

# 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 8<sup>th</sup> Street, Marysville and [www.co.yuba.ca.us](http://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.

**MARCH 3, 2015**

**1:30 PM YUBA COUNTY WATER AGENCY**

**3:00 P.M. THREE RIVERS LEVEE IMPROVEMENT AUTHORITY**

**4:00 P.M. YUBA COUNTY BOARD OF SUPERVISORS SPECIAL MEETING - Welcome to the Yuba County Board of Supervisors special meeting. As a courtesy to others, please turn off cell phones, pagers, or other electronic devices, which might disrupt the meeting. No other business shall be conducted at this meeting. The public shall have an opportunity to address the Board of Supervisors only with respect to items set forth in this agenda. Each individual or group will be limited to no more than five 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.**

I. **PLEDGE OF ALLEGIANCE** - Led by Supervisor Griego

II. **ROLL CALL** - Supervisors Vasquez, Nicoletti, Griego, Abe, Fletcher

III. **ITEM OF PUBLIC INTEREST**

A. (089-15) Receive update on comments received from the public on public review draft of the Zoning Map and provide direction on changes to draft Zoning Map. (30 minute estimate)

IV. **ADJOURN**

**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. All items on the agenda other than Correspondence and Board and Staff Members Reports are considered items for which the Board may take action. The public will be given opportunity to comment on action items on the agenda when the item is heard.**

I. **PLEDGE OF ALLEGIANCE** - Led by Supervisor Griego

II. **ROLL CALL** - Supervisors Vasquez, Nicoletti, Griego, Abe, Fletcher

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. (090-15) Approve Conflict of Interest Code for Yuba County Resource Conservation District.

B. County Administrator

1. (091-15) Adopt resolution authorizing County Administrator to execute and submit grant application up to \$1,000,000 to Economic Development Administration for Airport taxiway project and authorize County as lead agency and recipient of grant funds.

C. Health and Human Services

1. (092-15) Approve memorandum of understanding with Sutter County for health officer services during the period of March 1 through May 31, 2015 and authorize Chair to execute.

D. Probation

1. (093-15) Adopt resolution authorizing application for grant funding administered through the California Board of State and Community Corrections to implement program services and authorize the Chief Probation Officer to execute documents as required.

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. (094-15) Adopt resolution authorizing Community Development and Services Director to execute agreement with Olivehurst Public Utility District for operations and maintenance of the Gold Village wastewater system. (Five minute estimate)

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

- A. (095-15) Notice from California Fish and Game Commission relating to regulatory action regarding deer tagging and reporting requirements.

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**

**MARCH 5, 2015 - 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.

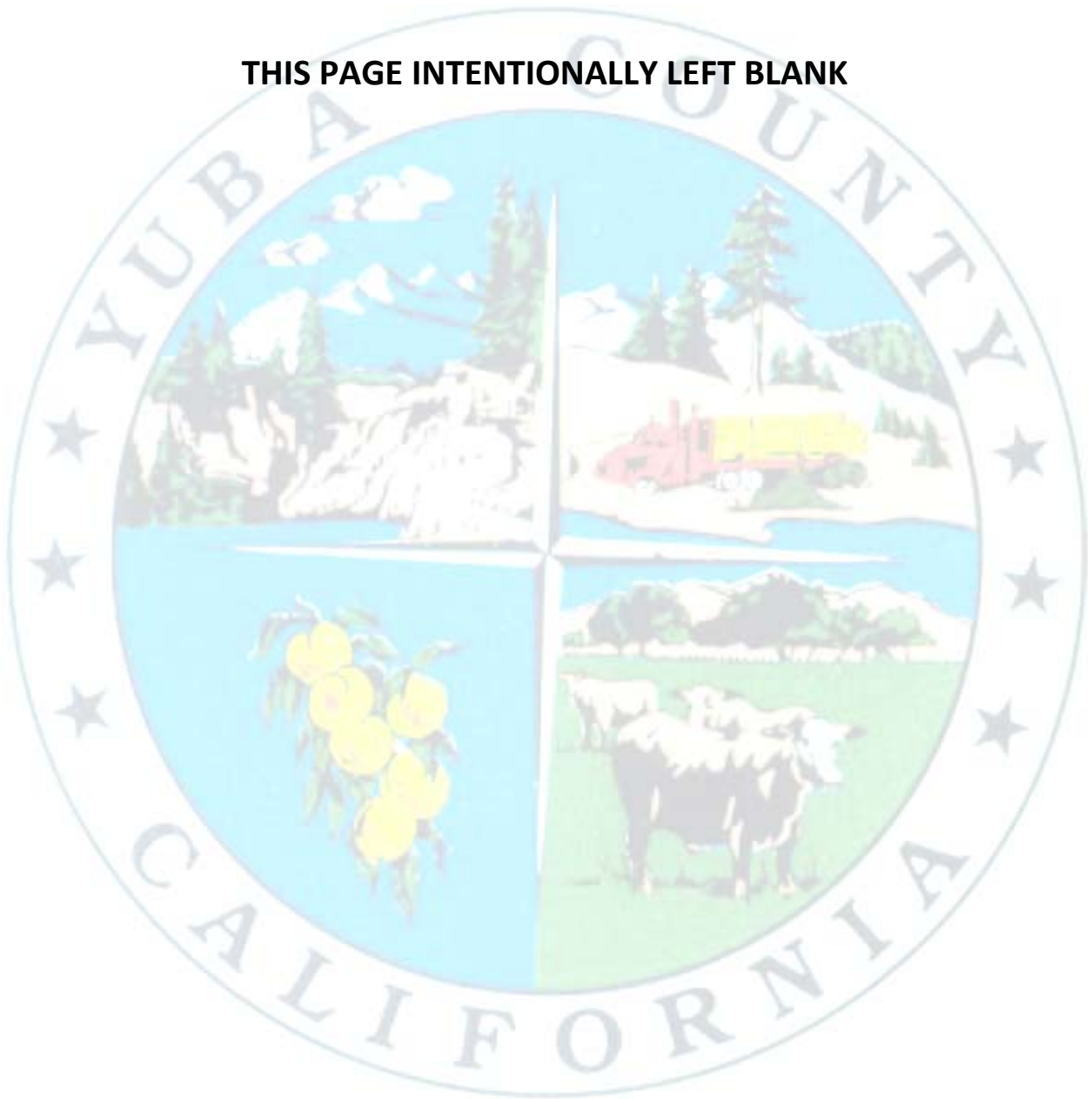


**AFTERNOON**

**SESSION**

**4:00 P.M.**

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# The County of Yuba

089-15

## Community Development & Services Agency

**Kevin Mallen, Director**

Phone – (530) 749-5430 • Fax – (530) 749-5434  
915 8<sup>th</sup> Street, Suite 123  
Marysville, California 95901

[www.co.yuba.ca.us](http://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

**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, Director of Planning *WH*  
Kevin Mallen, CDSA Director *KM*

SUBJECT: Development Code Update – Public Comments on Draft Zoning Map

DATE: March 3, 2015

### Recommendation:

1. Receive update on comments received from the public on the public review draft of the draft Zoning Map.
2. Provide policy direction to County staff on changes to the draft Zoning Map.

### Background/Discussion:

The Public review draft of the Zoning Map was released for public review on January 13, 2015 (See Attachment 1 or go to [www.yubazoningupdate.org](http://www.yubazoningupdate.org)). The public comment period on this draft ended on January 17, 2015.

Staff received several comments relating to community boundaries as well as a few comments requesting changes to a different zone district than shown on the draft Zoning Map (See Attachment 2). The community boundaries on the Zoning Map should be the same as the 2030 General Plan Land Use Map. Staff has already made corrections to fix the boundary issues and is verifying that all other boundaries are consistent with the General Plan Land Use Map. Most of the zoning change requests were minor in nature and staff is recommending that the Board direct staff to make the requested change. However, we received comments from four members of the public that staff is not recommended the zoning map be changed. A brief discussion of each of these requests is listed below and a more detail discussion will be presented at the Board meeting (see also Attachment 2).

