

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.

APRIL 2, 2013

- 1:00 P.M. YUBA COUNTY WATER AGENCY CANCELLED**
- 3:30 P.M. THREE RIVERS LEVEE IMPROVEMENT AUTHORITY**
- 5:45 P.M. FINANCE AND ADMINISTRATION COMMITTEE** - (Supervisors Vasquez and Nicoletti - Alternate Supervisor Griego)
- A. Consider ordinance amending Consolidated Fee Schedule for Agricultural Commissioner and Health Services - County Administrator (Ten minute estimate) (124-13)
- 6:00 P.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 Abe
- 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. Administrative Services
1. Approve road easement agreement with ComSites West LLC granting access across 4H Camp property to Oregon Peak and authorize the Chair to execute. (115-13)
- B. Clerk of the Board of Supervisors
1. Reappoint John Floe to the First Five Yuba Commission for a term to end April 25, 2016. (116-13)
2. Approve amendment to the Conflict of Interest Code for Smartsville Fire Protection District. (117-13)
3. Approve meeting minutes of March 19, 2013. (118-13)
- C. Community Development and Services
1. Approve contract change orders for the Woodruff Lane Hazard Elimination Safety project in the amount of \$104,644.72 and authorize the Public Works Director to execute orders. (119-13)
2. Approve plans, specifications and estimate, and authorize advertisement of bids for Timbuctoo Road at Deep Ravine No. 1 Bridge Replacement project with a tentative opening date of April 25, 2013 and authorize the Chair to execute plan. (120-13)
- IV. **SPECIAL PRESENTATION**
- A. Present proclamation to Casa de Esperanza proclaiming April as Child Abuse Prevention Month. (Ten minute estimate) (121-13)

- B. Receive presentation from Stephanie Helms, Nor Cal Rush Volleyball Club Director. (No background material)
(Ten minute estimate) (047-13)

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. **COUNTY DEPARTMENTS**

A. Clerk-Recorder/Elections

1. Authorize release of request for proposal to obtain new Clerk/Recorder computer system. (Ten minute estimate)
(122-13)

VII. **CORRESPONDENCE** - (123-13)

A. Request from Office of Sacramento Mayor Johnson for resolution to support keeping the Sacramento Kings in the City of Sacramento.

B. Notices from California Fish and Game Commission relating to the Clear Lake hitch and Pacific Fisher.

C. Notice from United States Fish and Wildlife Services advising review of the west coast fisher population.

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. Potential litigation pursuant to Government Code § 54956.9(b) - One Case

B. Personnel pursuant to Government Code §54957(a) - Labor Negotiations - DDAA/DSA/MSA/PPOA/Unrepresented and County of Yuba

X. **ADJOURN**

04-04-13
4:30 P.M.
Marysville City/County Liaison Committee
City of Marysville
Covillaud Room
526 C Street
Marysville, Ca 95901

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

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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Finance and Administration Committee





The County of Yuba

Office of the County Administrator

Robert Bendorf, County Administrator
 John Fleming, Economic Development Coordinator
 Russ Brown, Communications & Legislative Affairs Coordinator
 Grace M Mull, Management 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
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gmull@co.yuba.ca.us
tcarlquist@co.yuba.ca.us

Date: April 2, 2013
 To: Finance & Administration Committee
 From: Robert Bendorf, County Administrator *RB/BM*
 By: Grace Mull, Management Analyst
 Re: FY 2013/2014 Consolidated Fee Ordinance

Recommendation

Consider revisions to the Consolidated Fee Ordinance for fiscal year 2013-14.

Background

Departments are tasked to review their fees annually to ensure that fees charged reflect true cost of services. The review process includes adding new fees, deleting obsolete fees, and revising fee titles to accurately describe the fee.

Discussion

The purpose of the Consolidated Fee Ordinance is to allow the public and those doing business with the County to easily access fees associated with various departmental services. The annual revision process provides the Board and the public an opportunity to review and comment on the County's fee structure.

The attached summary displays which fees are proposed to be changed, the amount requested under the new fee, and the reasons for changing the fees. Fee increases reflect the department's full amount of time and costs associated with providing these services, and are meant to be cost covering.

Fiscal Impact

The proposed revisions to the Consolidated Fee Ordinance and associated fee schedules represent each department's estimate of the cost to provide services, or are set by state law. Consequently, fee adjustments, either up or down, are meant to eliminate a subsidy or to ensure there is no revenue in excess of the cost of the services provided from the fees being charged to perform the services.

FY 13/14 Master Fee Schedule - Summary of Changes

| Code Section & Department | Name of Fee | Old Fee | New Fee | Reason for Change |
|--|---|--|----------|---|
| 13.00.032 Agricultural Commissioner | 1.1 Liquefied Petroleum Gas Meters | \$175.00 | \$185.00 | B&P Code Section 12240 Fee Increase |
| | 1.2 Submeters; Utility meters owned by marinas, mobile home parks, recreational vehicle parks and apartment complexes | \$2.00 per device, space, or apartment | | B&P Code Section 12240 - Expanded device fees to allow for separate charges. Water submeters: \$2.00 per device, Electric submeters: \$3.00 per device, Vapor submeters: \$4.00 per |
| | 1.3 Vehicle Odometer Certification | | \$60.00 | B&P Code Section 12240 - New Fee |
| | 1.4 Wholesale Meter (Mobile) | \$25.00 | \$75.00 | B&P Code Section 12240 Fee Increase |
| | 1.5 Wholesale Meter (Stationary) | \$25.00 | \$75.00 | B&P Code Section 12240 Fee Increase |
| | 1.6 Prescription/Jewelry Scales | \$25.00 | \$75.00 | B&P Code Section 12240 Fee Increase |
| | 1.7 Computing Scales (<100 lbs) | \$20.00 | \$20.00 | B&P Code Section 12240 - Fee description revised to include "<100 lbs" |
| | 1.8 All Other Weighing Devices Not Listed | | \$20.00 | B&P Code Section 12240 - New Fee |
| | 1.9 Miscellaneous Measuring Devices (≥100 lbs and <20,000 lbs) other than computing, jewelry and prescription scales | | \$50.00 | B&P Code Section 12240 - New Fee |

FY 13/14 Master Fee Schedule - Summary of Changes

| Code Section & Department | Name of Fee | Old Fee | New Fee | Reason for Change |
|--|---|--------------------|---|--|
| Cont. 13.00.032 Agricultural Commissioner | 1.10 Weighing Devices (≥2,000 lbs and <10,000 lbs) other than livestock | \$150.00 | \$150.00 | B&P Code Section 12240 - Title revision from "Misc/Forklift Scales (≥2,000 lbs and <10,000 lbs)" to "Weighing Devices" |
| | 1.11 Weighing Devices (≥10,000 lbs) other than livestock | \$250.00 | \$250.00 | B&P Code Section 12240 - Title revision from "Misc/Forklift Scales (≥10,000 lbs)" to "Weighing Devices (≥10,000 lbs) other than livestock" |
| | 1.12 Livestock Scales (≥2,000 lbs and <10,000 lbs) | \$100.00 | \$100.00 | B&P Code Section 12240 - Title revision from "Animal Scales (≥2,000 lbs and <10,000 lbs)" to "Livestock Scales (≥2,000 lbs and <10,000 lbs)" |
| | 1.13 Non-Commercial Device Inspection (1/2 hour minimum) | \$65.00/hour | \$65.00/hour | Added "1/2 hour minimum" to the description |
| | 1.14 Reference at end of fee section regarding "Certified Farmers Markets and Farmers Markets only" | \$20.00 per device | \$20.00 per device plus state admin fee | Description changed from "Certified Growers Market" to "Certified Farmers Market" Fee revised to add "plus state admin fee" |
| | 1.15 Registration Requirements for Commercial Weighing and Measuring Devices | | | New section added to state purpose and definitions of fees and establishes violations for non-registered devices. |

