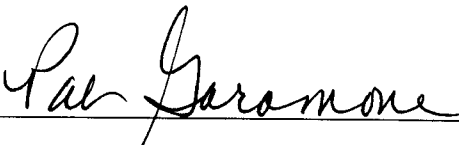
ABSENT:

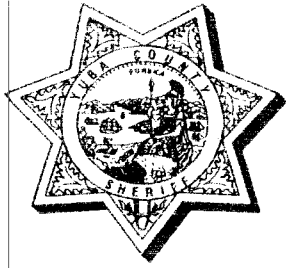
ABSTAIN:

Chairman

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

ANGIL P. MORRIS-JONES
YUBA COUNTY COUNSEL
APPROVED AS TO FORM:





Yuba County Sheriff's Department

Steven L. Durfor, Sheriff - Coroner

053-12



*215 5th Street, Suite 150, Marysville, CA 95901
Ph: 530-749-7777 • Fax: 530-741-6445*

FEBRUARY 14, 2012

TO: YUBA COUNTY BOARD OF SUPERVISORS

FR: STEVEN L. DURFOR, SHERIFF-CORONER *SD/w*

RE: AGREEMENT WITH DEPARTMENT OF AGRICULTURE, TAHOE NATIONAL FOREST

RECOMMENDATION:

Approve and sign the cooperative agreements with the U.S. Forest Service to provide campground patrols on U.S. forestland.

BACKGROUND:

This is an annual agreement, which has been in effect for many years, and requires Board of Supervisors approval to provide law enforcement services on a reimbursable basis. The Sheriff's Department provides campground patrols in areas of both the Tahoe and Plumas National Forests. The agreements will provide reimbursement in the amount of \$8,000 for campground patrols.

DISCUSSION:

The Sheriff will provide reimbursable law enforcement services to the Tahoe National Forests in accordance with the attached agreements. The Sheriff has adequate resources to provide the services in the same manner as provided in past years.

FISCAL IMPACT:

None. The agreements provide reimbursement from the U.S. Forest Service for law enforcement services rendered, creating additional revenue for the Sheriff's Department.

COMMITTEE ACTION:

Due to the routine nature of the request, this item was placed directly on the Board of Supervisor's agenda.

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USDA, Forest Service

OMB 0596-0217
FS-1500-8A

FS Agreement No. 12-LE-11051360-003
 Modification No. Mod 2
 Cooperator Agreement No. _____

EXHIBIT A

**COOPERATIVE LAW ENFORCEMENT ANNUAL PATROL OPERATIONS PLAN &
FINANCIAL PLAN**

**Between The
YUBA COUNTY SHERIFF'S DEPARTMENT
And the
USDA, FOREST SERVICE
TAHOE AND PLUMAS NATIONAL FORESTS**

2012 ANNUAL OPERATING AND FINANCIAL PLAN

This Annual Financial and Operating Plan (Annual Operating Plan), is hereby made and entered into by and between the Yuba County Sheriff's Department, hereinafter referred to as "the Cooperator," and the USDA, Forest Service, Tahoe and Plumas National Forests, hereinafter referred to as the "U.S. Forest Service," under the provisions of Cooperative Law Enforcement Agreement #12-LE-1105-1360-003 executed on October 5, 2011. This Annual Operating Plan is made and agreed to as of the last date signed below and is for the estimated period beginning October 1, 2011 and ending September 30, 2012.

FY2012 Total Annual Operating Plan: \$8,000

I. GENERAL:

- A. The following individuals shall be the designated and alternate representative(s) of each party, so designated to make or receive requests for special enforcement activities.

