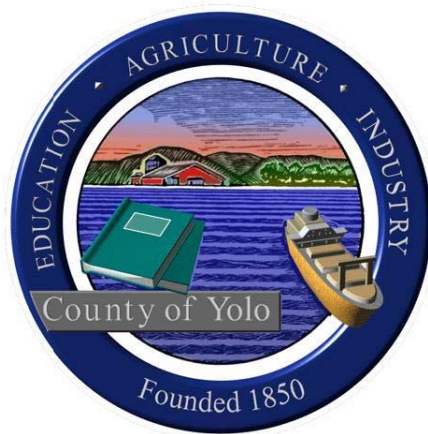


YOLO COUNTY BOARD OF SUPERVISORS

MINUTES & SUPPORTING MATERIALS

Pursuant to County Code Section 2-1.103

SEPTEMBER 29, 2009



COUNTY BOARD OF SUPERVISORS

CHAIR, MICHAEL H. MCGOWAN, DISTRICT 1
VICE-CHAIR, HELEN M. THOMSON, DISTRICT 2
MATT REXROAD, DISTRICT 3
JIM PROVENZA, DISTRICT 4
DUANE CHAMBERLAIN, DISTRICT 5

BOARD OF SUPERVISORS CHAMBERS

625 COURT STREET, ROOM 206
WOODLAND, CALIFORNIA 95695

ROBYN TRUITT DRIVON
INTERIM COUNTY ADMINISTRATOR

DANIEL CEDERBORG
ASSISTANT COUNTY COUNSEL

Roll Call:

Thomson
Rexroad
Provenza
Chamberlain

Robyn Truitt Drivon, Interim County Administrator
Daniel Cederborg, Assistant County Counsel

9:00 A.M. CALL TO ORDER (ITEMS 1.01-1.05) (*15 MINUTES)

1.01 [Pledge of Allegiance.](#)

Vice-Chair Thomson announced that Chair McGowan was in Washington, D.C. to testify in a meeting with Interior Secretary Salazar on behalf of the Delta counties.

1.02 [Consider approval of agenda.](#)

Minute Order No. 09-236: Approved the Agenda for this meeting as submitted, with the continuance of Agenda Item No. 3.01 to October 13, 2009.

MOVED BY: Rexroad / SECONDED BY: Provenza
AYES: Provenza, Chamberlain, Rexroad, Thomson
NOES: None
ABSTAIN: None
ABSENT: McGowan

1.03 [Public Comment: Opportunity for members of the public to address the Board of Supervisors on subjects relating to county business. The Board of Supervisors reserves the right to impose a reasonable limit on time afforded to any topic or to any individual speaker.](#)

The following individuals addressed the Board of Supervisors: Joseph P. Iser, MD, DrPH, MSc, Director/Public Health Officer, YoloArts Executive Director Dani Thomas and Erich Linse.

1.04 Approve and present the following resolution:

- A. [Resolution recognizing October 4 - October 10, 2009 as "National 4-H Week." \(Supervisor Chamberlain\)](#)

[National 4-H Week Resolution](#)

Supervisor Chamberlain presented **Resolution No. 09-131**.

1.05 [Introductions, comments and/or honorary presentations.](#)

There were no introductions, comments and/or honorary presentations.

A.M. CONSENT AGENDA (ITEMS 2.01-2.12) (*5 MINUTES)

Minute Order No. 09-237: Approved A.M. Consent Agenda Item Nos. 2.01 - 2.12, with the exception of Agenda Item Nos. 2.06 and 2.09, which were moved to the Regular Agenda.

MOVED BY: Rexroad / SECONDED BY: Provenza
AYES: Thomson, Rexroad, Provenza, Chamberlain
NOES: None
ABSTAIN: None
ABSENT: McGowan

General Government

Clerk of the Board

2.01 [Approve the minutes of the Board of Supervisors meeting of September 15, 2009.](#)

[09.15.09 Minutes](#)

Approved September 15, 2009 minutes on Consent.

2.02 Ratify the following Resolutions:

- A. Resolution No. 09-121 recognizing Daniel Ronald Rice upon his retirement as Recreation Superintendent and Facility Manager for the City of Woodland.

[Daniel Ronald Rice Resolution](#)

Ratified **Resolution No. 09-121** on Consent.

- B. Resolution No. 09-131 recognizing October 4 - October 10, 2009 as "National 4-H Week."