FY 13/14 Master Fee Schedule - Summary of Changes

| Code Section & Department | Name of Fee | Old Fee | New Fee | Reason for Change |
|---------------------------|--|--|----------------------|--|
| 13.00.052 Health | 2.1 Immune Serum Globulin Shot | \$10.00 to \$25.00** | | Delete Fee - Services no longer offered |
| | 2.2 STD Office Visit | \$15.00 to \$65.00** | | Delete Fee - Services no longer offered |
| | 2.3 HIV Testing | | \$15.00 to \$35.00** | New Fee for HIV Testing based on Medi-Cal sliding scale |
| | 2.4 Pregnancy Counseling | \$25.00 | | Delete Fee - Services no longer offered |
| | 2.5 Woman, Infants and Children (WIC) check | \$15.00 | | Delete Fee - Services no longer offered |
| | 2.6 Head Live Detection and Treatment | \$15.00 | | Delete Fee - Services no longer offered |
| | 2.7 Yellow Fever Vaccine | \$20.00 plus actual cost of vaccine | | Delete Fee - Services no longer offered |
| | 2.8 Hepatitis A Immunization (Each Visit-Adult) | \$65.00 | | Delete Fee - Services no longer offered |
| | 2.9 Twinrix (Hep A + Hep B) (Adult) | \$90.00 | | Delete Fee - Services no longer offered |
| | 2.10 MMR Immunization (Each Visit-Adult) | \$55.00 | | Delete Fee - Services no longer offered |
| | 2.11 Typhoid | \$20.00 plus actual cost of vaccine | | Delete Fee - Services no longer offered |
| | 2.12 Pneumococcal | \$50.00 | | Delete Fee - Services no longer offered |
| | 2.13 Varicella (Adult) | \$90.00 | | Delete Fee - Services no longer offered |
| | 2.14 Human Papilloma Virus Series (Adult) | \$135.00 | | Delete Fee - Services no longer offered |
| | 2.15 Meningococcal (Adult) | \$111.00 | | Delete Fee - Services no longer offered |
| | 2.16 Public Health - F.O.R. Families Intake - Individual Assessment - Individual Discharge - Individual Individual Counseling Group Session Non-County Resident DEOJ Fee | \$70.00 Flat Chg \$70.00 Flat Chg \$70.00 Flat Chg \$70.00 Flat Chg \$50.00 Flat Chg \$200.00 | | Delete Fee - Program Discontinued by State Delete Fee - Program Discontinued by State Delete Fee - Program Discontinued by State Delete Fee - Program Discontinued by State Delete Fee - Program Discontinued by State Delete Fee - Program Discontinued by State |
| | 2.17 After Hours Burial Permit (State Set Fee) | \$13.00 | \$11.00 | State Set Fee Reduction |
| | 2.18 Certified Copy of Birth Certificate (State Set Fee) | \$16.00 | \$20.00 | State Set Fee Increase |
| | 2.19 Certified Copy of Birth Government Agency (State Set Fee) | \$10.00 | \$14.00 | State Set Fee Increase |
| | 2.20 Certified Copy of Death Certificate (State Set Fee) | \$12.00 | \$16.00 | State Set Fee Increase |
| | 2.21 Certified Copy of Fetal Death Certificate (State Set Fee) | \$9.00 | \$13.00 | State Set Fee Increase |
| | 2.22 Crossfile Sent Out (State Set Fee - \$3.00 to Receiving Agency) | \$11.00 | \$14.00 | State Set Fee Increase |

ORDINANCE NO. _____

**ORDINANCE REPEALING AND RE-ENACTING CHAPTERS 13.00.032 AND
13.00.052 OF THE YUBA COUNTY CONSOLIDATED FEE ORDINANCE CODE**

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 _____, 2013, by the following vote:

AYES:

NOES:

ABSENT:

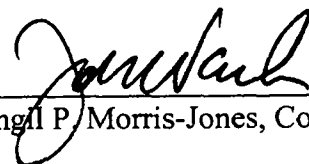
ABSTAIN:

Andy Vasquez, Chairman of the Board of
Supervisors of the County of Yuba,
State of California

ATTEST: DONNA STOTTLEMEYER
Clerk of the Board of Supervisors

By: _____

APPROVED AS TO FORM:

By: 
Angil P. 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 Sixty (60) days after its passage, and shall become operative and in full force on July 1, 2013. Before the expiration of Thirty (30) days after its passage a summary shall be published with the names of the 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 13.00.032 and 13.00.052 of the Yuba County Consolidated Fee Ordinance Code are hereby repealed and re-enacted in its entirety to read as reflected in Attachment "A", hereto and by this reference is incorporated herein as though set forth in full.

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 portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Agricultural Commissioner - Code Section 13.00.032

| NAME OF FEE | | FEE FY 13/14 |
|--|----------------|---|
| Licensed Staff Fee | | \$65.00/hour |
| | | |
| Information Search of Files & Records | | |
| Files & Records | | Direct Cost |
| Computer Time (1/2 hr minimum) | | \$100/hour |
| | | |
| Agriculture | | |
| Apiary Registration | | \$10.00/State Set Fee |
| Farm Labor Contractors Registration | | \$25.00/State Set Fee |
| Farmers Market Registration | | \$50.00/State Set Fee |
| PCO Registration | | \$25.00/State Set Fee |
| PCA Registration-Primary | | \$10.00/State Set Fee |
| PCA Registration-Secondary | | \$5.00/State Set Fee |
| Pilot Registration-Primary | | \$10.00/State Set Fee |
| Pilot Registration-Secondary | | \$5.00/State Set Fee |
| Structural Pest Control Registration-Branch 1 | | \$25.00/State Set Fee |
| Structural Pest Control Registration-Branch 2 & 3 | | \$10.00/State Set Fee |
| Apiary Certification/Inspection/Abatement | | \$65.00/hour |
| Certified Producer Certificate | | \$50.00/per cert |
| Fruit-Nut & Veg. Certification | | \$65.00/hour |
| Phyto Insp. & Certification | | \$50 per cert/\$65/hour |
| Phyto Field Inspection (10 acre minimum charge) | | \$7.50 acre/per walk |
| Quarantine Compliance | | \$15.00/per cert |
| Ag Plan Check/Review | | \$65.00/hour |
| Collect State/Federal Phytosanitary Certificate Fee | | State Set Fee - CCR 4603 |
| Collect State Certificate of Quarantine Compliance Fees | | State Set Fee - CCR 4603 |
| | Table A | |
| Weights & Measures | | |
| Business Location Fee | | \$100.00 per location |
| Device Fee | | See Table B |
| | Table B | |
| CNG Meters | | \$20.00 |
| Fabric/Wire/Cord Meters | | \$20.00 |
| Grease/Lube Meters | | \$20.00 |
| Liquified Petroleum Gas Meters | | \$185.00 |
| Retail Motor Fuel Meters | | \$20.00 |
| Retail Meters | | \$20.00 |
| Submeters: Utility meters owned by marinas, mobile home parks, recreational vehicle parks & apt. complexes | | Cost per device, space or apt. as specified below |
| Water Submeters | | \$2.00 |
| Electric Submeters | | \$3.00 |
| Vapor Submeters | | \$4.00 |
| Tanks (liquid test) | | \$20.00 |

Agricultural Commissioner - Code Section 13.00.032

| NAME OF FEE | | FEE FY 13/14 |
|--|--|---------------------------|
| Taximeters | | \$20.00 |
| Vehicle Odometers B&P 12240 g,r & s, apply | | \$60.00 |
| Vehicle Meters | | \$75.00 |
| Wholesale Meters (mobile) | | \$75.00 |
| Wholesale Meters (stationary) | | \$75.00 |
| Prescription/Jewelers Scales | | \$80.00 |
| Computing Scales (<100 lbs) | | \$20.00 |
| All Other Weighing & Measuring Devices Not Listed | | \$20.00 |
| Misc. Measuring Devices (≥100 lbs and <20,000 lbs) other than computing, jewelry and prescription scales | | \$50.00 |
| Weighing Devices (≥2,000 lbs and <10,000 lbs) other than livestock | | \$150.00 |
| Weighing Devices (≥10,000 lbs) other than livestock | | \$250.00 |
| Livestock Scales (≥ 2,000 lbs and and ≤10,000 lbs) | | \$100.00 |
| Livestock Scales (≥10,000 lbs) | | \$150.00 |
| Non-Commercial Device Inspection (1/2 hour minimum) | | \$65.00/hour |
| Heavy Capacity Scale Truck-Non-Commercial/Re-Test | | \$50.00/Hour and \$2 mile |
| Collect State Device Registration Administrative Fees | | State Set Fee - CCR 4603 |
| | | |

For Certified Farmers Markets and Farmers Markets only, the fee shall be only the annual registration fee. If the device is brought into the office of the Sealer of Weight and Measures for testing. \$20.00 per device plus state admin fee.

Payment of the annual device registration fee shall be due upon receipt of the billing. Payments delinquent sixty (60) days or more will incur a penalty charge of fifty (50%) of the fee due plus collections fees and fines, if any.

Agricultural Commissioner - Code Section 13.00.032

| NAME OF FEE | | FEE FY 13/14 |
|-------------|--|-----------------|
|-------------|--|-----------------|

REGISTRATION REQUIREMENTS FOR COMMERCIAL WEIGHING AND MEASURING DEVICES

PURPOSE

The purposes of this chapter are to establish a system for registration of weighing and measuring devices and to recover the costs of inspecting and testing such devices, as provided for by Business and Professions Code sections 12240 through 12246.

DEFINITIONS

As used in this chapter, the following terms and phrases have the following meanings:

- (A) "Weighing and measuring devices" means the following devices and any other device classified by the State Director of Food and Agriculture as coming within Business and Professions Code section 12240.