Principal Cooperator Contacts:

Cooperator Program Contact	Cooperator Administrative Contact
Steve Durfor Sheriff, Yuba County Yuba County Sheriff's Office 215 5 th Street – Suite 150 Marysville, CA, 95901 Telephone: 530.749.7779	Beckie Howard Yuba County Sheriff's Office 215 5 th Street – Suite 150 Marysville, CA, 95901 Telephone: 530.749.7731 Email: bhoward@co.yuba.ca.us



Ron Johnson
Patrol Captain
Yuba County Sheriff's Office
215 5th Street
Marysville, CA, 95901
Telephone: 530.741.6331

Principal U.S. Forest Service Contacts:

U.S. Forest Service Program Manager Contact	U.S. Forest Service Administrative Contact
Gary Barnett, Patrol Captain 9646 Donner Pass Road Truckee, CA 96161-2949 Telephone: 530-587-3558 x237 FAX: 530-587-4857 Email: gbarnett@fs.fed.us	Melissa Ewing 631 Coyote Street Nevada City, CA 95959 Telephone: 530-478-6166 FAX: 530-478-6179 Email: melissaewing@fs.fed.us
	Suwannee Milburn, G&A Specialist 1323 Club Drive Vallejo, CA 94592-1110 Telephone: 707-562-8782 FAX: 707-562-9144 Email: semilburn@fs.fed.us

- B. Reimbursement for all types of enforcement activities shall be at the following rates unless specifically stated otherwise. The following rates include wages, fringe benefits, and equipment:

Salary (base)	\$35.00 per hour, \$45.00/with mileage
Salary (overtime)	\$52.50 per hour, \$62.50/with mileage
Per diem costs	\$39.00/m&ie + \$65.00/lodging,

II. PATROL ACTIVITIES:

- A. Time schedules for patrols will be flexible to allow for emergencies, other priorities, and day-to-day needs of both the Cooperator and the U.S. Forest Service. Ample time will be spent in each area to make residents and visitors aware that law enforcement officers are in the vicinity. The emphasis for patrols should be focused on periods of higher visitor use, typically Fridays, Saturdays and Sundays. Actual work schedules may be negotiated between the designated representatives

1. Patrol in the following campgrounds, developed sites, or dispersed areas:



Cooperator agrees to make patrols through the campgrounds and areas of concentrated use, including but not limited to the high use areas of Hornswoggle, Schoolhouse, Dark Day, and Oregon Creek. Patrols shall be conducted on a call when needed basis or as scheduled by the designated representative.

When requested by the Forest Service designated representative, and as resources are available, the Cooperator will assist the Forest Service in conducting support activities related to the enforcement and investigation of violations of criminal law as they pertain to the mission of the Forest Service.

Total reimbursement for this category shall not exceed the amount of: \$8,000.

- B. Cooperator personnel assigned to duties in Section II must be regular employees of the Yuba County Sheriff's Office with at least POST certification to operate in a solo-officer capacity. The Cooperator's assigned personnel will utilize the County's standard equipment and vehicle, or perform foot patrol, and will be in standard uniform at all times, unless otherwise requested by the Forest Service.

The assigned Deputy will possess a Forest Service radio and maintain communications with Grass Valley ECC Dispatch, including going in and out of service, at all times during the patrols.

Duties for that day or time period will be entirely Forest Service oriented and patrol the areas at the request of the Forest Service designated representative. The assigned Deputy should not generally be available for routine calls for service other than those at the request of the Forest Service. Since the billable period is an hour, any calls off National Forest land that result in absence for an hour or more, will be documented and will not be billable. Patrols should be conducted with a designated Forest Officer accompanying the Deputy, as available.

For each patrol shift, the Deputy will complete and turn in a Daily Field Activity Report (DFAR, FS 5300-26, attached). The Sheriff's Deputy will complete the report after each activity and give to the Forest Service designated representative bi weekly.

The Cooperator will complete and submit to the Forest Service the Forest Service Cooperative Law Enforcement Activity Report (FS 5300-5, attached) identifying the number of crimes occurring on NFS lands. The report shall follow the FBI Uniform Crime Reporting groupings, Part I and Part II offenses. Offenses and arrest information shall be combined and reported for each crime. This report shall separate the crimes handled under this agreement from those handled by the cooperator during regular duties. Both report forms are attached to this Exhibit and/or the Cooperative Agreement. Each Forest Service designated representative will also provide the forms as needed.



The Cooperator may not be reimbursed for the services of personnel who are employed by the Forest Service in a law enforcement capacity and are also Reserve Officers of the Cooperator.