1. Wood request: Would like to retain East Linda Specific Plan (ELSP) zoning designation of ELSP R-4. The East Linda Specific Plan is anticipated to be revoked as part of the Development Code & Zoning Map update as the Plan is outdated and changes have occurred that are no longer reflected in the Specific Plan. The properties in question are located along the northeastern border of the Valley Growth Boundary and consist of large lots many of which are undeveloped. The Proposed Residential Estate (RE) zoning designation allows for two units per acre within the Valley Growth Boundary and provides a transition between the urban area and adjacent agriculturally designated lands. In addition, these properties will be impacted by the alignment of the Goldfields Parkway and changing the zoning designation of just these two parcels to a higher density would create a spot zone which has potential legal ramifications.

2. Hatherly request: A preferred zoning designation was not listed other than a reference to being zoned the same as parcels located within a nearby rural community boundary (Dobbins/Oregon House). During the 2030 General Plan, the Board of Supervisors decided not to expand the rural community boundaries from what was shown in the 1996 General Plan. Ms. Hatherly's property is currently located outside the community boundary. The Zoning Map and Development Code cannot expand either the Valley Growth Boundary or Community boundaries from what was shown in the 2030 General Plan. Ms. Hatherly's property and surrounding parcels are currently designated as Agricultural Rural Residential 40 acre minimum. The proposed zoning, Exclusive Agriculture-20 (AE-20) already allows a much smaller minimum parcel size than currently allowed. Staff is not recommending any changes as expansion of the rural community boundary as addressed in the General Plan should occur through the development and approval of a Community Plan, in addition the change would constitute a spot zone.
3. Cortez request: Would like property designated as five acre minimum in order to be able to subdivide property. The property is located outside a community boundary and is surrounded by parcels that are primarily 10 to 20 acres in size. The Current zoning is Agricultural Rural Residential 40 acre minimum. The proposed zoning is Agricultural Residential-10 acre minimum. Therefore Ms. Cortez and the surrounding properties are already receiving a reduction in parcel size that would allow many of the properties to be further subdivided. Any further reduction in parcel size would be inconsistent with the 2030 General Plan and would also constitute a spot zone.
4. Craigmill request: Would like to have all parcels within CSA-2 designated as being within the Dobbins/Oregon House Community Boundary with a zoning designation of Rural Residential-5 (RR-5). The primary purpose of CSAs is for road maintenance and related improvements and do not define the boundaries of a community. The 2030 General Plan utilized the community boundaries that were identified in the 1996 General Plan. As previously discussed, the Development Code and Zoning Map cannot expand rural community boundaries beyond what was identified in the 2030 General Plan Land Use Map. Any expansion should be done as part of a Community Plan. Therefore, staff does not recommend any changes.

All comment letters received have been posted to the Development Code Update website at:

<http://www.yubazoningupdate.org/> select the link "Public Review Draft Zoning Map Comment Letters,". The Draft Zoning Map and comment letters received are also available at the CDSA public counter (suite 123 of the Government Center) during public office hours.

#### Fiscal Impact:

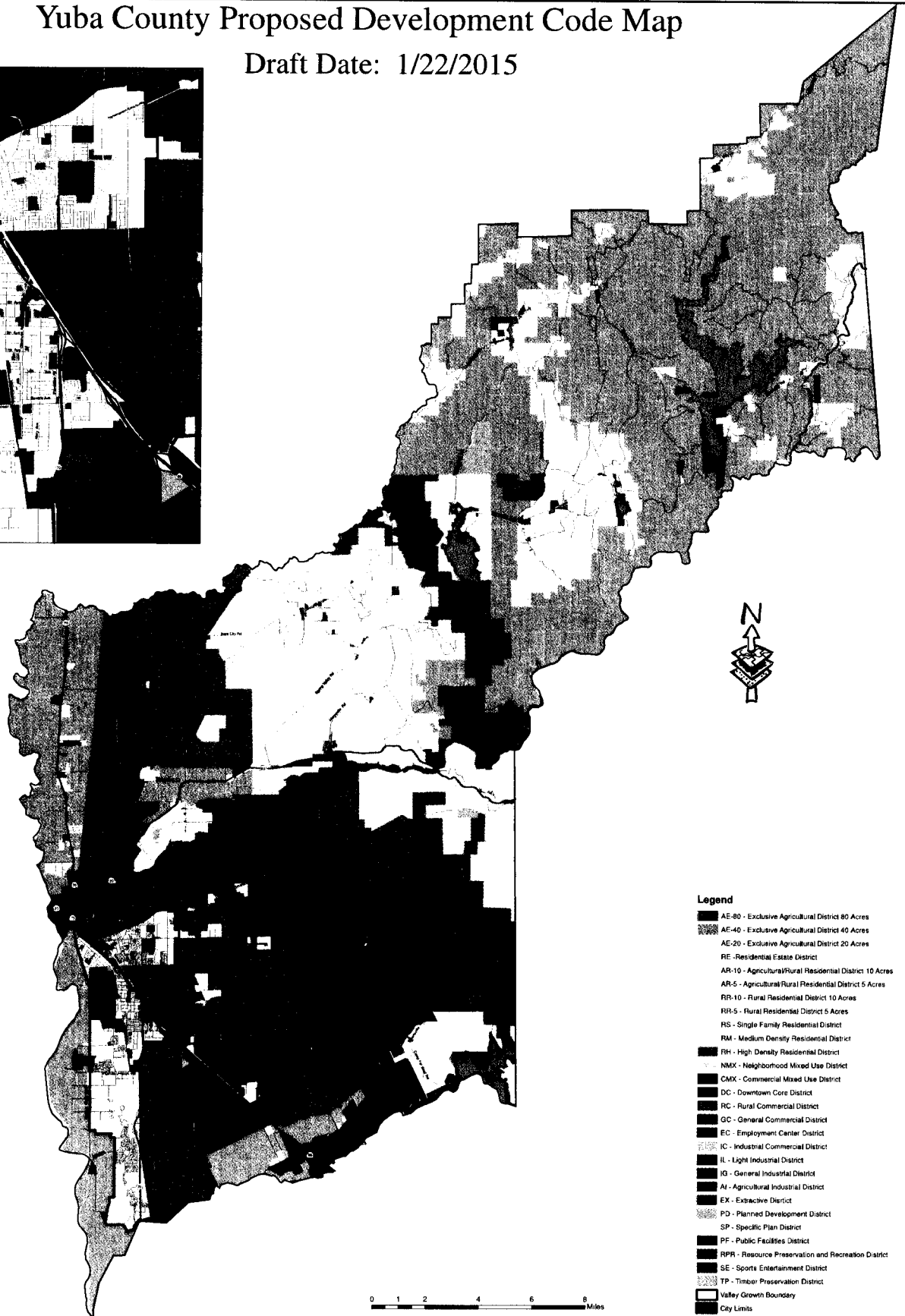
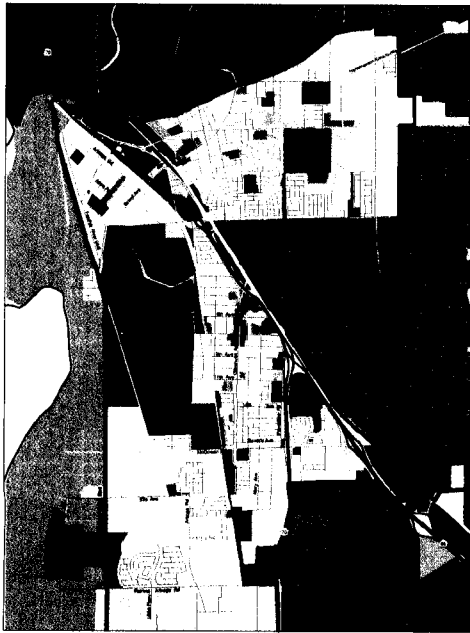
The Development Code Update is primarily funded through Prop 84 Grant funds and development fees. General Fund allocations were already included in the Planning Department budget. No additional General Fund allocations are anticipated at this time.