[National 4-H Week Resolution](#)

Ratified **Resolution No. 09-131** on Consent.

County Administrator

- 2.03 [Approve the rollover appropriation of \\$430,341 which is the remaining amount of grant funds for brownfields evaluation available from the original \\$450,000 received in 2008/09 from the United States Environmental Protection Agency and the United States Department of Agriculture; and adopt amendment to the budget resolution to increase the County Administrator's budget from \\$2,205,468 to \\$2,635,809. \(No general fund impact; federal funds\) \(4/5 vote required\) \(Brazil/Ervin\)](#)

[Recommended Action 2.03](#)

[Supporting Document 2.03](#)

Approved on Consent by **Resolution No. 09-87.02.**

Auditor-Controller/Treasurer-Tax Collector

- 2.04 [Receive and file Purchase Card Program annual report for fiscal years ended June 30, 2008 and June 30, 2009. \(No general fund impact\) \(Newens\)](#)

[Recommended Action 2.04](#)

Received and filed on Consent.

General Services

- 2.05 [Approve the naming of the county office building located at 600 A Street in Davis as the Yolo County Davis Administration Building. \(No general fund impact\) \(Groom\)](#)

[Recommended Action 2.05](#)

Approved on Consent.

- 2.06 [Approve agreement with JDS Builders Group, Inc. for \\$2,799,998 for the project renovation and upgrade of the Mary L. Stephens Davis Branch Library project. \(No general fund impact\) \(Groom\)](#)

[Recommended Action 2.06](#)

Minute Order No. 09-238: Approved recommended action by **Agreement No. 09-167**.

MOVED BY: Provenza / SECONDED BY: Rexroad
AYES: Thomson, Rexroad, Provenza, Chamberlain
NOES: None
ABSTAIN: None
ABSENT: McGowan

- 2.07 [Adopt resolution to apply for State Energy Program 1% loan program that will be used in conjunction with Renewable Energy Bonds and Qualified Energy Conservation Bonds to install a solar array on the Monroe Detention site. \(No general fund impact\) \(Groom\)](#)

[Recommended Action 2.07](#)

[Supporting Document 2.07](#)

Approved on Consent by **Resolution No. 09-132**.

Human Resources

- 2.08 [Adopt amendment to the authorized position and salary resolution for changes in the Child Support Services, County Clerk-Recorder, Health, Probation and Sheriff departments, and approve an accelerated merit step increase to step D for an incumbent Assistant Director of Employment and Social Services effective July 5, 2009. \(\\$91,909 in salary savings\) \(Nunes\)](#)

[Recommended Action 2.08](#)

[Supporting Document 2.08](#)

Approved on Consent by **Resolution No. 09-133**.

- 2.09 [Authorize the use of the CalPERS two year service credit purchase contract provision for designated classifications. \(No general fund impact; cost of program equals salary and benefit savings\) \(Nunes\)](#)

[Recommended Action 2.09](#)

Took the following actions regarding CalPERS two year service credit purchase contract provision for designated classifications:

1. Minute Order No. 09-239: Motion to approve recommended action failed.

MOVED BY: Provenza / SECONDED BY: Thomson

AYES: Thomson, Provenza

NOES: Rexroad, Chamberlain

ABSTAIN: None

ABSENT: McGowan

2. Minute Order No. 09-240: Approved the recommended action. (Supervisor Rexroad changed his prior vote to an "AYE" as a courtesy to Supervisor McGowan who would have voted "AYE" had he been present)

MOVED BY: Provenza / SECONDED BY: Thomson

AYES: Thomson, Rexroad, Provenza, Chamberlain

NOES: None

ABSTAIN: None

ABSENT: McGowan

Law & Justice Services

Probation

- 2.10 [Adopt amendment to budget resolution to accept the Department of Justice, Office of Justice Programs fiscal year 2009 Recovery Act Edward Byrne Memorial competitive grant to provide funding for neighborhood probation and parole officers in the amount of \\$2,692,181 for the period of August 1, 2009 to July 31, 2011. \(No general fund impact; \\$847,096 in federal funds allocated in 2009/10\) \(4/5 vote required\) \(Rist\)](#)

[Recommended Action 2.10](#)

[Supporting Document 2.10A](#)

[Supporting Document 2.10B](#)

Approved on Consent by amendment to Budget **Resolution No. 09-87.03** and **Resolution No. 09-134.**