III. EQUIPMENT AND SUPPLIES:

See Cooperative Law Enforcement Agreement Provision IV-J for additional information.

The Forest Service will loan those surplus items that will further the cooperative effort. These items are property, but in most cases will be expendable. The items will be tracked and accounted for by the Tahoe National Forest Patrol Captain. Items will be returned to the Forest Service when no longer needed and will report the damage or destruction of such property when applicable or no longer serviceable.

If any of these surplus items have original high value, serial numbers, sensitivity in storage, security or use, they will be loaned and accounted for on an amendment to this operating plan.

If the equipment is abused or neglected, as determined by the Forest Service, the Cooperator may be billed for the repairs or replacement of like equipment.

IV. SPECIAL ENFORCEMENT SITUATIONS:

A. Special Enforcement Situations include but are not limited to: Fire Emergencies, Drug Enforcement, and certain Group Gatherings.

B. Funds available for special enforcement situations vary greatly from year to year and must be specifically requested and approved prior to any reimbursement being authorized. Requests for funds should be made to the U.S. Forest Service designated representative listed in Item I-A of this Annual Operating Plan. The designated representative will then notify **Error! Reference source not found.** whether funds will be authorized for reimbursement. If funds are authorized, the parties will then jointly prepare a revised Annual Operating Plan.

1. Drug Enforcement: This will be handled on a case by case basis. The request will normally come from the patrol Captain; however, it may come from the Special Agent in Charge or their designated representative. Reimbursement shall be made at the rates specified in Section I-B. Deputies assigned to the incident will coordinate all of their activities with the designated officer in charge of the incident.
2. Fire Emergency: During emergency fire suppression situations and upon request by the Forest Service pursuant to an incident resource order, the Cooperator agrees to provide special services beyond those provided under Section II-A, within the Cooperator's resource capabilities, for the enforcement of State and local laws related to the protection of persons and their property. The Cooperator will be



compensated at the rate specified in Section I-B; the Forest Service will specify times and schedules. Upon concurrence of the local patrol Captain or their designated representative, an official from the Incident Management Team managing the incident, Cooperator personnel assigned to an incident where meals are provided will be entitled to such meals.

3. **Group Gatherings:** This includes but is not limited to situations which are normally unanticipated or which typically include very short notices, large group gatherings such as rock concerts, demonstrations, and organization rendezvous. Upon authorization by a Forest Service representative listed in Section I-A for requested services of this nature, reimbursement shall be made at the rates specified in Section I-B. Deputies assigned to this type of incident will normally coordinate their activities with the designated officer in charge of the incident.

This includes but is not limited to situations which are normally unanticipated or which typically include very short notice, large group gatherings such as rock concerts, demonstrations, and organizational rendezvous.

V. BILLING FREQUENCY:

See Cooperative Law Enforcement Agreement Provisions II-H and III-B for additional information.

For services requested in items I, II and agreed to under II and IV, reimbursement will be based upon itemized bills furnished monthly, along with certification that the services have been performed. Final billings for reimbursement must be received by the Forest Service before December 31, 2012.

- a. Mail copies of itemized billing statements and patrol logs to:

Melissa Ewing
631 Coyote Street
Nevada City, CA 95959

- b. The Albuquerque Service Center (ASC) is the payment center for all payments. Do not send backup documents to the ASC. Send only the hard copy invoice & Law Enforcement Billing Summary to the ASC via any of the following three options:

1. US Forest Service
Albuquerque Service Center
Payment – Grants and Agreements
101 B Sun Ave NE
Albuquerque, NM 87109

2. Or FAX to : 877.687.4894 – Attn: Payments, Grants and Agreements



3. Or e-mail scanned invoice to: asc_g&a@fs.fed.us

NOTE: Annually update the Central Contractors Registration (CCR) of the County Sheriff's DUNS# on the CCR website at www.ccr.gov for the verification of the Electronic Funds Transfer (EFT) banking information.