#### Attachments:

1. Public Review Draft Zoning Map (see [www.yubazoningupdate.org](http://www.yubazoningupdate.org/))
2. Table – Summary of public comments and staff recommendation

# Yuba County Proposed Development Code Map

Draft Date: 1/22/2015



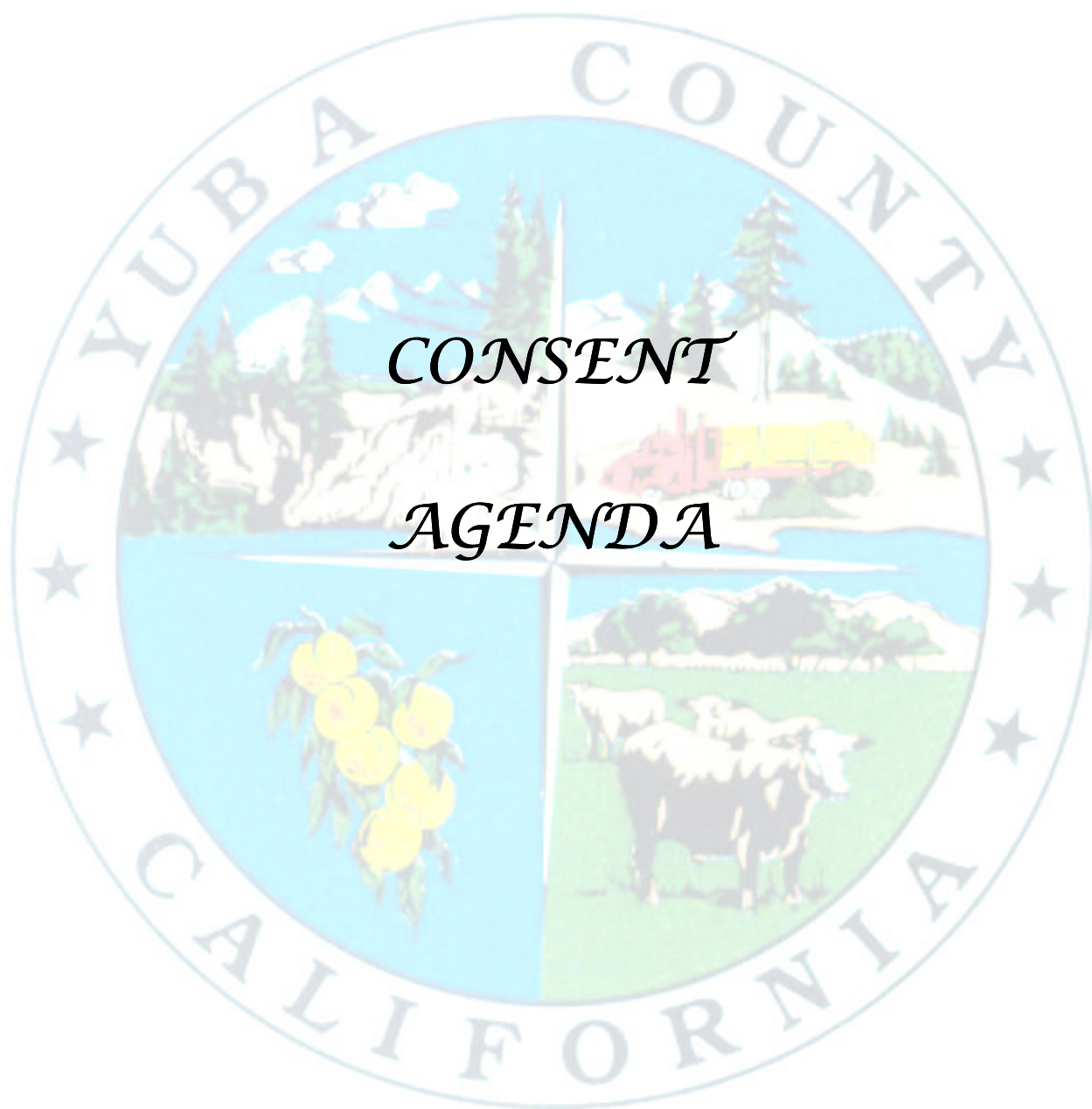
## Legend

- AE-80 - Exclusive Agricultural District 80 Acres
- AE-40 - Exclusive Agricultural District 40 Acres
- AE-20 - Exclusive Agricultural District 20 Acres
- RE - Residential Estate District
- AR-10 - Agricultural/Rural Residential District 10 Acres
- AR-5 - Agricultural/Rural Residential District 5 Acres
- RR-10 - Rural Residential District 10 Acres
- RR-5 - Rural Residential District 5 Acres
- RS - Single Family Residential District
- RM - Medium Density Residential District
- RH - High Density Residential District
- NMX - Neighborhood Mixed Use District
- CMX - Commercial Mixed Use District
- DC - Downtown Core District
- RC - Rural Commercial District
- GC - General Commercial District
- EC - Employment Center District
- IC - Industrial Commercial District
- IL - Light Industrial District
- IG - General Industrial District
- AI - Agricultural Industrial District
- EX - Extractive District
- PD - Planned Development District
- SP - Specific Plan District
- PF - Public Facilities District
- RPR - Resource Preservation and Recreation District
- SE - Sports Entertainment District
- TP - Timber Preservation District
- Valley Growth Boundary
- City Limits

0 1 2 4 6 8 Miles

# Public Review Draft Zoning Map Public Comments

COMMENTOR	APN	Zoning		
		CURRENT	PROPOSED	RECCOMENDATION
Comments already addressed				
Henwood Ranch, LLC	006-170-039	RHCP RR-5	RR-5	There was a mapping error around the Smartsville Community Boundary. These parcels are within the 2030 GP Community Boundary and the Zoning Map has already been corrected.
	006-170-048	RHCP RR-5	RR-5	
	006-170-049	RHCP RR-5	RR-5	
Hill Family Trust	006-220-091	RHCP RR-5	RR-5	
	006-220-092	RHCP RR-5	RR-5	
	006-220-093	RHCP RR-5	RR-5	
	006-220-094	RHCP RR-5	RR-5	
Whatley	006-220-125	RR-5	RR-5	
Comments where change is recommended				
North Beale, LLC	021-150-051	Commercial/R-2	RH	Change to Residential Medium Density (RM)
Raney Planning	015-360-054			Will make corrections to City boundary
Whatley	019-030-090	RR-5	RPR	
Yuba River Properties	005-290-042	M-2	EX	Change to Rural Residential 5 acre (RR-5)
	006-170-143	M-2	EX	
Ann Patrick, LLC	019-040-014	RHCP LDR	RPR	
Aton	006-170-043	A/RR-10	AE-80	Change to Exclusive Agriculture 20 acre (AE-20) including a few adjacent parcels to prevent spot zoning (APNs 006-170-006-170-045
	006-170-045	A/RR-10	AE-80	
				Change to AE-20 (some parcels have already been approved for removal from TPZ)
Soper Wheeler	various	TPZ, AE-40	TPZ, AE-40	Change to NMX (corner property already developed)
Singh	013-180-041	OASP - Commercial	RS	
Comments where change is not recommended (see staff report for discussion)				
Wood	018-210-270	ELSP R-4	RE	The ELSP is going away and property will be impacted by Goldfields Parkway.
	018-210-030	ELSP R-4	RE	
Hatherly	048-240-027	A/RR-40	AE-20	Would create spot zone. Parcel size is already being reduced
Cortez	044-180-039	A/RR-40	AR-10	
Craigmill	CSA-2	A/RR-20/40	AE-20/40	Inconsistent with 2030 General Plan



*CONSENT*  
*AGENDA*

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# The County of Yuba

## Clerk of the Board of Supervisors

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March 3, 2015

**TO:** Board of Supervisors

**FROM:** Donna Stottlemeyer, Clerk of the Board of Supervisors *ds*

**SUBJECT:** Conflict of Interest Code Approval: Yuba County Resource Conservation District

### **Recommendation**

Approve Conflict of Interest Code for Yuba County Resource Conservation District.

### **Background and Discussion**

Every two years special districts and local agencies within the County are required to review their conflict of interest code pursuant to Government Code §87300 and update if necessary. Subject code has been received and reviewed by Counsel for legal sufficiency and are submitted for your approval.

An agency code is not valid until approval of the code reviewing body which is the Board of Supervisors for agencies with boundaries solely in Yuba County.

### **Committee Action**

This matter is brought directly to the Board for approval as it is routine recurring every two years as mandated by the State.

### **Fiscal Impact**

There is no fiscal impact.

Attachments

RECEIVED

FEB - 5 2015

Clerk/Board of Supervisors

CONFLICT OF INTEREST CODE FOR THE  
YUBA COUNTY RESOURCE CONSERVATION DISTRICT

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 has adopted a regulation (2 Cal. Code of Regs. Sec. 18730) which contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendix designating officials and employees and establishing disclosure categories shall constitute the conflict of interest code of the Yuba County Resource Conservation District.