- (1) Electric meters
- (2) All cord/wire and fabric meters
- (3) Liquid meters
- (4) Liquified petroleum ("LP") meters
- (5) Taximeters
- (6) Vapor meters
- (7) Water meters
- (8) Monorail and meat beam scales
- (9) Platform scales
- (10) Jewelers scales
- (11) Hanging scales
- (12) Odometers
- (13) Vehicle scales
- (14) Hopper scales

NOTE: For electric and vapor meters, each Business is considered 1 (one) location

- (B) "Commercial purposes" has the meaning assigned to it by Business and Professions Code section 12500.
- (C) "Director" means the director of weights and measures appointed by the Yuba County Board of Supervisors and his duly authorized agents.
- (D) "Location" means the room, enclosure, building, space or area where one or more commercial weighing and measuring devices are located or operated.
- (E) A commercial device is considered registered when annual registration fee is paid in full to the Director.

Agricultural Commissioner - Code Section 13.00.032

| NAME OF FEE | | FEE FY 13/14 |
|-------------|--|-----------------|
|-------------|--|-----------------|

REGISTRATION OF DEVICES

All weighing and measuring devices used for commercial purposes within the County of Yuba shall be registered annually with the Director. Every owner of such weighing and measuring devices used or located within, or dispatched or operated from any location within the County of Yuba on the effective date of this chapter shall register such devices with the Director within sixty (60) days from the effective date of this chapter. Every owner of such measuring or weighing device acquired for use within the County of Yuba after the effective date of this chapter shall register the new locations with the Director within sixty (60) days of relocation.

The requirements imposed by this section shall not apply to the following devices:

- (A) Farm milk tanks.

In addition, for LP-gas vapor meters, registration shall be issued on an annual count of each LP-gas dealer's meters located in the County, and if the number of meters change during the year, no additional registration(s) shall be required.

UNREGISTERED DEVICES UNLAWFUL

No person may use, operate, or own any commercial weighing or measuring device required to be registered with the Director.

TERM OF REGISTRATION

A registration remains valid only so long as the holder pays the annual registration fees. Failure to pay such fees when due results in automatic termination of registration.

VIOLATIONS

Violation of this chapter is unlawful as either a misdemeanor or an infraction, at the discretion of the district attorney. Violation of this chapter shall be punishable as follows:

- (A) Every person convicted of an infraction shall be punished by a fine not exceeding one hundred dollars (\$100) upon a first conviction, by a fine not exceeding two hundred dollars (\$200) upon a second conviction of the same provision within a period of one year, and a fine not exceeding five hundred dollars (\$500) upon a third or any subsequent conviction of the same provision within a period of one year. For purpose of this subsection, a bail forfeiture shall be deemed to be a conviction of the offense charged.
- (B) Every person convicted of a misdemeanor shall be punished by a fine of not more than one thousand dollars (\$1,000) or by imprisonment in the Yuba County Jail for not more than six (6) months or by such fine and imprisonment.

Health - Code Section 13.00.052

| NAME OF FEE | FEE FY 13/14 |
|---|----------------------|
| Miscellaneous | |
| Copies of Medical Records (First four pages, no charge) | .25 per page |
| Kids in Safety Seats Program | \$0.00 |
| Medical Marijuana ID Card | \$126.00* |
| * Fee Reduced by Half if Medi-Cal Beneficiary | |
| Aids Court Mandated Class - Non-County Resident Fee | \$70.00 |
| Public Health - Clinic Services | |
| Tuberculosis Skin Test | \$10.00 to \$25.00** |
| HIV Testing | \$15.00 to \$35.00** |
| Immunizations (Children) | \$10.00 to \$25.00** |
| ** Indicates a Sliding Fee Schedule | |
| Miscellaneous Clinic Services Fee | \$20.00 |
| Drug Testing - Urine (12 Panel) | \$15.00 |
| Alcohol - Saliva (Single) | \$15.00 |
| Buprenorphine - Urine (Single) | \$15.00 |
| Immigration Medical Exam (includes Tuberculosis skin test) | \$175.00 |
| Public Health - Adult/Travel Immunizations | |
| Tetanus (Adult) | \$25.00 |
| Tetanus-Diphtheria Immunization (Adult) Tdap | \$40.00 |
| Hepatitis B Immunization (Each Visit - Adult) | \$55.00 |
| Influenza (Adult) | \$10.00 |
| Public Health - Vital Records | |
| After Hours Burial Permit (State Set Fee) | \$11.00 |
| Burial Permit (State Set Fee) | \$11.00 |
| Certified Copy of Birth Certificate (State Set Fee) | \$20.00 |
| Certified Copy of Birth Government Agency (State Set Fee) | \$14.00 |
| Certified Copy of Burial Permit (State Set Fee) | \$1.00 |
| Certified Copy of Death Certificate (State Set Fee) | \$16.00 |
| Certified Copy of Fetal Death Certificate (State Set Fee) | \$13.00 |
| Certified Copy of Out of Country Letter (State Set Fee) | \$10.00 |
| Crossfile Received (State Set Fee) | \$3.00 |
| Crossfile Sent Out (State Set Fee-\$3.00 to Receiving Agency) | \$14.00 |
| Public Health - California Childrens Services | |
| Annual Assessment Fee | \$20.00 |
| Annual Enrollment Fee | \$60.00-\$1200.00** |
| * Fee Reduced by Half if Medi-Cal Beneficiary | |
| ** Indicates a Sliding Fee Schedule | |

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CONSENT
AGENDA

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Administrative Services Memorandum

To: Board of Supervisors
CC: Robert Bendorf, County Administrator
From: Doug McCoy, Director, Administrative Services
Date: April 2, 2013
Re: Easement Agreement

A handwritten signature in black ink, appearing to be "DM", is written over the "From:" line.

Recommendation

Approve the Road Easement Agreement between the County of Yuba and ComSites West LLC to grant access across the County's 4H Camp property to access their site on Oregon Peak.

Background

ComSites West LLC operates a telecommunications facility on Oregon Peak in Northeast Yuba County. The County is a lessee of space on this radio antenna.

To access the Oregon Peak site, one must use an existing private road to cross a corner of the County's 4H Camp as well as crossing property belonging to CHY Company. The County has already granted an easement to CHY Company to access their property by crossing County land.

Discussion

The County has allowed ComSites West LLC to cross our property without an easement for many years, but the decision was made it would be more prudent to formalize their access for the protection of all involved.

Committee Action

Due to the routine nature of this request, the Public Facilities Committee was bypassed.

Fiscal Impact

There is no fiscal impact resulting from this action.

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115-13

Recording Requested By
And When Recorded, Mail To:

Clerk of the Board of
Supervisors County of Yuba
Suite 109
915 8th Street
Marysville, California

APN 064-260-005

ROAD EASEMENT AGREEMENT

This Agreement is made and entered into this _____, 2013, by and between the ComSites West, LLC owners, partners, officers, directors, employees, affiliates, sub-contractors, and invitees ("ComSites"), and the County of Yuba, a political subdivision of the State of California ("County").

WITNESSETH:

WHEREAS, the parties hereto are the owners of certain real property interests as indicated and described on Exhibit "A", attached hereto and incorporated herein by this reference; and

WHEREAS, in connection with ComSites operation of a telecommunications facility at Oregon Peak, ComSites desire to enter into a road easement agreement with County for the use of an existing road over the real property of County described herein by ComSites and its sub-lessees and licensees at said telecommunications facility and County desires to grant such use.

NOW, THEREFORE, in consideration of the premises, the County does hereby grant to ComSites a non-exclusive easement for use by ComSites and its sub-lessees and licensees at the telecommunications facility of ComSites at Oregon Peak of a private road to traverse County property described in Exhibit A in the locations described on Exhibit B attached hereto and incorporated herein by this reference, and shown on the map attached thereto as Exhibit C. The grant of easement hereunder shall be appurtenant to the real property interest of ComSites as indicated and described and attached hereto and incorporated herein by this reference, and to any adjacent real property interests acquired by ComSites at any future time.

Said easements shall be thirty (30) feet in width, being 15 feet on either side of the road centerline, or more as necessary to accommodate cut and fill slopes and drainage structure.

Each of the parties hereto agrees to maintain and repair the roads hereunder, or to bear the cost of maintenance and repair thereof, in the same proportion that use of the easement is made by the party.

The easement to ComSites is restricted for the sole purposes of accessing the telecommunications facility of ComSites on adjacent property (at Oregon Peak) by ComSites and its sub-lessees and licensees for the construction, operation, maintenance, and administration thereof.

In the event a party hereto maintains a locked gate across the road hereunder, the party shall provide each other party hereto, a key to the lock or make such other arrangements for passage through the gate as shall be satisfactory to each other party hereto.

The grant hereunder is made subject to all outstanding liens, encumbrances and claims of title which may affect said property.

This agreement does not in any way affect, negate, or alter historical or prescriptive rights to said roadway which predate this agreement.

This agreement shall inure to the benefit of and be binding upon the heirs, devisees, personal representatives, successors and assigns of each of the parties hereto.