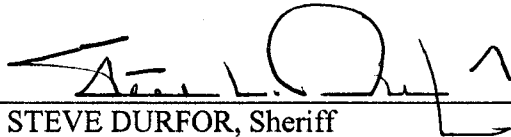
- A. The following is a breakdown of the total estimated costs associated with this Annual Operating Plan.

Category	Estimated Costs	Not to Exceed by %
Patrol Activities	\$8,000.00	
Training		
Equipment and Supplies		
Dispatch		
Special Enforcement Situations		
Total	\$8,000.00	

- B. Any remaining funding in this Annual Operating Plan may be carried forward to the next fiscal year and will be available to spend through the term of the Cooperative Law Enforcement Agreement, or deobligated at the request of the U.S. Forest Service. See *Cooperative Law Enforcement Agreement Provision IV-D*.



In witness whereof, the parties hereto have executed this Annual Operating Plan as of the last date written below.


STEVE DURFOR, Sheriff
Yuba County

12/21/11
Date

TOM QUINN, Forest Supervisor
U.S. Forest Service, Tahoe National Forest

Date

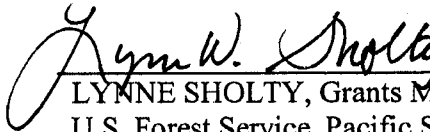
EARL W. FORD, Forest Supervisor
U.S. Forest Service, Plumas National Forest

Date

SCOTT HARRIS, Special Agent in Charge
U.S. Forest Service, Pacific Southwest Region

Date

The authority and format of this agreement has been reviewed and approved for signature.


LYNNE SHOLTY, Grants Management Specialist
U.S. Forest Service, Pacific Southwest Region

11/4/11
Date

Burden Statement

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0217. The time required to complete this information collection is estimated to average 3 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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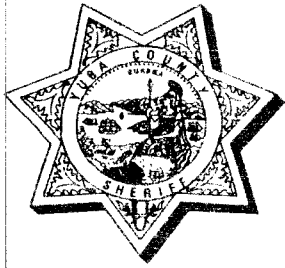
OMB 0596-0217
FS-1500-8A

COUNTY OF YUBA,
BOARD OF SUPERVISORS

Chairman, Board of Supervisors

Approved as to form,
ANGIL P. MORRIS-JONES, County Counsel

By: Marc Hartley
Marc Hartley, Deputy



Yuba County Sheriff's Department

Steven L. Durfor, Sheriff - Coroner

054-12

*215 5th Street, Suite 150, Marysville, CA 95901
Ph: 530-749-7777 • Fax: 530-741-6445*



February 14, 2012

TO: YUBA COUNTY BOARD OF SUPERVISORS

FROM: STEVEN L. DURFOR, SHERIFF-CORONER *SLD*

RE: PENAL CODE 830.1(c) STATUS FOR JAIL CORRECTIONAL STAFF

RECOMMENDATION:

Authorize the Sheriff to seek legislative inclusion of Yuba County to Penal Code Section 830.1(c).

BACKGROUND:

Penal Code Section 830.1(c) authorizes peace officer status to correctional officers of specified counties while engaged in the performance of the duties of their respective employment and for the purpose of carrying out the primary function of employment relating to their custodial assignments, or when performing other law enforcement duties directed by their employing agency during a local state of emergency.

DISCUSSION:

There are benefits to being added to the 29 counties already enjoying this status. The major benefits are listed below:

- The first is that the correctional staff can be deployed to positions requiring peace officer powers during a local state of emergency. In past emergencies, we have only been able to use correctional staff in support positions and having the ability to utilize them more fully will give us added flexibility and rest for our field staff.
- Our corrections staff conduct exterior security perimeter checks of the jail facility. Their authority to detain or arrest a violator outside the jail is limited to that of any other citizen. If these employees had peace officer status, they could detain and potentially arrest offenders.
- Existing law requires a peace officer authorize a strip search. As a matter of sound practice, strip searches are currently conducted in the jail by trained correctional staff and though authorized by the jail supervisor, they must be co-authorized by an employee with peace officer powers. This would allow the trained jail supervisor to authorize strip searches.
- On a routine basis, people will arrive at either the jail or Sheriff's lobby to surrender themselves on an outstanding warrant. The law does not allow non-peace officers to make warrant arrests outside the jail. Consequently, if there are no peace officers in the building, one must be called in from patrol in order to make the arrest.