Designated employees shall file statements of economic interests with the Yuba County Resource Conservation District who will make the statements available for public inspection and reproduction. (Gov. Code Section 81008)

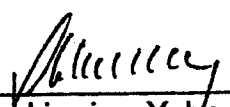
Passed and adopted this the 28th day of January 2013, by the following vote:

AYES: 3

NAYES:

ABSTENTION:

ATTEST: I hereby certify the foregoing resolution was introduced, passed and adopted at the meeting of the Yuba County Resource Conservation District's Board of Directors this 28th day of January, 2013.

  
\_\_\_\_\_  
John Waskiewicz, Yuba County RCD President

1/28/2013  
Date

CONFLICT OF INTEREST CODE FOR THE  
YUBA COUNTY RESOURCE CONSERVATION DISTRICT

APPENDIX

DESIGNATED POSITIONS AND CATEGORIES OF DISCLOSURES

DESIGNATED POSITIONS

DISCLOSURE CATEGORY

Directors of District

1, 2, & 3

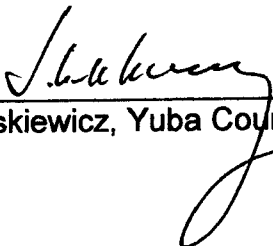
District Manager

1, 2, & 3

Consultants\* (Including attorney)

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

The manager of the district may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to comply with the disclosure requirements described in this section. Such determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The manager'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.

  
\_\_\_\_\_  
John Waskiewicz, Yuba County RCD President

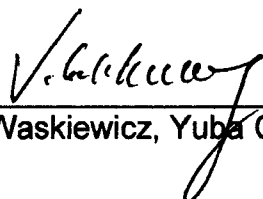
1/25/2013  
Date

## DISCLOSURE CATEGORIES

1. All interests in real property
2. All investments, business positions and income, including gifts, loans and travel payments, from sources of the type that have contracted (including sub-contractors) with the District to provide facilities, goods, equipment, vehicles, machinery or services.

Business entities which are of the type to provide services, supplies or machinery, including but not limited to: motor vehicles, specialty vehicles and parts therefore; construction and bldg. materials; office equipment and supplies; petroleum products; pipes, valves, fittings, pumps, meters, ect; safety equipment and facilities; engineering services; water quality testing; newspapers and other publications; printing or reproduction services; employment agencies; preparation of actions leading to taking in eminent domain; soil test, compaction and other agreements on grading requirements; banks, savings and loans; insurance companies; public utilities; audit agreements and contracts.

3. All investments, business positions and income, including gifts, loans and travel payments, from sources that are private water companies, or entities or persons engaged in farming, or real estate development.

  
\_\_\_\_\_  
John Waskiewicz, Yuba County RCD President

1/25/2013  
Date

# The County of Yuba

Office of the County Administrator



TO: Yuba County Board of Supervisors *RB/tc*  
 FROM: Robert Bendorf, County Administrator  
 RE: Yuba County Airport Taxiway Project Grant  
 DATE: March 3, 2015

## RECOMMENDATION

It is recommended that the Board of Supervisors;

1. Approve Yuba County as the lead agency and recipient of an Economic Development Administration (EDA) grant for construction of a Yuba County Airport taxiway in support of Rice Aircraft Services, Inc.;
2. Approve an EDA grant application of up to \$1,000,000, and;
3. Adopt a resolution authorizing the County Administrator to execute the EDA grant application and supporting documents on behalf of the County.

## BACKGROUND

Access to the runway system by aviation businesses within the Yuba County Airport Industrial Park is critical to success, retention and expansion. Preliminary engineering estimates have been conducted by Mead and Hunt, the airport's engineers, to provide the potential designs and cost estimates associated with constructing a parallel taxiway that could allow runway access to the business developments along Skyway Drive.

Recent discussions with an existing manufacturing company, Rice Aircraft Services, Inc., have highlighted the above stated issues. Yuba County and Yuba-Sutter Economic Development Corporation (YSEDC) have met with Rice Aircraft Services, Inc., over the past several months to identify solutions that address the current lack of direct access to the airport's runways.

YSEDC is working with the airport manager to finalize a grant application to EDA for the engineering and construction of the proposed taxiway. Because the project will benefit private sector businesses Federal Aviation Administration (FAA) grant dollars are not eligible. YSEDC will coordinate the project with the airport manager and will manage the administration of the grant.

## **DISCUSSION**

A resolution is attached to this report authorizing the County Administrator to execute any documents required for the submittal of a grant to EDA. The amount of the application will not exceed \$1,000,000.

In addition, Rice Aircraft Services, Inc. has agreed to provide the local match, up to 20 percent for the project engineering, design and construction.

With Yuba County as the lead agency, and if the grant is awarded, Yuba County's responsibilities will be to:

- Be the recipient of grant funds for the grant
- Select an engineering consultant to design the taxiway improvements
- Through an engineering consultant and County staff, prepare the necessary construction and bid documents
- Coordinate and oversee the bid process
- Recommend to the Board of Supervisors award of the contract

## **COMMITTEE**

This item was not reviewed by committee.

## **FISCAL IMPACT**

There is no fiscal impact to the General Fund for approving the attached resolution.

**BEFORE THE BOARD OF SUPERVISORS  
OF THE COUNTY OF YUBA, STATE OF CALIFORNIA**

RESOLUTION AUTHORIZING THE )  
COUNTY ADMINISTRATOR TO EXECUTE )  
CERTAIN GRANT DOCUMENTS FOR )  
SUBMITTAL OF A GRANT TO THE )  
ECONOMIC DEVELOPMENT )  
ADMINISTRATION FOR YUBA COUNTY )  
AIRPORT RUNWAY ACCESS )

RESOLUTION NO. \_\_\_\_\_

**WHEREAS**, On a periodic basis certain governmental agencies request that the County Administrator sign Agreements, Grant Submittals and/or contracts for the provision of services to the government agency; and

**WHEREAS**, the Yuba-Sutter Economic Development Corporation and Yuba County is submitting a grant application for Yuba County Airport taxiway access to properties parallel to Skyway Drive including Rice Aircraft Services, Inc.; and

**WHEREAS**, the grant is due to the Economic Development Administrator on March 12, 2015; and

**WHEREAS**, it is in the interest of efficient and effective government for the Board of Supervisors to authorize the Yuba County Administrative Officer to execute certain Contracts, Agreements and Grant Submittals on behalf of Yuba County;

**NOW THEREFORE BE IT RESOLVED** that the Yuba County Administrative Officer, be and hereby is authorized to execute on behalf of Yuba County, the grant documents for purposes of submittal to the Economic Development Administration, subject to approval of County Counsel and Risk Management. A copy of grant submittal will be retained by the Office of the County Administrator and the Yuba-Sutter Economic

Development Corporation, and a copy will be filed with the Clerk of the Board of Supervisors of the County of Yuba.

Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2015 by the following vote:

AYES:

NOES:

ABSENT:

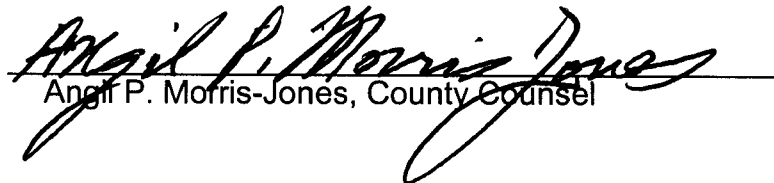
ABSTAIN:

\_\_\_\_\_  
Mary Jane Griego, Chair  
Yuba County Board of Supervisors

ATTEST:

\_\_\_\_\_  
Donna Stottlemeyer, Clerk of the Board

APPROVED AS TO FORM: COUNTY COUNSEL

  
Angil P. Morris-Jones, County Counsel

# The County of Yuba

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## HEALTH & HUMAN SERVICES DEPARTMENT

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**Jennifer Vasquez, Director**

5730 Packard Ave., Suite 100, P.O. Box 2320, Marysville, California 95901  
Phone: (530) 749-6311 FAX: (530) 749-6281



**Michael Kinnison, M.D.,  
Interim Health Officer**  
Phone: (530) 749-6366

**TO:** Board of Supervisors  
Yuba County

**FROM:** Jennifer Vasquez, Director *Atty for J Vasquez*  
Health & Human Services Department

**DATE:** March 3, 2015

**SUBJECT:** Memorandum of Understanding for Health Officer Coverage

**RECOMMENDATION:** It is recommended that the Board of Supervisors approve the Memorandum of Understanding between Yuba County and Sutter County for Health Officer Coverage during the period of March 1, 2015 through May 31, 2015 and authorize the Chair to execute the Memorandum of Understanding.