Health & Human Services

Alcohol, Drug & Mental Health

- 2.11 [Approve agreement with Yolo Family Services Agency for \\$7,500 to provide mental health service to California Work Opportunity and Responsibility to Kids eligible clients for the period of July 1, 2009 to June 30, 2010. \(No general fund impact; state funds\) \(Suderman\)](#)

[Recommended Action 2.11](#)

Approved on Consent by **Agreement No. 09-168.**

Employment & Social Services

- 2.12 [Receive annual report on fiscal year 2008/09 training contracts and authorize the Department of Employment and Social Services Director to approve training contracts for employment and transitional services providers. \(No general fund impact; \\$205,512 impact to Workforce Investment Act, American Recovery and Reinvestment Act, and State Stimulus grant funds\) \(Miller\)](#)

[Recommended Action 2.12](#)

Received and approved on Consent.

The Board of Supervisors recessed at 9:50 A.M. and reconvened at 10:00 A.M. Chair McGowan was absent. All other members were present. Vice-Chair Thomson presided.

A.M. TIME SET AGENDA (ITEMS 3.01-3.02)

- 3.01 [10:00 A.M. **County Administrator**](#)

[Public hearing to amend the 2009/10 master fee resolution updating the master fee schedule to include fee changes to the Health and Assessor departments, and adopt resolution eliminating the non-profit permit fee exemption policy. \(\\$260,318 general fund revenue\) \(Leary/Salinas\) \(*20 minutes\)](#)

[Recommended Action 3.01](#)

[Supporting Document 3.01A](#)

[Supporting Document 3.01B](#)

[Supporting Document 3.01C](#)

Continued public hearing to October 13, 2009.

3.02

10:00 A.M. **Human Resources**

Introduce by title only, waive first reading, receive public comment regarding proposed ordinance amending Chapter 6 of Title 2 of the Yolo County Code relating to disciplinary action for permanent employees, and continue the ordinance to the next regularly scheduled meeting for adoption. (No general fund impact) (Nunes) (*5 minutes)

Recommended Action 3.02

Supporting Document 3.02

Minute Order No. 09-241: After a public hearing, the Board of Supervisors took the following actions:

A. Introduced by title only, waived first reading of the ordinance amending Chapter 6 of Title 2 of the Yolo County Code relating to disciplinary action for permanent employees.

B. Approved the following change to the ordinance:

Page 1, Section 2-6.47 - Disciplinary action, Subparagraph (b), number five (5) to read: Negligence or ~~will~~ willful damages to public property or the waste of public supplies or equipment;

C. Continued the ordinance to the next regularly scheduled meeting for adoption.

MOVED BY: Provenza / SECONDED BY: Rexroad

AYES: Thomson, Rexroad, Provenza, Chamberlain

NOES: None

ABSTAIN: None

ABSENT: McGowan

A.M. REGULAR AGENDA (ITEMS 4.01-4.04)

General Government

4.01 Action items and reports from members of the Board of Supervisors. (*15 minutes)

A. Receive reports from members of the Board of Supervisors, including brief announcements, questions to be referred to staff and reports on various 2x2s and meetings with other agencies.

B. Accept resignations; consider appointments and reappointments.

[Recommended Action 4.01B](#)

Minute Order No. 09-242: Approved recommended action.

MOVED BY: Rexroad / SECONDED BY: Provenza
AYES: Provenza, Chamberlain, Rexroad, Thomson
NOES: None
ABSTAIN: None
ABSENT: McGowan

County Administrator

4.02 [Action items and reports from the County Administrator.](#)

No action items and reports from the County Administrator

4.03 [Approve use of Yolo County's \\$3,724,000 Recovery Zone Economic Development Bond allocation for public projects by the Yolo Emergency Communications Agency for radio projects that will enhance emergency communications countywide. \(No general fund impact\) \(Brazil/Ervin\) \(*10 minutes\)](#)

[Recommended Action 4.03](#)

Minute Order No. 09-243: Approved the recommended action.