The Yuba County Deputy Sheriff's Association held an advisory vote on January 30, 2012 to gauge the association's interest in adding Yuba County to the counties included in Penal Code 830.1(c). The results were 48-YES and 1-NO, to support having Yuba County added to 830.1(c) of the California Penal Code.

FISCAL IMPACT:

None.

COMMITTEE ACTION:

None. The window for being added to the legislation in this legislative session is tight so it is being brought directly to the full Board.

Attachment A - California Penal Code Section 830.1

California Penal Code Section 830.1

(a) Any sheriff, undersheriff, or deputy sheriff, employed in that capacity, of a county, any chief of police of a city or chief, director, or chief executive officer of a consolidated municipal public safety agency that performs police functions, any police officer, employed in that capacity and appointed by the chief of police or chief, director, or chief executive of a public safety agency, of a city, any chief of police, or police officer of a district, including police officers of the San Diego Unified Port District Harbor Police, authorized by statute to maintain a police department, any marshal or deputy marshal of a superior court or county, any port warden or port police officer of the Harbor Department of the City of Los Angeles, or any inspector or investigator employed in that capacity in the office of a district attorney, is a peace officer. The authority of these peace officers extends to any place in the state, as follows:

(1) As to any public offense committed or which there is probable cause to believe has been committed within the political subdivision that employs the peace officer or in which the peace officer serves.

(2) Where the peace officer has the prior consent of the chief of police or chief, director, or chief executive officer of a consolidated municipal public safety agency, or person authorized by him or her to give consent, if the place is within a city, or of the sheriff, or person authorized by him or her to give consent, if the place is within a county.

(3) As to any public offense committed or which there is probable cause to believe has been committed in the peace officer's presence, and with respect to which there is immediate danger to person or property, or of the escape of the perpetrator of the offense.

(b) The Attorney General and special agents and investigators of the Department of Justice are peace officers, and those assistant chiefs, deputy chiefs, chiefs, deputy directors, and division directors designated as peace officers by the Attorney General are peace officers. The authority of these peace officers extends to any place in the state where a public offense has been committed or where there is probable cause to believe one has been committed.

(c) Any deputy sheriff of the County of Los Angeles, and any deputy sheriff of the Counties of Butte, Calaveras, Colusa, Glenn, Humboldt, Imperial, Inyo, Kern, Kings, Lake, Lassen, Mariposa, Mendocino, Plumas, Riverside, San Benito, San Diego, San Luis Obispo, Santa Barbara, Santa Clara, Shasta, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tehama, Tulare, and Tuolumne who is employed to perform duties exclusively or initially relating to custodial assignments with responsibilities for maintaining the operations of county custodial facilities, including the custody, care, supervision, security, movement, and transportation of inmates, is a peace officer whose authority extends to any place in the state only while engaged in the performance of the duties of his or her respective employment and for the purpose of carrying out the primary function of employment relating to his or her custodial assignments, or when performing other law enforcement duties directed by his or her employing agency during a local state of emergency.

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COUNTY
DEPARTMENTS

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The County of Yuba

Community Development & Services Agency

Kevin Mallen, Director

Phone - (530) 749-5430 • Fax - (530) 749-5434
915 8th Street, Suite 123
Marysville, California 95901
www.co.yuba.ca.us



056-12

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749-5420 • Fax 749-5424

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749-5430 • Fax 749-5434

TO: BOARD OF SUPERVISORS

FROM: Wendy Hartman, Planning Director
Dan Cucchi, Project Planner

SUBJECT: Receive public testimony and provide comments on the Draft East Linda Reinvestment Plan

DATE: February 14, 2012

Recommendation:

Receive public testimony and provide comments on the Draft East Linda Reinvestment Plan.