**BACKGROUND:** The Health and Safety code 101030 requires that each county appoint a Health Officer to preserve and protect the public health of the residents of the county. The Health Officer enforces state and local laws related to public health and provides services such as communicable disease control, reporting local epidemics to the California Department of Public Health, and implementation of measures to prevent the spread of disease; and enforcement of orders and ordinances of the Board of Supervisors pertaining to public health.

**DISCUSSION:** Yuba County is in the process of recruiting for a Health Officer. Sutter County is willing to provide Health Officer services to Yuba County during the recruitment of a Health Officer.

**COMMITTEE:** This item was not presented to the Human Services Committee due to time constraints, as well as no impact to County funds.

**FISCAL IMPACT:** Approval of this Memorandum of Understanding will have no impact on the General Fund. Sutter County is willing to provide the Health Officer services at no cost.

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**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
YUBA COUNTY  
AND  
SUTTER COUNTY**

**THIS MEMORANDUM OF UNDERSTANDING** (hereafter "MOU") is made and entered into with the effective date of March 1, 2015, by and between the County of Yuba (hereafter "Yuba County") and the County of Sutter (hereafter "Sutter County"), all subdivisions of the State of California, for the purpose of providing continuity in the discharge of duties of Health Officer.

**RECITALS**

**WHEREAS**, County Health Officers are appointed to carry out duties prescribed, inter alia, in the Health and Safety Code section 120100 et seq. and other applicable statutes; and

**WHEREAS**, Sutter County has appointed a County Health Officer ("Health Officer") pursuant to Government Code Section 24000(s); and

**WHEREAS**, Yuba County has a temporary absence of a Health Officer and has a need for Health Officer services as required by law during this absence; and

**WHEREAS**, Sutter County desires to provide temporary Health Officer Coverage for Yuba County during this temporarily absence.

**NOW, THEREFORE**, Yuba County and Sutter County hereto mutually agree to the following terms and conditions:

**1. TERM.**

This MOU shall be effective March 1, 2015 through May 31, 2015 unless terminated earlier under Provision 4.2 of this MOU.

**2. DESIGNATED REPRESENTATIVES.**

The Director of the Yuba County Health and Human Services Department is the authorized representative for Yuba County. The Assistant Director of Human Services-Health Division is the authorized representative for Sutter County. Changes in designated representatives shall occur only by advance written notice to the other party.

**3. SERVICES.**

- 3.1** Through this MOU, the Sutter County Health Officer may be requested by the Yuba County's Board of Supervisors, Health Officer, County Administrative Officer, Director of Health and Human Services Department or other authorized person to carry out the functions of the Yuba County Health Officer. The Health Officer of Sutter County providing the coverage is the "Covering Health Officer".
- 3.2** The Covering Health Officer shall have all of the powers and duties of a Health Officer when providing coverage for Yuba County. When providing services on behalf of Yuba County, the Covering Health Officer shall be subject to, all immunities set out in state and/or federal law pertaining to the acts of a public officer as if the Covering Health Officer was the Health Officer in Yuba County.
- 3.3** The consideration of Sutter County's Health Officer in providing Coverage for a Yuba County pursuant to this Agreement is the mutual covenants expressed herein. Sutter County shall not be entitled to reimbursement or payment of any costs of the Health Officer Coverage. The Coverage provided by Sutter County's Health Officer in Yuba County shall be part of the duties of the Sutter County's Health Officer who shall receive no additional remuneration therefore.
- 3.4** Sutter County shall indemnify, defend and hold harmless Yuba County from any claims or liability arising or alleged to have arisen from the acts or omissions of Sutter County, its officers, Board of Supervisors, employees, and agents except that Sutter County shall not indemnify, defend and hold harmless Yuba County from any claims or liability arising or alleged to have arisen from the acts or omissions of the Covering Health Officer that are performed solely within the course and scope of his/her providing Coverage in Yuba County. Yuba County shall indemnify, defend, and hold harmless Sutter County and the Covering Health Officer from any claims or liability arising or alleged to have arisen from the acts and/or omissions of Yuba County, its officers, Board of Supervisors, employees, and agents.
- 3.5** Yuba County shall maintain at its sole cost and expense, and keep in force during the term of this agreement, the following insurance coverage:
- Professional Liability Insurance covering liability imposed by law or contract arising out of an error, omission or negligent act in the performance, or lack thereof, of professional services and any physical

property damage, bodily injury or death resulting there from, with a limit of not less than \$1,000,000 per claim and in the aggregate.

**3.6** Sutter County or the Sutter County Health Officer may refuse to provide Coverage without penalty or liability to Yuba County. The Covering Health officer may cease providing Coverage to Yuba County at any time without penalty or liability to himself/herself or Sutter County.

**4. GENERAL PROVISIONS.**

**4.1** This MOU may be amended only by the written, mutual consent of both parties.

**4.2** This MOU may be terminated by either party, with or without cause, upon thirty (30) days verbal or written notice to the other party.

**5. NOTICES**

Any notice required or permitted to be given under this MOU may be verbal or in writing via e-mail, mail, or personal service upon the other party.

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Mailed notices shall be addressed as follows:

If to Yuba County:

Yuba County Health and Human Services  
Department  
Jennifer Vasquez, Director  
5730 Packard Avenue, Suite 100  
Marysville, CA 95991

With a copy to:

County Counsel  
County of Yuba  
915 8<sup>th</sup> Street, Suite 111  
Marysville, CA 95901

If to Sutter County:

Sutter County Human Services-Health  
Amerjit Bhattal, Assistant Director of Human Services-Health  
1445 Veterans Memorial Circle  
Yuba City, CA 95993


**IN WITNESS WHEREOF**, this MOU has been executed as follows:

**YUBA COUNTY:**


by: \_\_\_\_\_  
Mary Jane Griego, Chairman

On: \_\_\_\_\_  
(Date)

APPROVED AS TO FORM

By  \_\_\_\_\_  
ANGIL MORRIS-JONES  
YUBA COUNTY COUNSEL

RECOMMENDED FOR APPROVAL

 \_\_\_\_\_  
Jennifer Vasquez, Director  
Health and Human Services  
Department

INSURANCE PROVISIONS APPROVED

\_\_\_\_\_  
Jill Abel, Human Resources Director

**SUTTER COUNTY:**

by: \_\_\_\_\_  
Ron Sullenger, Chairman

On: \_\_\_\_\_  
(Date)

APPROVED AS TO FORM

\_\_\_\_\_  
SUTTER COUNTY COUNSEL

# The County Of Yuba

093-15

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## PROBATION DEPARTMENT

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JAMES L. ARNOLD  
CHIEF PROBATION OFFICER



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(530) 749-7550  
FAX (530) 749-7364

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**TO:** Yuba County Board of Supervisors

**FROM:** Jim Arnold, Chief Probation Officer, Yuba County Probation Department *JA*

**SUBJECT:** Resolution authorizing the Yuba County Probation Department to apply for and receive grant funding administered through the California Board of State and Community Corrections (BSCC).

**DATE:** March 3, 2015

**RECOMMENDATION:** Board of Supervisors approval of the Resolution authorizing the Yuba County Probation Department to apply for and receive grant funding administered through the BSCC to implement Program Services and authorize the County Probation Officer to execute documents as required, as well as any and all extensions and amendments.

**BACKGROUND:** The Yuba County Probation Department has been approved by the BSCC as a participant in the Byrne Memorial Justice Assistance Grant (JAG) Program. Funds will enable the Probation Department to implement a program to identify at-risk elementary age children, providing targeted education and family-based services directed toward prevention of truancy, future delinquency, gang involvement, substance abuse, and violent behaviors.

**DISCUSSION:** Approval of this Resolution will authorize the Chief Probation Officer to execute documents in order to participate in this funding opportunity.

**COMMITTEE:** This item has bypassed committee as this item is routine in nature.

**FISCAL IMPACT:** Approval of this Resolution will not impact County Funds. Funding through the JAG program will enable the Probation Department to fund an Intervention Counselor (1.0 FTE) and a Clinical Social Worker (0.8 FTE) during the 3-year duration of the award.