IN WITNESS WHEREOF the parties hereto have executed this Agreement which is effective as of the date first hereinabove set forth.

Date: _____

Date: _____

Approved: ComSites West, LLC,
a California Limited Liability Company

Approved: Yuba County

By: _____

Print Name: _____

Print Title: _____

By: _____

Print Name: Andy Vasquez

Print Title: Chairman

Attest: Donna Stottlemeyer
Clerk of the Board of Supervisors

Approved as to Form
County Counsel


Angi Morris-Jones

State of California

CERTIFICATE OF ACKNOWLEDGMENT

County of Yuba

On April 2, 2013, before me, Rachel Ferris, Deputy Clerk of the Board, personally appeared Andy Vasquez who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

(Seal)

EXHIBIT "A"

Real Property Interests

County of Yuba, State of California

Property of County of Yuba

APN 64-260-005

A. 4-H Camp Property.

All that portion of the Southwest quarter of Section 26, Township 18 North, Range 7 East, M.D.B.&M, lying Westerly of the powerline described in deed to the Yuba Development Company, recorded November 2, 1922, in Book 78 of Deeds, page 255, Yuba County Records.

Leasehold Estate of ComSites West, LLC

APN 064-260-001

A. Telecommunications Facility at Oregon Peak.

A portion of Northeast Quarter of the Southwest Quarter of Section 27, Township 18 North, Range 7 East, Mount Diablo Meridian, Yuba County, California, more particularly described as follows:

The basis of bearings for this description is identical to the Record of Survey recorded on June 22, 1960 in Book 6 of Surveys of Page 23, County of Yuba Records. Beginning at the Northeast corner of the parcel of the Grantors land, from which the Southwest corner of the East half of the Southeast quarter of the Southeast quarter of the Northwest quarter of said Section 27 bears North 3° 22' 06" West, 55.00 feet (the Southeast Section corner of said Section 27 bears South 47° 08' 06" East, 4265.37 feet); thence from said point of beginning South 83° 43' 29" West, 160.00 feet; thence South 3° 22' 08" East, 305.00 feet; thence North 83° 43' 29" East, 160.00 feet to a point on the West boundary of the adjoiners property; thence along the adjoiners property North 3° 22' 08" West, 305.00 feet to the point of beginning.

EXHIBIT "B"

Centerline Legal Description of Easement

County of Yuba, State of California

Easement "A" County of Yuba to ComSites LLC as follows:

Traversing a portion of the Southwest one-quarter of the Southwest one-quarter of Section 26, Township 18 North, Range 7 East, MDB&M, in Yuba County, the centerline of which being more or less described as follows, to wit:

Beginning at a point in the center of an existing road on the west line of said Yuba County parcel, from which the corner common to Sections 26, 27, 34, and 35, T18N, R7E, bears North 3 degrees West 1188 feet distant, thence from said point of beginning along the centerline of the existing road the following courses

S 89 E 60 feet, thence
N 87 E 71 feet, thence
N 89 E 75 feet, thence
S 86 E 75 feet, thence
S 89 E 75 feet, thence
S 79 E 60 feet, thence
S 78 E 58 feet, thence

N 65 E 74 feet, thence
N 61 E 402 feet, thence
N 88 E 56 feet, thence
S 69 E 20 feet,

to an intersection of two approaches onto Oregon Hill Road, the northerly approach being described from said intersection as follows:

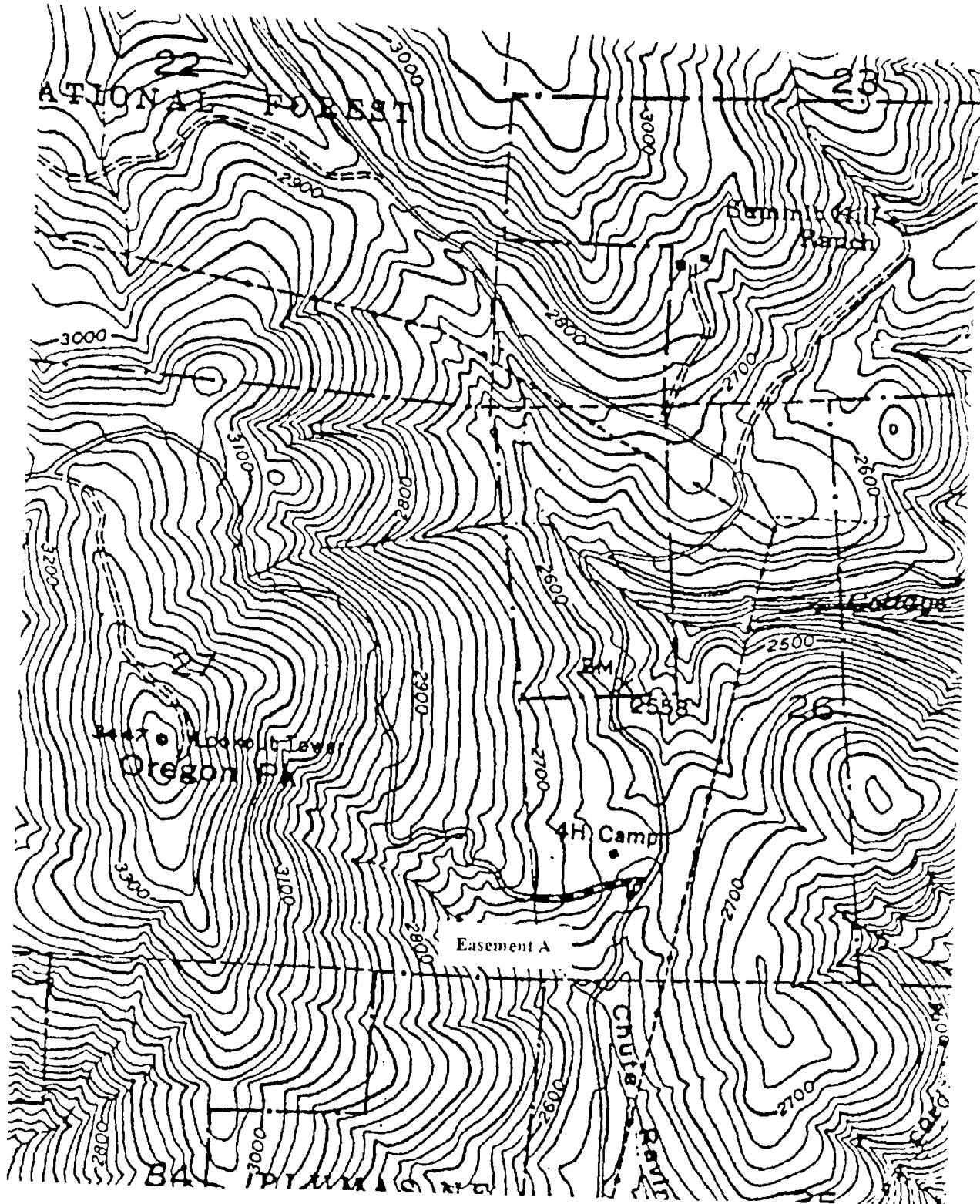
S 77 E 75 feet, thence
N 80 E 75 feet, thence
N 59 E 51 feet,

to a point on the westerly edge of Oregon Hill Road, and the southerly approach being described from said intersection as follows:

S 31 E 75 feet, thence
S 20 E 75 feet, thence
S 13 E 70 feet,

to a point on the westerly edge of Oregon Hill Road.

EXHIBIT "C"




The County of Yuba

Office of Clerk of the Board of Supervisors



To: Board of Supervisors

From: Donna Stottlemeyer, Clerk of the Board 

Subject: **First Five Yuba Commission – One Representative**

Date: April 2, 2013

Recommendation

Reappoint John Floe to the First Five Yuba Commission for a term to end April 25, 2016.

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 is a scheduled vacancy due to the expiration of Mr. Floe's term who has been serving on the commission since April 2005 and wishes to continue in this capacity. A letter requesting reappointment and recommendation from the Commission are attached for your review and consideration.

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

Fiscal Impact

None

Committee Action

None required.

/rf

Attachment

February 12, 2013

Subject: Letter of Request Appointment First Five Commission Recommendation for Matthew "John" Floe

Objective: First Five Commission Recommendation

To Whom It May Concern:

I am writing this request to the First Five Commission to please recommend me to another three year term to the commission.

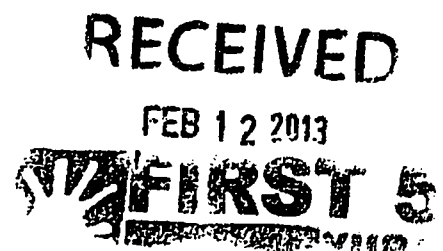
I currently serve on the First Five Commission and was appointed on April 24, 2007 and his term expires on April 27, 2013. I currently serve as the Commission Chair for the past four years.