Background:

The Yuba County Community Development & Services Agency applied for and was awarded an Environmental Justice grant from Caltrans for the East Linda Reinvestment Plan (ELRP). The contract with Caltrans was approved by the Board in April 2010. The ELRP is intended to be the next step in revitalization efforts following the North Beale Road Revitalization Plan. Using the information gathered through earlier planning efforts, this project was designed to look at changes to land use and connectivity, design standards to increase safety and mobility for area residents, and to spur economic revitalization in the East Linda community. Information from this project will be instrumental in the completion of the updated Zoning and Development codes following completion of the 2030 General Plan.

The East Linda Reinvestment Plan is a visioning document, which means it is not a regulatory document. Instead, it is intended to provide guidance on land use, transportation, infrastructure, community design and other issues for the future development of the County's Development Code Update. Further vetting and feasibility determinations may be necessary when incorporating ideas and concepts into the County's Development Code Update.

This workshop before the Board of Supervisors on the Draft East Linda Reinvestment Plan is to solicit comments and suggestions for changes to be considered before final adoption by the Board of Supervisors. Members of the public are also encouraged to provide any suggestions as well.

Discussion:

The Draft ELRP format was prepared in consultation with community stakeholders and the ELRP Advisory Committee.

The Draft ELRP is divided into six chapters:

- | | |
|----------------------|-------------------|
| 1. Executive Summary | 4. Land Use |
| 2. Introduction | 5. Circulation |
| 3. Opportunity Areas | 6. Implementation |

While each chapter provides valuable information to help the County achieve the goals of the project, the following topics describe some of the highlights of the Draft ELRP:

Opportunity Areas:

Opportunity Areas are those areas where significant new development is most likely to be successful and to be of greatest benefit to the community. Based on their location and the type of development proposed, they are divided into two types: Primary and Secondary Opportunity Areas. Primary Opportunity Areas are distinguished from Secondary Areas because they have the capacity to create synergies with existing development and to promote additional infill development at nearby properties. The Opportunity Areas are as follows:

Primary:

- Peach Tree Town Center
- Yuba College Mixed-Use Center
- Goldfields Village Center

Secondary:

- Avondale Avenue
- North Beale Road – Southside
- Erle Road
- Goldfields Parkway North

Land Use:

This chapter examines the County's regulatory structure and how it can better promote the goals of the ELRP. Key opportunities identified in the Plan include a better balance among housing and services through the expansion of the range of available housing types (e.g., affordable, senior, student, etc.) to augment East Linda's predominantly single-family housing stock, and a better distribution of park lands by constructing new parks in growth areas and in existing neighborhoods that are currently underserved by parkland.

Circulation:

Improving circulation efficiency, safety, and comfort for East Linda residents and visitors is a major goal of the ELRP. This goal consists of several key components, including improvements to existing roadways, new roadways, and the creation of a bicycle and pedestrian circulation network. Improved internal connectivity means providing direct routes within East Linda that allow residents to avoid traveling out to the edges of the community to take Erle Road or Griffith Avenue or winding through residential neighborhoods to get to an internal destination. Instead, emphasis is placed on roadways, transit routes, bikeways, and pedestrian walkways that connect residential and mixed-use areas with community destinations, such as schools, Yuba College, health service facilities, parks and recreational facilities, and shopping.

Implementation:

While visioning plans may outline a number of lofty goals that can help improve a community, nothing can be accomplished without considering the various options for actual implementation of that vision. This chapter proposes both actions the County can take to pursue some of the concepts, as well as potential funding opportunities available to help communities such as East Linda achieve those goals.

Committee Action:

A workshop was held before the Planning Commission on January 18, 2012. While a number of issues were discussed regarding the East Linda community, no changes to the document were proposed.

Fiscal Impact:

This workshop is consistent with the scope of work in the contract between Yuba County and Caltrans. No additional general fund dollars beyond that which was approved in the grant contract are required.