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

IN RE:

Resolution authorizing the )  
 Yuba County Probation Department )  
 to apply for and receive grant )  
 funding administered through the )  
 California Board of State and )  
 Community Corrections (BSCC) )  
 to implement Program Services and )  
 authorize the County Probation )  
 Officer to execute documents as )  
 required, as well as any and )  
 all extensions and amendments. )

**RESOLUTION NO. \_\_\_\_\_**

**WHEREAS**, the County of Yuba desires to participate in the Byrne Memorial Justice Assistance Grant (JAG) Program supported by federal Grant funds and administered by the Board of State and Community Corrections (hereafter referred to as BSCC); and

**NOW, THEREFORE, BE IT RESOLVED**, the Yuba County Board of Supervisors hereby authorizes the following:

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1. The Chief of Probation is authorized on behalf of the Board of Supervisors to submit the grant proposal for this funding and sign the Grant Agreement with the BSCC, including any amendments thereof.
2. Federal grant funds received hereunder shall not be used to supplant expenditures controlled by this body.
3. Yuba County agrees to abide by the statutes and regulations governing the federal Grants Program as well as the terms and conditions of the Grant Agreement as set forth by the BSCC.

**PASSED AND ADOPTED** at a regular meeting of the Board of Supervisors of the County of Yuba, State of California on the \_\_\_\_\_ day of \_\_\_\_\_, 2015 by the following vote:

AYES:

NOES:

ABSENT:

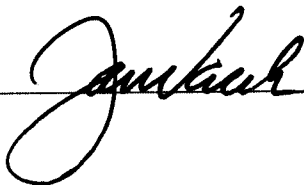
ABSTAIN:

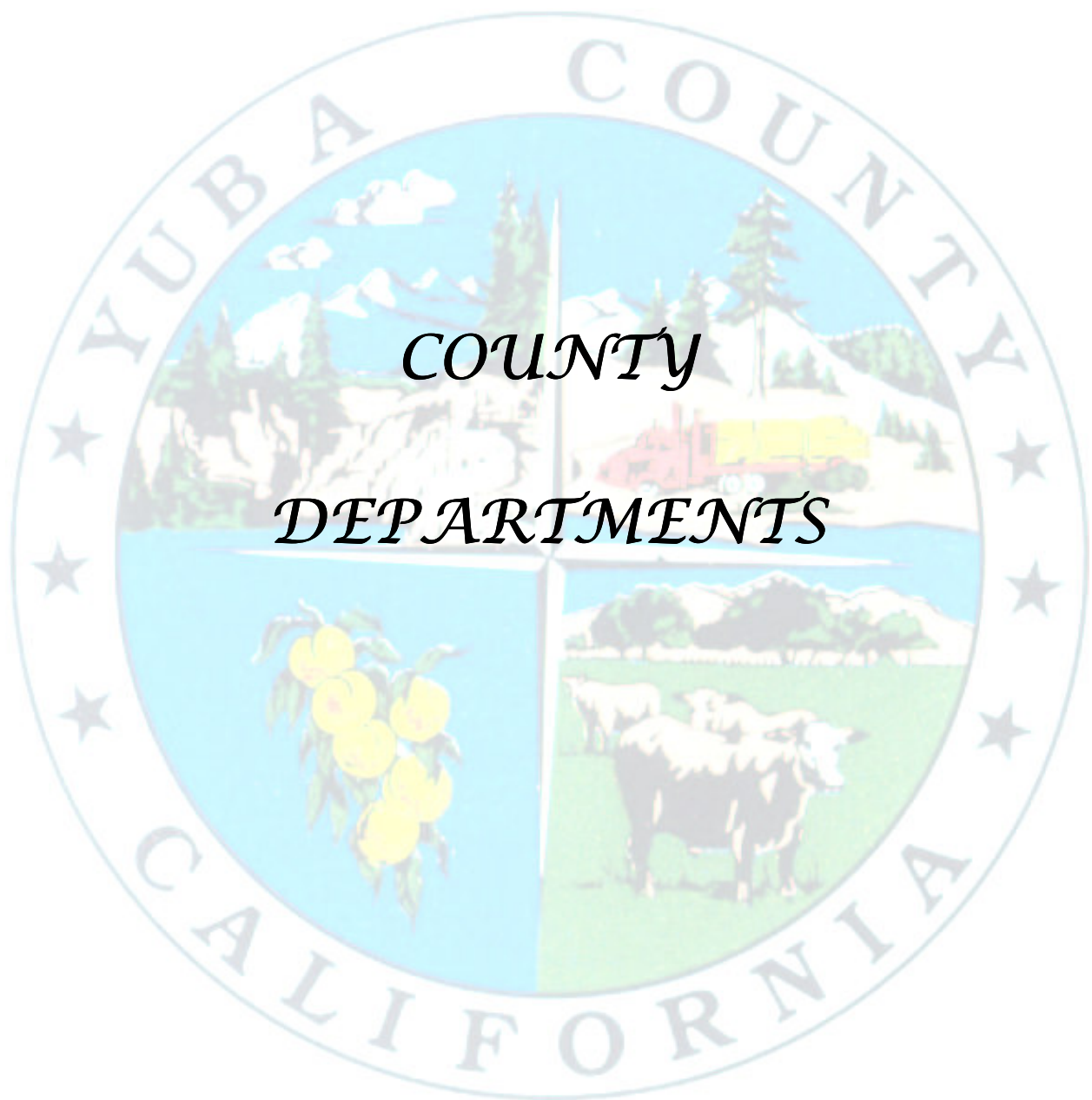
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Chairman

ATTEST: DONNA STOTTLEMEYER  
CLERK OF THE BOARD OF SUPERVISORS

\_\_\_\_\_

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

\_\_\_\_\_  




*COUNTY*  
*DEPARTMENTS*

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# The County of Yuba

## Community Development & Services Agency

**Kevin Mallen, Director**

Phone – (530) 749-5430 • Fax – (530) 749-5424  
915 8<sup>th</sup> Street, Suite 123  
Marysville, California 95901  
www.co.yuba.ca.us



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749-5440 • Fax 749-5616

**CODE ENFORCEMENT**  
749-5455 • Fax 749-5424

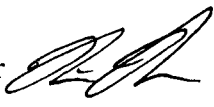
**ENVIRONMENTAL HEALTH • CUPA**  
749-5450 • Fax 749-5454

**HOUSING & COMMUNITY SERVICES**  
749-5460 • Fax 749-5464

**PLANNING**  
749-5470 • Fax 749-5434

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

**TO:** Board of Supervisors

**FROM:** Kevin Mallen, CDSA Director 

**SUBJECT:** Olivehurst Public Utility District Operation of Gold Village Wastewater System

**DATE:** March 3, 2015

### Recommendation:

That the Board adopt the attached resolution authorizing the Community Development and Services Agency Director to execute an agreement with the Olivehurst Public Utility District (OPUD) for operations and maintenance of the Gold Village wastewater collection, treatment, and disposal system.

### Background/Discussion:

The County currently operates and maintains the Gold Village wastewater treatment facilities on behalf of the River Highlands Community Services District utilizing a private contractor. While the private contractor has provided excellent service, the cost for the service is simply too high for the District to absorb without a sewer rate adjustment. Staff presented a proposed sewer rate increase to the Board of Supervisors for consideration in December 2014. Upon hearing staff's presentation regarding the proposed sewer rate increase, as well as significant outcry from Gold Village residents regarding the hardship associated with the high sewer rates and proposed increase, the Board directed staff to look for alternatives.

One idea for a cost savings measure was to revisit reaching out to another public agency that is already in the sewer business to determine its willingness to perform operations and maintenance of the Gold Village wastewater system. Since other public agencies are not in business for profit, the cost for its services will be lower than those of a private company. This had been done when the County initially took on operational responsibilities for the District however the only public agency at that time willing to take on the task were City of Yuba City who did operate for a short period of time until a change in their organization prompted the need to seek another operator resulting in the current arrangement with a private operator.