I believe my background, community involvement, education and experience make me especially qualified for this commission. My hope is that you will recommend me for another three years.

Sincerely,




Matthew "John" Floe, MAOM
F5Y Chair





Memorandum

To: Board of Supervisors
CC: Clerk of the Board
From: First Five Yuba Executive Director, Cynthia Sodari 
Date: 3/18/2013
Re: Recommendation to Reappoint Matthew John Floe to the First Five Yuba Commission for an additional three years

RECEIVED

MAR 19 2013

Clerk/Board of Supervisors

First Five Yuba Commissioners are appointed by the Board of Supervisors for three year terms. Matthew John Floe's third three year term ends April 27, 2013.

Current bylaws:

"Length of Term: The term of office of each member shall be for three (3) years and until the appointment of his/her successor. Each member may continue to serve three year terms if desired and approved by the Commission and Board of Supervisors."

Matthew John Floe has requested reappointment per the attached letter.

The First Five Yuba Commission has reviewed the request for reappointment at their February 28, 2013 meeting and has approved Commissioner Matthew John Floe for an additional three years. The First Five Yuba Commission is recommending to the Board of Supervisors to reappoint Matthew John Floe to the First Five Yuba Commission for an additional three years.

Please consider this recommendation and contact our office if you have any questions or concerns.

Thank you.

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The County of Yuba

Clerk of the Board of Supervisors

April 2, 2013

TO: Board of Supervisors

FROM: Donna Stottlemeyer, Clerk of the Board of Supervisors 

SUBJECT: Conflict of Interest Code approval for
Recommendation

Approve amendment to the Conflict of Interest Code for Smartsville Fire Protection District.

Background and Discussion

Government Code section 87300 et seq. requires each local agency to keep a conflict of interest code which must be reviewed during each even numbered year and updated to reflect changes that occur within the organization. This office has received the amended code from Smartsville Fire Protection District. An agency's code is not effective until after approval of the code reviewing body. The Board of Supervisors is the reviewing body for local agencies with boundaries in Yuba County.

The attached code has been reviewed by Counsel for legal sufficiency and is submitted for your approval.

Committee Action

Brought directly to Board for approval as this is a routine and recurring matter every two years mandated by the State.

Fiscal Impact

No additional impact to General Fund.

Attachment

RESOLUTION 2013-2

RESOLUTION OF THE BOARD OF DIRECTORS
SMARTSVILLE FIRE PROTECTION DISTRICT, COUNTY OF YUBA,
ADOPTING CONFLICT OF INTEREST CODE
EFFECTIVE MARCH 12, 2013

RESOLVED, that the Board of Directors of the Smartsville Fire Protection District has repealed the Conflict of Interest Code established by said District on November 8, 2012, and re-established said Conflict of Interest Code effective March 12, 2013.

FURTHER RESOLVED, that a copy of said Conflict of Interest Code adopted March 12, 2013, is attached hereto and made a part of this Resolution No. 2013-2.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Smartsville Fire Protection District, County of Yuba, State of California, on this 12th day of March 2013, by the following vote.

AYES: 3

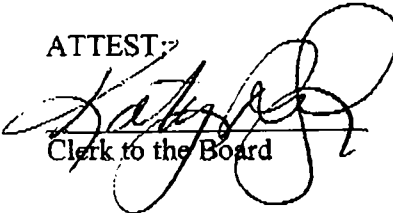
NOES: 0

ABSENT: 0

APPROVED:

By: Bev Bailey Potter
Bev Bailey-Potter, Secretary-Treasurer

ATTEST:

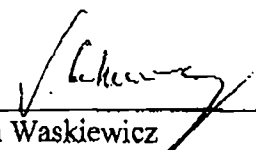

Clerk to the Board

Smartsville Fire Protection District
8459 Blue Gravel Rd. / P.O. Box 354
Smartsville, CA 95977

CONFLICT OF INTEREST CODE
SMARTSVILLE FIRE PROTECTION DISTRICT
Effective March 12, 2013

The Political Reform Act, Government Code section 81000 et seq., requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission ("FPPC") has adopted a regulation, California Code of Regulations, Title 2, division 6, Section 18730 (hereinafter "CCR 18730"), which contains the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the FPPC after public notice and hearings to conform to amendments in the Political Reform Act. Therefore, the terms of CCR 18730 and any amendments to it duly adopted by the FPPC are hereby incorporated by reference and along with the attached Appendix in which members and employees are designated and disclosure categories are set forth constitute the Conflict of Interest Code of the Smartsville Fire Protection District ("Agency").

Designated employees, defined as the Fire Chief and personnel with purchasing authority, shall file a Statement of Economic Interests with the Agency. Members of the Board of Directors shall file their Statement of Economic Interests with the County Clerk-Recorder-Registrar of Voters of the County of Yuba. The original statements for all other designated employees will be retained by the Agency and made available for public inspection and reproduction upon request. (Government Code section 81008).



John Waskiewicz
Chairman, Board of Directors

APPENDIX

CONFLICT OF INTEREST CODE
SMARTSVILLE FIRE PROTECTION DISTRICT

OFFICIALS WHO MANAGE INVESTMENTS

Agency officials who manage public investments as defined by 2 CCR 18701(b) are NOT subject to the Agency's code, but are subject to the disclosure requirements of the Political Reform Act (Government Code section 87200 et seq.). These positions are listed here for informational purposes only.

It has been determined that the positions listed below are officials who manage public investments:

Members of the Board of Directors
Fire Chief
Personnel with purchasing authority¹

GOVERNED BY THE CONFLICT OF INTEREST CODE

| DESIGNATED EMPLOYEES' TITLE OR FUNCTION | DISCLOSURE SCHEDULES |
|--|----------------------|
| Fire Chief | A-1, A-2, B, C, D, E |
| Personnel with purchasing authority | A-1, A-2, B, C, D, E |
| General Counsel | A-1, A-2, B, C, D, E |
| Liaison Officer | A-1, A-2, B, C, D, E |

¹ Individuals holding one of the above-listed positions may contact the FPPC for assistance or written advice regarding their filing obligations, if they believe that their position has been categorized incorrectly. The FPPC makes the final determination whether a position is covered by Government Code section 87200.

Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in this Code, subject to the following limitation:

The Board of Directors' Secretary may determine in writing that a particular consultant, although a "designated position", is hired to perform a range of duties that are limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant's duties and, based on that description, a statement of the extent of disclosure requirements. The Secretary's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

Disclosure for designated employees pursuant to Schedule E, Gifts, shall be limited to gifts with a value of \$50 or more received from persons doing business with the Smartsville Fire Protection District.

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The County of Yuba

B O A R D O F S U P E R V I S O R S



MARCH 19, 2013 – MINUTES

The Honorable Board of Supervisors of the County of Yuba met on the above date, commencing at 9:30 a.m., within the Government Center, Marysville, California, with a quorum being present as follows: Supervisors Andy Vasquez, John Nicoletti, Mary Jane Griego, Roger Abe, and Hal Stocker. Also present were County Administrator Robert Bendorf, County Counsel Angil Morris-Jones, and Clerk of the Board of Supervisors Donna Stottlemeyer. Chairman Vasquez presided.

- I. PLEDGE OF ALLEGIANCE - Led by Supervisor Griego
- II. ROLL CALL - Supervisors Vasquez, Nicoletti, Griego, Abe, Stocker – All present
- III. CONSENT AGENDA: All matters listed under the Consent Agenda are considered to be routine and can be enacted in one motion.
 MOTION: Move to approve MOVED: John Nicoletti SECOND: Hal Stocker
 AYES: John Nicoletti, Hal Stocker, Andy Vasquez, Mary Jane Griego, Roger Abe
 NOES: None ABSENT: None ABSTAIN: None
 - A. Clerk of the Board of Supervisors
 1. Appoint Sean Andersen to the Yuba County Economic Development Advisory Committee to serve at the pleasure of the Board. (94-13) Approved.
 2. Appoint Angie Gates to the Commission on Aging as the District Two Representative for a term ending December 31, 2016. (95-13) Approved.
 - B. Community Development and Services
 1. Adopt resolution adjusting the 2010 Census designated urban boundary of Yuba County for transportation purposes. (Land Use and Public Works recommends approval) (96-13) Adopted Resolution No. 2013-25, which is on file in Yuba County Resolution Book No. 44, entitled: "RESOLUTION ADJUSTING THE 2010 CENSUS DESIGNATED URBAN BOUNDARY OF YUBA COUNTY FOR TRANSPORTATION PURPOSES."
- IV. SPECIAL PRESENTATION
 - A. Present County Employee Service Awards. (Thirty minute estimate) (97-13) Human Resources Deputy Director Jill Abel and Board members presented the following service awards:

10 Years

Alana Adams
Stephanie Biehle

Pamma Hall
Daniel Hanson

Jennifer Mervine
Anita Moodey

Joyce Blevins
Patricia Catlin
Marcia Chambers
Penny Clingan
Charles Cordray
John Crocker
Dawn Dees
Diane Fischer
Patricia Garamone
Kaveh Ghaemian
Karah Glavaris
Paula Gomes
Kathryn Goss
Sheila Grimsley

Patricia Harlan
Carol Harris
Penelope Heitman
Yoonos Helalian
Padao Her
Chao C. Her
Hortencia Hernandez
Marisol Jimenez
Marvin King Jr
Michele Kocher
Norma Kupser
Nelson Magana
Tina Matta
Robin Medeiros

Gabriel Moore
Kenneth Moore
Jerry Parker
Tim Riggle
Sharon Ross
Cathy Seal
Jeremy Strang
Berry Thomas
Kimberley Thompson
Connie Vasquez
Maria Villegas
Sheryl Wilden
Arthur Williams
Joyce Williams

15 Years

George Boyd
Michael Byrne
Matthew Crippen
Teresa Garcia
Michelle Gutierrez
Joseph Pomeroy

Frank Knight
Weenylyn McCleary
Irma Mendoza
Joseph Million
Gerri Neighbors

Anthony Roach
Rachel Romero
Sherry Scott
Tonya Villalobos
Steven Jones

20 Years

Jodi Bird
Joseph Cassidy
Paul Donoho

Donna Griesse
Brent Hungrige
Tracy Hutchinson

Eileen John
Christine Moreau
Sheila Roberts

25 Years

Michael Bailey
Ellen Bell
Karin Deveraux
Alicia DeWoody
Glenda Hyde

Steven Durfor
Penny Elliott
Martin Griffin
Dianna Hall

Kevin Lambert
Dawn Wells
Long Xiong
Melford Duncan

30 Years

John Houston

Beckie Howard

Linda White

Board members commended staff for their service and dedication.

V. PUBLIC COMMUNICATIONS:

Ms. Mary Battista, Dobbins commended Public Works clearing of brush on Merriam Road.

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

- A. Ordinance - Hold public hearing, waive reading, and introduce ordinance repealing and reenacting as amended Chapter 13.20 of the Yuba County Consolidated Fee Ordinance Code relating to Community Development and Services Agency fees for services to become operative on July 1, 2013. (First Reading)

(Ten minute estimate) (98-13) Community Development and Services Director Kevin Mallen recapped fee changes and responded to Board inquiries.

Chairman Vasquez opened the public hearing. The following individuals spoke:

- Auditor-Controller Rich Eberle
- Planning Director Wendy Hartman

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

MOVED: John Nicoletti SECOND: Mary Jane Griego

AYES: John Nicoletti, Mary Jane Griego, Andy Vasquez, Roger Abe, Hal Stocker

NOES: None ABSENT: None ABSTAIN: None

VII. CORRESPONDENCE - (99-13)

- A. Email from California State Association of Counties regarding adopting a resolution proclaiming 2013 as The Year of the Child. Received
- B. Notice from Sutter-Yuba Mosquito and Vector Control District advising of public health pesticide application to waters under district jurisdiction. Received

VIII. BOARD AND STAFF MEMBERS' REPORTS:

Supervisor Griego:

- SACOG advocacy for transportation funding in Washington DC March 11-14, 2013
- Local Government Commission Conference held March 15-17, 2013 regarding solar energy savings programs

County Administrator Robert Bendorf: Upcoming Solar Energy Workshop

Supervisor Nicoletti:

- CALTrans construction schedule through 2014 for Marysville
- Various departmental meetings
- Blue Star Moms Veterans packaging project on March 23, 2013

Supervisor Stocker:

- Memorial Adjournment: Mr. Lendal Royse Lee, Mrs. Mary Jane Nehl, Ms. Betty J. Ruff
- Opening season for Brownsville Little League
- Camptonville conservation project
- Spring Fling fundraiser held March 15, 2013
- Consideration of solar fields on agriculture land in Sutter County

Supervisor Abe:

- Farm Bureau event regarding a USDA certified beef processing facility held March 13, 2013
- Golden Risk Management Authority meeting held March 13, 2013
- Economic Development Advisory Committee meeting held March 15, 2013
- Bok Kai Parade held March 16, 2013
- Planting and removal of certain types of trees under power lines
- Memorial Adjournment - Mrs. Ada Louise Bradshaw

Supervisor Vasquez:

- Town Hall meeting on Health Care Reform held March 15, 2013
- Bok Kai Parade held March 16, 2013

- IX. CLOSED SESSION: Any person desiring to comment on any matter scheduled for this closed session may address the Board at this time.
- A. Personnel pursuant to Government Code §54957(a) - Labor Negotiations - DDAA/DSA/MSA/PPOA/YCEA/Unrepresented and County of Yuba Pulled from consideration
- X. ADJOURN: 10:50 a.m. by Chairman Vasquez in memory of Mrs. Ada Louise Bradshaw, Mrs. Mary Jane Nehl, Ms. Betty J. Ruff, and Mr. Lendal Royse Lee.

Chair

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

Approved: _____

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



119-13

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

April 2, 2013

TO: YUBA COUNTY BOARD OF SUPERVISORS

FROM: MICHAEL G. LEE, DIRECTOR OF PUBLIC WORKS 

SUBJECT: Approval of Contract Change Orders for the Woodruff Lane HES Project

RECOMMENDATION:

The Public Works Department recommends that the Board of Supervisors approve the Contract Change Orders (CCO's) for the Woodruff Lane HES project and authorize the Public Works Director to sign the change orders for payment.

BACKGROUND:

This project consisted of the correction of substandard ninety-degree curve and the removal of two narrow bridges on Woodruff Lane approximately 2.5 miles east of SR 70.

DISCUSSION:

Field Orders were given to the Contractor in the field to perform necessary additional work to complete the project as detailed in the CCO's below:

| | |
|--|--------------|
| CCO 1: Additional work due to unsuitable material | \$ 62,903.98 |
| CCO 2: Delete Bid Items 11, 12 and 13 (Rock Slope Protection (RSP) No. 1, ¼ ton and 6" minus) and add ¾" crushed rock. | \$ 20,739.60 |
| CCO 3: Additional RSP, culvert conflict, unsuitable material | \$ 8,765.51 |
| CCO 4: Raise culvert headwall and place additional RSP per Hallwood Irrigation District requirements | \$ 9,035.63 |
| CCO 5: Place slurry cut-off wall per Hallwood Irrigation District requirements | \$ 3,200.00 |
| CCO Total: | \$104,644.72 |

The total of deleted and quantity adjusted items was (\$61,501.64) making the additional cost to the contract \$51,356.92. This cost increase is within the originally allocated funding amount for the project.

COMMITTEE ACTION:

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

FISCAL IMPACT:

Federal safety funding will be used for 90% of the CCO's with a local match from the Road Fund of 10%.

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



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

April 2, 2013

TO: YUBA COUNTY BOARD OF SUPERVISORS

FROM: MICHAEL G. LEE, DIRECTOR OF PUBLIC WORKS

SUBJECT: Approval of Plans, Specifications and Estimate and Authorization for Advertisement of Bids for Timbuctoo Road over Deep Ravine No.1 Bridge Replacement Project

RECOMMENDATION:

Approval of Plans, Specifications and Estimate and authorize the subject project for advertisement of bids, pending Caltrans approval, with a tentative bid opening date of April 25, 2013. The Specifications are available for review at Public Works.

BACKGROUND:

This project will entail replacing the bridge and bridge approaches on Timbuctoo Road crossing Big Ravine No.1. The project is fully funded through the HBP program utilizing state Toll Credits for the local match.

DISCUSSION:

The work in general will consist of removing the old bridge and replacing it with a wider concrete structure and reconstructing the roadway approaches.

The engineer's estimate for construction and construction engineering costs are projected to be approximately \$1,413,800. The project is expected to be completed by April 2014.

COMMITTEE ACTION:

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

FISCAL IMPACT:

The project is being fully funded with Federal-aid money through the Highway Bridge Program (HBP) with no local match required.

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RECEIVED**MAR 12 2013****Clerk/Board of Supervisors**

March 1, 2013

REQUESTED PROCLAMATIONS

YUBA COUNTY BOARD OF SUPERVISORS
915 8TH STREET SUITE 109
MARYSVILLE, CA 95901

Dear Honorable Board Members:

Our primary concern at Casa de Esperanza is the personal safety of women and children in our communities, and in a larger sense the world. As you may know, April is National Child Abuse Prevention Month. Each year Casa de Esperanza has sponsored a Blue Ribbon campaign, where we ask that the community join us by wearing and displaying blue ribbons in keeping all children "SAFE, STRONG AND FREE".

Each year we come before you and request your support in proclaiming April as Child Abuse Prevention Month. Each year you have shown your support to the abused children of our community through your proclamation. This year we again ask for your support. By working together as a team with our community through prevention and intervention, we hope to attain the goal of minimizing and eventually eliminating child abuse.