Attachment(s):

1. Draft East Linda Reinvestment Plan (Under Separate Cover)

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*ORDINANCES
AND
PUBLIC HEARINGS*

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The County of Yuba

Community Development & Services Agency

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PARKS AND RECREATION
749-5430 • Fax 749-5434

DATE: February 14, 2012

TO: Board of Supervisors

FROM: Wendy Hartman, Planning Director *W. Hartman*
Debra J. Phillips, Housing and Community Services Manager *Debra*

SUBJECT: Hold a Public Hearing to Allow the Public to Comment on the Potential Community Development Block Grants

Recommendation:

It is recommended that the Yuba County Board of Supervisors hold a public hearing to allow the public a forum to comment on potential Community Development Block Grant applications that may be developed and submitted in 2012-2013.

Background:

The County has successfully applied for and managed Community Development Block Grants (CDBG) through the Department of Housing and Community Development (HCD) for various programs from 1988 through 2010. The County is eligible to apply for such programs in the 2012 program year.

In the past, the State has released five NOFA's each year for different activities. This year the State has combined the "Notice of Funding Availability" (NOFA) to include all activities (see attached overview). Eligible cities and counties may submit an application for CDBG funds under the one NOFA; however, only three (3) activities may be submitted in the application for a maximum of \$2,000,000. The Economic Development "Over-the-Counter" (OTC) Allocation requires a separate application with a maximum limit of \$3,000,000 per year. The NOFA also includes the Native American and Colonia's Allocations. The Native American Allocation is only for areas with high concentrations of low-income Native American residents, who are not part of a federally recognized Native American Indian tribe or Rancheria. The Colonia's funding is only for designated communities within 150 miles of the Mexican-American border.

H:\COMMON\CDBG\2012\PUBLIC HEARING NOTICE - CDBG DESIGN BOS.DOC



Community Services Commission



Housing Authority

Eligible activities under the above allocations in the NOFA consist of: Homeownership Assistance and housing rehabilitation programs; Public facility and public improvements projects (including public improvements in support of new housing construction); public service programs, planning studies, Economic Development business Assistance and Microenterprise activities. Eligible activities paid for with State CDBG funds must meet one or more of the three national objectives listed in CDBG federal statutes as follows: benefit to low income households or persons; elimination of slums and blight; or meeting urgent community development need.

Discussion:

HCD requires jurisdictions to adequately allow for public participation and comments regarding such programs. Holding a public hearing is part of this mandatory process.

Djp

2012 CDBG NOFA APPLICATION

Funding Limits and Eligible Activities

CDBG NOFA

Award Limits, Eligible Activities and Activity Limits

Enterprise Fund Activities

**Maximums: Up to \$300,000 for either BA or ME,
Or
Up to \$500,000 for a combination of both**

Business/Developers Assistance (BA):

Loans:

- Construction loans
- Land acquisition
- Loans - privately owned on-site improvements
- Loans - business start-ups
- Equipment purchase loans
- Working Capital loans

Grants:

- Public infrastructure and/or offsite improvements

Micro-Enterprise (ME):

- Technical Assistance/Training
- Micro-Enterprise Loans
- Facade Improvement Program
- General support such as transportation & day care

Activity Maximum: 1 Single or Combo Program

PLEASE NOTE:

Applying for ED Over-The-Counter (OTC) Allocation Activities requires a different application process - See the OTC Section of the Application for additional information.

Housing Activities

\$1,000,000 Overall Housing Maximum

Maximums: Up to \$600,000

- Homeownership Assistance (HA) Program
- Housing Rehab (HR) Program for Single Family Homes
- Vacant Land for Multi-Family Development

Maximums: Up to \$1,000,000

- Housing Combo Program (HA + HR)
- MFH Rental Rehab Project (with or without Acquisition)
- Real Property Acquisition for MFH Rental Project

Activity Maximum: 1 Program and 1 Project all within the \$1,000,000 maximum

Public Improvements Activities

Maximum: Up to \$1,500,000

- Acquisition, construction or installation of public improvement projects.
- Public improvements in-support-of housing new construction (PIHNC)

Activity Maximum: 1 Project

Public Service Activities

Maximum: Up to \$500,000

- Funding for operating costs including labor supplies, materials, etc.

Activity Maximum: 3 Services per Application

Public Facilities Activities

Maximum: Up to \$1,500,000

- Acquisition, new construction, or rehabilitation of buildings/grounds for public purposes.