When reaching out, OPUD was very receptive to our request, and has graciously worked with County staff reviewing the current operations and permitting requirements and identifying potential cost saving measures. The belief is that both OPUD and the County can realize cost savings by sharing a licensed operator (employed by OPUD) to operate and maintain the Gold

Village system, while still working at the OPUD plant as well. OPUD also provided the County with a proposed budget to provide its services. The proposed agreement has an initial 3 year term with the staffing costs being at a flat rate (% of a full time employee, plus direct costs) in 6 month periods. At the end of each 6 month period, County and OPUD staff will confer regarding actual costs and adjust the cost up or down accordingly for the next 6 month period. All direct costs (laboratory testing performed, and materials and equipment purchased by OPUD) will be passed through to the County at actual cost with no mark up.

Committee Action:

This is a continuation of the Board's consideration of the wastewater rates for Gold Village.

Fiscal Impact:

None to the General Fund. After the initial 6 month period of OPUD operations, costs will be evaluated and a more definitive answer to whether adjustment to Gold Village sewer rates is needed can be made.

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

<b>A RESOLUTION AUTHORIZING THE COMMUNITY DEVELOPMENT DIRECTOR TO EXECUTE AN AGREEMENT WITH OLIVEHURST PUBLIC UTILITY DISTRICT TO PROVIDE WASTEWATER SERVICES FOR GOLD VILLAGE</b>	) ) ) ) ) )	<b>RESOLUTION NO. _____</b>
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**WHEREAS**, Yuba County currently operates the Gold Village wastewater system on behalf of the River Highlands Community Services District through a private contractor; and

**WHEREAS**, on behalf of the Gold Village residents the Yuba County Board of Supervisors requested that staff seek out a potentially less expensive wastewater system operator; and

**WHEREAS**, Olivehurst Public Utility District (OPUD), who operates a very large wastewater system compared to Gold Village offered to help the County evaluate the Gold Village operations resulting in OPUD offering to enter into an agreement to provide the wastewater systems operations and maintenance.

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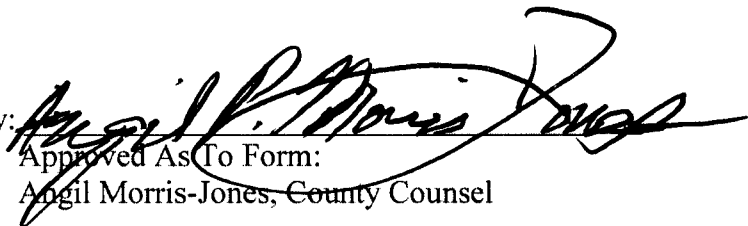
**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of the County of Yuba, based on the foregoing findings, hereby authorizes the Community Development and Services Agency Director to enter into an agreement with OPUD to provide wastewater system operations and maintenance for Gold Village, subject to County Counsel review.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2015, by the Board of Supervisors of the County of Yuba, by the following votes.

**AYES:**  
**NOES:**  
**ABSENT:**  
**ABSTAIN:**

By: \_\_\_\_\_  
Chair, Yuba County Board of Supervisors

By: \_\_\_\_\_  
ATTEST: Donna Stottlemeyer  
Clerk of the Board of Supervisors

By:  \_\_\_\_\_  
Approved As To Form:  
Angil Morris-Jones, County Counsel

**AGREEMENT BETWEEN COUNTY OF YUBA  
AND OLIVEHURST PUBLIC UTILITY DISTRICT  
FOR OPERATIONS AND MAINTENANCE OF  
GOLD VILLAGE WASTEWATER TREATMENT PLANT**

This Agreement is made and entered into on the date of the last signature (hereinafter called "the Effective Date"), by and between the County of Yuba (hereinafter called "the County") on behalf of the River Highlands Community Services District (hereinafter called "the District"), and the Olivehurst Public Utility District (hereinafter called "OPUD").

**RECITALS**

Whereas, this Agreement pertains to the Gold Village wastewater collection system, lift station, wastewater treatment plant, and associated facilities (hereinafter called "the Facilities"); and

Whereas, the County is currently responsible for certain operations of the District as a result of the District falling into receivership and the Cooperative Services Agreement executed April 7, 2009, between the County and the District; and

Whereas, the County's responsibility includes operations and maintenance of the Facilities; and

Whereas, operations and maintenance of the Facilities requires a Grade 3 or higher operator licensed by the State of California, and OPUD fulfills this requirement; and

Whereas, contracting operations and maintenance of the Facilities to OPUD will provide mutual benefits and cost savings to both the County and OPUD.

Now, therefore, in consideration of the mutual promises hereinafter set forth, the County and OPUD agree as follows:

**TERMS AND CONDITIONS**

**A. County Responsibilities**

1. Provide a County primary point of contact for OPUD to direct all questions, correspondence, and expenditure requests.
2. Perform all administrative tasks associated with the fiscal operations of the sewer system (customer billings, rate adjustments, Proposition 218 activities, etc...).
3. Process payment to OPUD for services rendered.
4. Every 6 months evaluate expenses and level of effort with OPUD (% of FTE equivalent) and adjust up or down accordingly for next 6 month period.
5. Electronically submit to State, reports prepared by OPUD regarding operations of the Facilities and fulfillment of permitting requirements.

**B. OPUD Responsibilities**

1. Perform overall operations and maintenance of the Facilities, including sampling and testing, in compliance with all applicable laws and codes, and maintaining appropriate records.
2. Supply the Designated Chief Plant Operator in compliance with regulatory requirements.
3. Prepare all technical reports for County to submit to State, so as to comply with the reporting requirements of the current Waste Discharge Requirements (WDR) Order issued by the Central Valley Water Quality Control Board.
4. Submit an invoice to County every 6 months summarizing direct cost reimbursements, mileage reimbursement amount, and loaded cost for labor (0.5 FTE or as adjusted).
5. Every 6 months evaluate expenses and level of effort with County (% of FTE equivalent) and adjust up or down accordingly for next 6 month period
6. Seek approval from County for any equipment expenditures in excess of \$500.00.
7. Maintain minimum insurance as stipulated in Exhibit A

#### C. Payment

1. County shall pay OPUD every 6 months in arrears for services rendered. Payment shall consist of the following: i) direct reimbursement, without markup, for hard costs (laboratory analysis, miscellaneous equipment purchased, etc...), ii) reimbursement for labor at OPUD's loaded rate (salary, benefits) for 0.5 full time employee (FTE) equivalent, and iii) mileage reimbursement at the rate of \$0.45 per mile.
2. Every six months, County and OPUD shall evaluate the level of effort (amount of labor provided by OPUD) required to provide operation and maintenance services, and adjust the % of FTE equivalent up or down accordingly for the next 6 month period.

#### D. General Provisions

1. This Agreement may only be amended by mutual written consent of the parties hereto.
2. The term of this agreement is from the Effective Date for a period of 3 years.
3. The County or OPUD shall have the authority to terminate this agreement with ninety (90) days written notification.
4. Should this agreement be terminated, County agrees to reimburse OPUD for reasonable costs incurred and associated with the Project defined in this agreement.

#### E. Indemnity

1. Each party shall indemnify, defend, protect, hold harmless, and release the other, its officers, agents, and employees, from and against any and all claims, loss, proceedings, damages, causes of action, liability, costs, or expense (including attorneys' fees and witness costs) arising from or in connection with, or caused by any act, omission, or negligence of such indemnifying party.

#### F. Coordinators of this Agreement are shown below:

1. County: Kevin Mallen, CDSA Director
2. OPUD: Tim Shaw, General Manager

#### G. Disputes

1. In the event of any dispute arising out of or relating to this Agreement, the parties shall attempt, in good faith, to promptly resolve the dispute mutually between themselves.
2. Pending resolution of any such dispute, OPUD shall continue with operations and

- maintenance of the facilities until such time the dispute is resolved, or another qualified operator is in place to adequately maintain the facilities.
3. County shall continue to pay OPUD under the terms of this agreement until any disputes have been mutually resolved by the parties, or until the Agreement is otherwise terminated.

H. Severability

1. If any term or condition of this Agreement or the application thereof to any person(s) or circumstance is held invalid or unenforceable, such invalidity or unenforceability shall not affect other terms, conditions, or applications which can be given effect without the invalid term, condition, or application; to this end the terms and conditions of this Agreement are declared severable.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the Effective Date.