We ask that your board help us kick off the beginning of the month by adopting a proclamation (example attached). We invite you to wear a blue ribbon and to hang blue ribbons on your home and your car mirror during the month of April. This will be evidence of your personal commitment to ending the tragedy of child abuse, as well as support to those individuals and agencies that daily fight the battle against child abuse.

We appreciate the support you have provided in the past and look forward to your continuing support in the future.

If you would like additional information regarding child abuse, or if you have any questions, please feel free to contact us at (530) 674-5400.

Sincerely,

Linda Hodges
Director, Client Services
Casa de Esperanza

THE COUNTY OF YUBA

BOARD OF SUPERVISORS



— P R O C L A M A T I O N —

CHILD ABUSE PREVENTION MONTH - APRIL 2013

WHEREAS, the tragedy of child abuse and neglect affects every community in California and touches the lives of far too many citizens regardless of cultural, ethnic, religious or socioeconomic level; and

WHEREAS, the threat to our children's welfare is demonstrated by steady increases in the number and in the seriousness of reported cases of child abuse and neglect; and

WHEREAS, if our children are to become productive adults, they should have the right to a childhood free from neglect, physical abuse, sexual molestation and exploitation; and

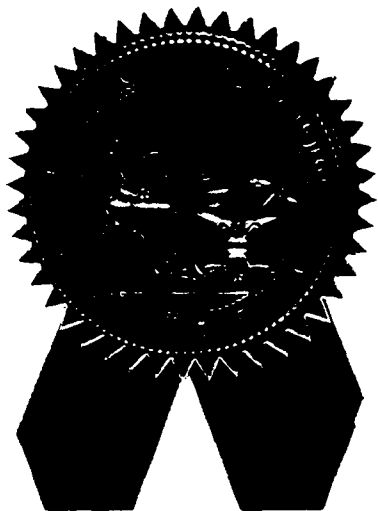
WHEREAS, it is recognized that primary prevention programs designed to work with children themselves, their parents, and care givers within the community are successful in preventing first time abuse situations; and

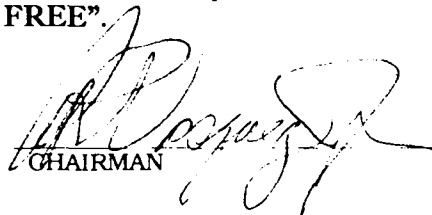
WHEREAS, early identification and intervention are essential to successfully interrupting the generational cycle of abuse and neglect. Collaboration among professionals, concerned parents, volunteers and policy makers can help to reduce the level of child abuse and neglect in our communities; and

WHEREAS, dedicated volunteers and professionals are working to decrease the incidence of child abuse through prevention programs and coordination among agencies delivering services to child abuse victims and their families; and

WHEREAS, the observance of Child Abuse Prevention Month provides an excellent opportunity for all citizens to reflect on this tragic crime, while rededicating themselves to taking an active role in child abuse prevention activities in their community.

NOW, THEREFORE, BE IT PROCLAIMED, that the Yuba County Board of Supervisors does hereby proclaim **APRIL 2013 AS CHILD ABUSE PREVENTION MONTH IN THE COUNTY OF YUBA** and encourages all residents to join with local community efforts in keeping all children **"SAFE, STRONG AND FREE"**.




CHAIRMAN


CLERK OF THE BOARD OF SUPERVISORS



COUNTY
DEPARTMENTS

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**CLERK RECORDER – REGISTRAR OF VOTERS***Ms. Terry A. Hansen*

915 8th Street, Suite 107
Marysville, CA 95901-5273

• Elections (530) 749-7855
• Recorder (530) 749-7850

• Clerk (530) 749-7851
• Fax (530) 749-7854

To: Board of Supervisors

From: Terry Hansen, Clerk/Recorder – Registrar of Voters

Subject: **Request for Proposal – Clerk/Recorder System**

Date: April 2, 2013

A handwritten signature in cursive script, appearing to read "T. Hansen", is written over the "Subject" line.

Recommendation

Authorize release of Request for Proposal for new Clerk/Recorder computer system.

Background and Discussion

In January 2004 the Clerk/Recorder implemented the first modernization project for the recording, retention, and retrieval of documents associated with land records, fictitious business records, birth/death/marriage records, fish and game environmental documents, and various other miscellaneous records, as well as a complete cashiering and reporting system for same.

In an ongoing effort to further modernization and legislative compliance, an update to the Clerk's computer system is required. With the assistance of the Administrative Services Department, and in compliance with the County's Purchasing requirements, a Request for Proposal has been prepared and is presented for Board approval for release April 3, 2013 or as soon thereafter as possible.

Fiscal Impact

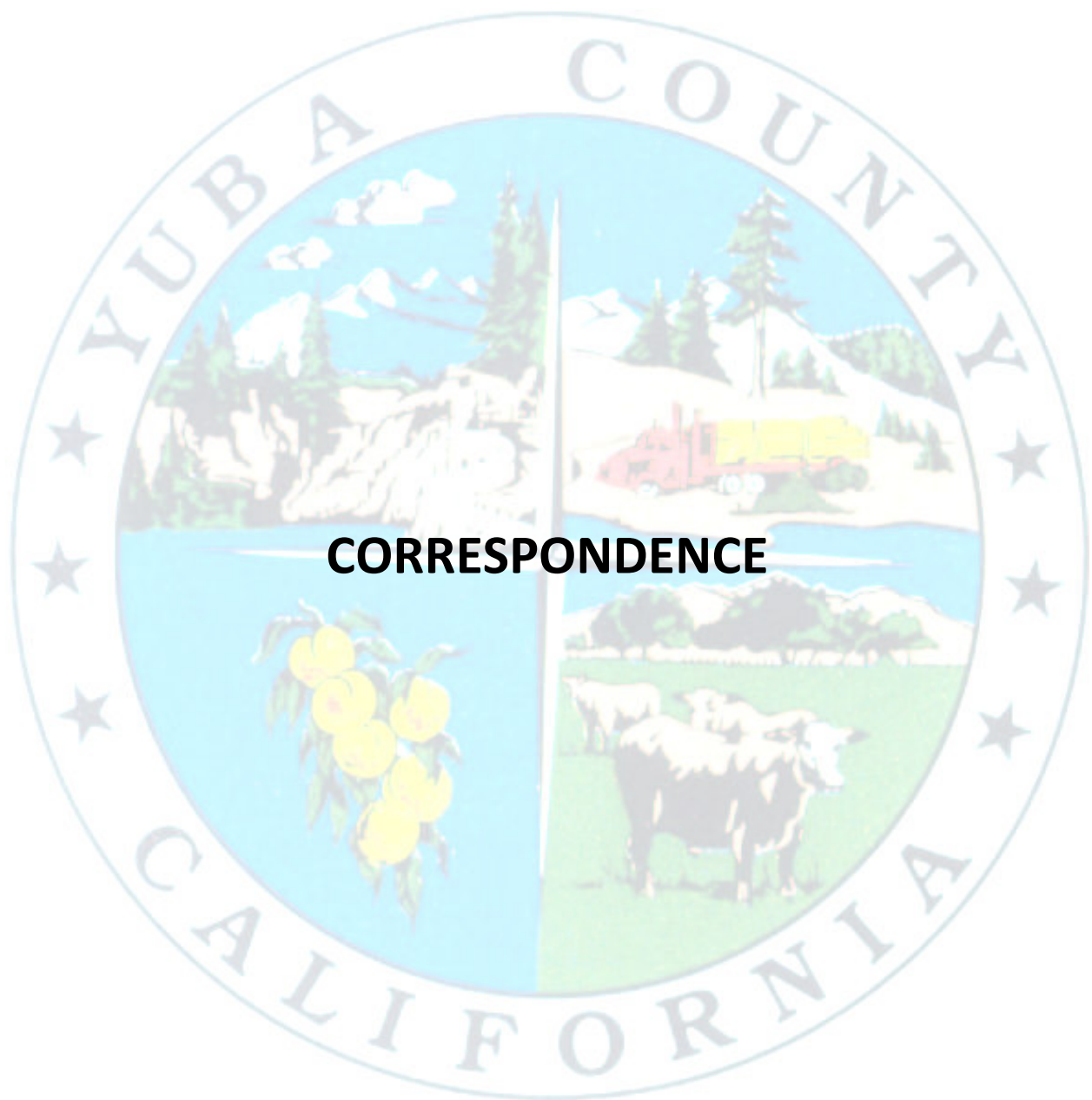
The action before the Board at this time is to release the Request for Proposal. Funding for the actual purchase/implementation for this program modernization will be provided pursuant to Government Code 27361 which provides revenue from the Clerk Recorder Modernization Trust may be used "solely to support, maintain, improve, and provide for the full operation, modernized creation, retention, and retrieval of information" in the county's system of recorded documents.

Following the completion of the RFP process a contract with the successful bidder will be brought before the Board for contract approval and authorization of payment from the Clerk Recorder Modernization Trust.