Activity Maximum: 1 Project

Planning (PTA) Activities

Maximum: Up to \$100,000

- Either ED or CD Planning studies

Activity Maximum: 2 Studies

Set-Aside Activities

Maximum: Up to \$100,000

- All CD or EF Activities (see above for PTA)

Activity Maximum: See Individual Activity Limits

Colonia Eligible Activities

Maximum: Up to \$1,500,000

- All CDBG Activities -- Generally approved activities include those which address the need for potable water supply, sewage systems, and decent, safe and sanitary housing.

Activity Maximum: See Individual Activity Limits

Native American Eligible Activities

Maximum: Community Development Program Limits Apply

- Eligible activities include those involving housing or housing-related activities only.

Activity Maximum: See Individual Activity Limits

Notice of Public Hearing for Discussion of Possible State CDBG Application

NOTICE IS HEREBY GIVEN that the County of Yuba will conduct a public hearing on February 14, 2012 at 9:30 a.m., or as soon thereafter as the matter will be heard, at the Board of Supervisors Chambers, 915 8th Street, Marysville, in order to discuss possible applications for funding under the next fiscal year's (July 1 to June 30) State Community Development Block Grant (CDBG) Program and to solicit citizen input on possible activities to be included in the application.

The Community Development and Economic Development Allocations of the State CDBG program will publish a combined "Notice of Funding Availability" (NOFA) each program year. Eligible cities and counties may submit applications for CDBG funds under the NOFA. It is estimated that up to \$2,000,000 will be available in total. The Economic Development "Over-the-Counter" (OTC) Allocation requires a separate application with a maximum limit of \$3,000,000 per year. The NOFA also includes the Native American and Colonia's Allocations. The Native American Allocation is only for areas with high concentrations of low-income Native American residents, who are not part of a federally recognized Native American Indian tribe or Rancheria. The Colonia's funding is only for designated communities within 150 miles of the Mexican-American border.

ELIGIBLE ACTIVITIES UNDER THE ABOVE ALLOCATIONS IN THE NOFA CONSIST OF: HOMEOWNERSHIP ASSISTANCE AND HOUSING REHABILITATION PROGRAMS; PUBLIC FACILITY AND PUBLIC IMPROVEMENTS PROJECTS (INCLUDING PUBLIC IMPROVEMENTS IN SUPPORT OF NEW HOUSING CONSTRUCTION); PUBLIC SERVICE PROGRAMS, PLANNING STUDIES, ECONOMIC DEVELOPMENT BUSINESS ASSISTANCE AND MICROENTERPRISE ACTIVITIES. ELIGIBLE ACTIVITIES PAID FOR WITH STATE CDBG FUNDS MUST MEET ONE OR MORE OF THE THREE NATIONAL OBJECTIVES LISTED IN CDBG FEDERAL STATUTES AS FOLLOWS: BENEFIT TO LOW INCOME HOUSEHOLDS OR PERSONS; ELIMINATION OF SLUMS AND BLIGHT; OR MEETING URGENT COMMUNITY DEVELOPMENT NEED.

The County of Yuba anticipates submitting an application under the NOFA published during the next program year.

The purpose of this public hearing is to give citizens an opportunity to make their comments known regarding what types of eligible activities the County of Yuba should apply for under the State CDBG program. A separate public hearing will be held to discuss and approve the application prior to submittal to the State.

If you require special accommodations to participate in the public hearing, please contact Debbie Phillips at 530-749-5460.

If you are unable to attend the public hearing, you may direct written comments to the County of Yuba Community Development and Services Agency/Housing and Community Services Division at 915 8th Street, Suite 130, Marysville, CA 95901 or you may telephone Debbie Phillips at 530-749-5460. In addition, information is available for review at the above address between the hours of 8:00 a.m. – 5:00 p.m. on Monday through Friday.

The County of Yuba promotes fair housing and makes all its programs available to low and moderate income families regardless of age, race, color, religion, sex, national origin, sexual preference, marital status or handicap.