COUNTY OF YUBA

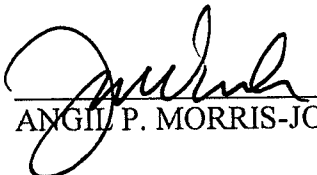
OLIVEHURST PUBLIC  
UTILITY DISTRICT

\_\_\_\_\_  
Kevin Mallen  
Director of Community Development  
and Services Agency

\_\_\_\_\_  
Tim Shaw  
General Manager

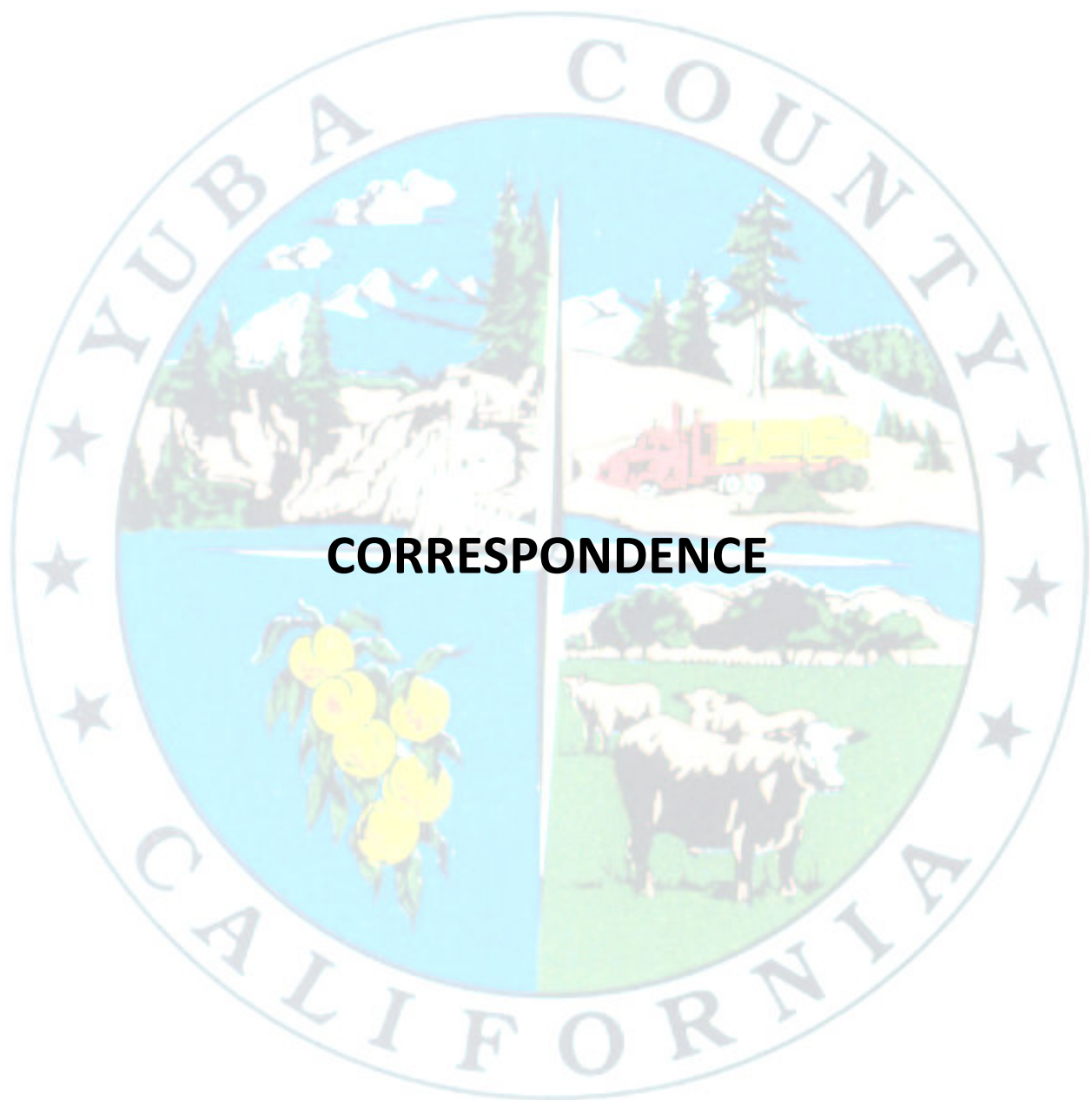
YUBA COUNTY COUNSEL  
APPROVED AS TO FORM:

OLIVEHURST PUBLIC  
UTILITY DISTRICT  
APPROVED AS TO FORM:

  
\_\_\_\_\_  
ANGIL P. MORRIS-JONES

\_\_\_\_\_  
By: \_\_\_\_\_  
\_\_\_\_\_

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**Commissioners**  
**Jack Baylis**, President  
 Los Angeles  
**Jim Kellogg**, Vice President  
 Discovery Bay  
**Richard Rogers**, Member  
 Santa Barbara  
**Michael Sutton**, Member  
 Monterey  
**Jacque Hostler-Carmesin**, Member  
 McKinleyville

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](http://www.fgc.ca.gov)

**RECEIVED**

FEB 20 2015

Clerk/Board of Supervisors

### 15 Day Notice of California Notice Register 2015, No.1-Z, Z2014-1223-01

#### Re: Mammal Hunting Regulations for 2015-2016

February 17, 2015

This is to provide you with a 15 day continuation notice of proposed regulatory action relative to amending section 708.5 "Deer Tagging and Reporting Requirements," Title 14, California Code of Regulations, relating to the proposed 2015 Sport Fishing regulations, which was published in the California Regulatory Notice Register on January 2, 2015, Register 2011, No. 1-Z; OAL Notice File No. Z2014-1223-01. The proposed additional language is in response to public comment and will permit the change to be adopted without applying a non-reporting fee until the 2016-2017 deer season.

Please note proposed amendments for sections 360, 361, 362, 363, 364, 702, 708.11 and 713, the dates of the public hearings related to this matter, and associated deadlines for receipt of written comments have not changed from the original notice.

Additional information and all associated documents may be found on the Fish and Game Commission website at [www.fgc.ca.gov](http://www.fgc.ca.gov).

**Karen Mitchell**, Senior Environmental Scientist, Fisheries Branch, phone (916) 445-0826, has been designated to respond to questions on the substance of the proposed regulations.

Sincerely,

Jon D. Snellstrom  
 Associate Governmental Program Analyst

Attachment

Section 708.5 is amended to read:

**§ 708.5. Deer Tagging and Reporting Requirements.**

(a) Upon the killing of any deer the tag holder shall immediately fill out all portions of the tag including the report card completely, legibly, and permanently, and cut out or punch out and completely remove notches or punch holes for the month and date of the kill. The deer license tag shall be attached to the antlers of an antlered deer or to the ear of any other deer and kept attached during the open season and for 15 days thereafter. Except as otherwise provided, possession of any untagged deer shall be a violation. (Refer to Fish and Game Code, Section 4336).

(b) Every person to whom a deer license tag is issued shall ~~return the completed report card portion to the department within thirty days of taking a deer, report to the Department their deer harvest.~~

(1) Successful deer tag holders are required to report deer harvested within 30 days of the date of harvest or by January 31, whichever date is first.

(2) Unsuccessful deer tag holders, whether they hunted or not, are required to report no harvest by January 31 annually.

(c) Harvest Report Card Return and Reporting Mechanisms.

(1) By mail or in person at the address specified on the harvest report card. A harvest report card returned by mail shall be postmarked by the date applicable to that card as specified in this section.

(2) Online through the department's internet license sales service website by the date specified in the section. Tag holders reporting online will be provided a confirmation number upon successful submission. The tag holder must record the provided confirmation number in the space provided on the harvest report card and retain the harvest report card until March 1 annually. Tags reported online must be surrendered to the department upon demand.

(d) **Beginning July 1, 2016,** deer tag holders, whether successful or unsuccessful, who fail to report by the date specified in this section shall be subject to a Deer Harvest Non-reporting Fee. The fee specified in Section 702 shall be charged prior to the issuance of a deer tag or deer tag drawing application in the following year.

Note: Authority cited: Sections 200, 202, 203, 215, 219, 220, 1050, 1572, 4336, 4340 and 10502, Fish and Game Code. Reference: Sections 200, ~~201~~, 202, 203, 203.1, 207, 210, 215, 219, 220, 1050, 1570, 1571, 1572, 3950, 4336, 10500 and 10502, Fish and Game Code.