Committee Action

None.

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Stottlemeyer, Donna

From: Daniel Conway [DConway@cityofsacramento.org]
Sent: Wednesday, March 20, 2013 11:50 AM
To: Stottlemeyer, Donna
Subject: Regional resolution in support of the Kings and arena
Attachments: DRAFT Regional Resolution of Support for Sacramento Kings.docx

Donna,

Thanks so much for your time this morning. Attached is the draft resolution that I mentioned – please feel free to modify it as you and the Board see fit. Finally, as I mentioned, please let me know if/ when this item gets agenized for the 16th.

Thanks again Donna,

Daniel

Daniel Conway
Chief of Staff
Office of Mayor Kevin Johnson
City of Sacramento
(916) 808-5407
dconway@cityofsacramento.org

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MAR 20 2013

Clerk/Board of Supervisors

REQUEST: SECURE PASSAGE BY FEBRUARY 20, 2013

DRAFT

**RESOLUTION IN SUPPORT OF KEEPING
THE SACRAMENTO KINGS IN THE REGION AND CITY OF SACRAMENTO**

WHEREAS, for nearly three decades, the Kings have served as one of the most prominent enterprises in our community, with the ability to promote the six county, twenty-two city region on a national and international scale;

WHEREAS, the Sacramento Kings are a major economic asset, employing approximately 800 individuals in our region on a full- and part-time basis;

WHEREAS, the Sacramento region has proven itself to be one of the top markets in the National Basketball Association, selling out 19 of 27 seasons in one of the 20 largest media markets in the nation;

WHEREAS, in 2012, the City of Sacramento and the N.B.A. reached agreement on a viable public-private partnership for a new entertainment and sports complex in downtown Sacramento that would generate thousands of new jobs and millions of dollars in revenues for the region as a whole;

WHEREAS we believe that the Sacramento Kings are an integral part of the fabric of our regional community.

NOW THEREFORE BE IT RESOLVED that this [BLANK JURISDICTION] strongly supports keeping the Sacramento Kings in the City of Sacramento, and respectfully request that the N.B.A. act accordingly.

Signature Block

Commissioners
Michael Sutton, President
Monterey
Richard Rogers, Vice President
Santa Barbara
Jim Kellogg, Member
Discovery Bay
Jack Baylis, Member
Los Angeles
Vacant, Member

STATE OF CALIFORNIA
Edmund G. Brown Jr., Governor

Fish and Game Commission



Sonke Mastrup, Executive Director
1416 Ninth Street, Room 1320
Sacramento, CA 95814
(916) 653-4899
(916) 653-5040 Fax
www.fgc.ca.gov

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MAR 21 2013

Clerk/Board of Supervisors

March 19, 2013

TO ALL AFFECTED AND INTERESTED PARTIES:

This is to provide you with a Notice of Findings regarding the Clear Lake hitch (*Lavinia exilicauda chi*) which will be published in the California Regulatory Notice Register on March 22, 2013.

Sincerely,

Sheri Tiemann
Staff Services Analyst

Attachment

Commissioners
Michael Sutton, President
Monterey
Richard Rogers, Vice President
Santa Barbara
Jim Kellogg, Member
Discovery Bay
Jack Baylis, Member
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Fish and Game Commission



CALIFORNIA FISH AND GAME COMMISSION NOTICE OF FINDINGS

Clear Lake Hitch (*Lavinia exilicauda chi*)

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Section 2074.2 of the Fish and Game Code, the California Fish and Game Commission, at its March 6, 2013, meeting in Mount Shasta, California, accepted for consideration the petition submitted to list the Clear Lake hitch as a threatened species. Pursuant to subdivision (a)(2) of Section 2074.2 of the Fish and Game Code, the aforementioned species is hereby declared a candidate species as defined by Section 2068 of the Fish and Game Code.

Within one year of the date of publication of this notice of findings, the Department of Fish and Wildlife shall submit a written report, pursuant to Section 2074.6 of the Fish and Game Code, indicating whether the petitioned action is warranted. Copies of the petition, as well as minutes of the March 6, 2013, Commission meeting, are on file and available for public review from Sonke Mastrup, Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Written comments or data related to the petitioned action should be directed to the Commission at the aforementioned address.

Fish and Game Commission

March 11, 2013

Sonke Mastrup
Executive Director

Commissioners
Michael Sutton, President
Monterey
Richard Rogers, Vice President
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www.fgc.ca.gov

March 19, 2013

TO ALL AFFECTED AND INTERESTED PARTIES:

This is to provide you with a Notice of Findings regarding the Pacific (*Martes pennanti*) which will be published in the California Regulatory Notice Register on March 22, 2013.

Sincerely,

Sheri Tiemann
Staff Services Analyst

Attachment

Commissioners
Michael Sutton, President
Monterey
Richard Rogers, Vice President
Santa Barbara
Jim Kellogg, Member
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Fish and Game Commission



CALIFORNIA FISH AND GAME COMMISSION NOTICE OF FINDINGS

Pacific Fisher (*Martes pennanti*)

NOTICE IS HEREBY GIVEN that, the California Fish and Game Commission, at its November 7, 2012, meeting in Los Angeles, met in Executive Session and pursuant to Court Order voted to set aside its September 15, 2010, findings rejecting the petition filed by the Center for Biological Diversity to list the Pacific fisher (*Martes pennanti*) as a threatened or endangered species under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.). With Commission action setting aside its prior decision and findings, the Pacific fisher is a candidate species for purposes of CESA.

The Commission will reconsider the status of the species under CESA when the California Department of Fish and Wildlife completes and submits its status review as required by Fish and Game Code section 2074.6.

Fish and Game Commission

March 11, 2013

Sonke Mastrup
Executive Director



United States Department of the Interior

FISH AND WILDLIFE SERVICE

1829 South Oregon Street

Yreka, California, 96097

Phone: (530) 842-5763 FAX: (530) 842-4517



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MAR 21 2013

Clerk/Board of Supervisors

FOR IMMEDIATE RELEASE
March 18, 2013

Matt Baun (FWS) 530-841-3119

U.S. FISH AND WILDLIFE SERVICE INITIATES REVIEW OF THE STATUS OF WEST COAST FISHER POPULATION

Yreka, Calif., — The US Fish and Wildlife Service today announced the opening of an information collection period regarding the status of the fisher throughout the range of its West Coast Distinct Population Segment (DPS) in the United States.

About the size of a large house cat, fishers are in the weasel family and occupy mixed conifer-hardwood forests. They once occurred throughout much of Canada, northeastern United States, Rocky Mountains, and the western United States. Today's announcement relates to the West Coast population of fishers in California, Oregon and Washington.

Fisher populations have declined primarily due to fur harvest, predator control, and loss of habitat from timber harvest activities and urbanization. In the western United States and Canadian Provinces, the number of fishers has been greatly reduced and their populations fragmented.

The West Coast fisher has been a "candidate species" since 2004. Candidates are species for which the agency has determined that a proposal to list as a threatened or endangered species is warranted but precluded by higher priority actions.

"The objective of the status review is to determine whether or not the West Coast population of the fisher should receive Endangered Species Act protections," said Erin Williams, Field Supervisor of the Service's Yreka Fish and Wildlife Office. "This determination will be made based on the best available scientific and commercial data available, and we encourage our industry and conservation partners and the public to participate in this data gathering process."

The Service is interested in information on the fisher's historical and current population status, threats to the species and its habitat, and scientific and commercial data to assist in development of any potential critical habitat designation.

If the fisher is proposed for listing, critical habitat would be proposed at the same time, so the Service is also interested in learning about any foreseeable economic impacts that may result from such a designation.

-MORE-

BOS CORRESPONDENCE C

The Service is particularly interested in any potential impacts on small entities, and the benefits of including or excluding areas from a proposed critical habitat designation.

Critical habitat will only be designated if ESA protections are warranted. Critical habitat identifies geographic areas that contain features essential to the conservation of a threatened or endangered species and which may require special management considerations.

A designation of critical habitat does not affect land ownership or establish a refuge or preserve. It does not allow government or the public access to private lands. A critical habitat designation has no impact on private landowners taking actions on their land that do not require federal funding or permits.

An information collection period is open from March 19, 2013 to May 3, 2013. Comments will be posted on <http://www.regulations.gov>. Comments may be submitted via email to FisherWestDPS@fws.gov or via website at: <http://www.regulations.gov>. Search for Docket No. FWS-R8-ES-2013-0054.

In addition, the public may submit information via mail: Public Comments Processing, Attn: FWS-R8-ES-2013-0054.; Division of Policy and Directives Management; U.S. Fish and Wildlife Service; 4401 N. Fairfax Drive, MS 2042-PDM; Arlington, VA 22203.

For additional information and guidance about submitting comments please see the Federal Register Notice regarding this announcement. The FR Notice is available at www.fws.gov/yreka.