MOVED BY: Provenza / SECONDED BY: Rexroad
AYES: Thomson, Rexroad, Provenza, Chamberlain
NOES: None
ABSTAIN: None
ABSENT: McGowan

Clerk of the Board

4.04 [Correspondence and Board of Supervisors responses - see attachment.](#)

[Correspondence 4.04](#)

CLOSED SESSION (ITEMS 5.01-5.03)

The Board of Supervisors recessed into Closed Session at 10:05 A.M. on the following matters:

- 5.01 Public Employment, Employee Evaluation:
Position title: County Administrator
- 5.02 Conference with Real Property Negotiator
Property: Conaway Ranch, 45332 Country Road 25, Woodland, CA 95776
Agency negotiator: County Administrator
Negotiating parties: Conaway Preservation Group X Price X Terms of Payment
- 5.03 Conference with Legal Counsel - Existing Litigation
Government Code Section 54956.9(a)
Name of case: Skaggs v. Yolo County, et al.,
United States District Court for the Eastern District of California
Case No. 2:09 CV-02284 WBS DAD

Public report of action taken in Closed Session.

The Board of Supervisors reconvened at 1:30 P.M. Chair McGowan was absent. All other members were present. Vice-Chair Thomson presided. There were no reports from Closed Session.

1:30 P.M. PLANNING AND PUBLIC WORKS/PARKS AND RESOURCES (ITEM 6.01)

- 6.01 [Public Comment: Opportunity for members of the public to address the Board of Supervisors on subjects relating to county business. The Board of Supervisors reserves the right to impose a reasonable limit on time afforded to any topic or to any individual speaker.](#)

There was no public comment.

P.M. CONSENT AGENDA (ITEMS 6.02-6.03) (*5 MINUTES)

Minute Order No. 09-244: Approved P.M. Consent Agenda Item Nos. 6.02 - 6.03.

MOVED BY: Rexroad / SECONDED BY: Provenza
AYES: Thomson, Rexroad, Provenza, Chamberlain
NOES: None
ABSTAIN: None
ABSENT: McGowan

Planning and Public Works

- 6.02 [Accept as complete the construction work for the second phase of the Davis-Woodland Bikeway project performed under an agreement with A. Teichert & Son, Inc. totaling \\$1,067,000. \(No general fund impact; state transportation and federal stimulus funds\) \(Bencomo/Tribukait\)](#)

[Recommended Action 6.02](#)

[Supporting Document 6.02](#)

Approved on Consent.

- 6.03 [Adopt plans and specifications for construction of the first phase of the Esparto Main Street revitalization, and approve agreement with the California Department of Transportation for maintenance of streetprint and parking signs within the state highway on Yolo Avenue in Esparto. \(No general fund impact; engineer's estimate of \\$261,000 including contingency\) \(Bencomo/Comingore\)](#)

[Recommended Action 6.03](#)

Approved on Consent by **Agreement No. 09-169.**

P.M. TIME SET AGENDA (ITEMS 7.01-7.04)

- 7.01 1:30 P.M. **Planning and Public Works**

[Withdraw noticed request for approval of an amendment to an existing use permit, to allow a runway safety extension to a private airport, and withdrawal of approval of a request for development agreement. \(No general fund impact\) \(Bencomo/Baracco\) \(*3 minutes\)](#)

[Recommended Action 7.01](#)

Withdrew noticed request for approval of an amendment to an existing use permit, to allow a runway safety extension to a private airport, and withdrew approval of a request for development agreement.

- 7.02 1:30 P.M. **Planning and Public Works**

[Introduce by title only, waive first reading, and hold a public hearing on a proposed ordinance approving Bylaws for General Plan Citizens Advisory Committees and amending provisions of the Yolo County Code relating thereto, and continue the ordinance to the next regularly scheduled meeting for adoption, together with the appropriate California Environment Quality Act documents. \(No general fund impact\) \(Bencomo/Parfrey\) \(*10 minutes\)](#)

[Recommended Action 7.02](#)

[Supporting Document 7.02A](#)

[Supporting Document 7.02B](#)

[Supporting Document 7.02C](#)

[Supporting Document 7.02D](#)

[Supporting Document 7.02E](#)

[Supporting Document 7.02F](#)

[Supporting Document 7.02G](#)

Minute Order No. 09-245: After a public hearing the Board of Supervisors Introduced by title only, waived first reading of an ordinance approving Bylaws for General Plan Citizens Advisory Committees and amending provisions of the Yolo County Code relating thereto, and continued the ordinance, with changes as indicated by Board input, to the next regularly scheduled meeting for adoption, together with the appropriate California Environment Quality Act documents.

The following individuals addressed the Board of Supervisors on this item: Madelene Lane, Wes Ervin, Leroy Bertolero, and John Hulsman, Jr.

MOVED BY: Provenza / SECONDED BY: Chamberlain

AYES: Thomson, Rexroad, Provenza, Chamberlain

NOES: None

ABSTAIN: None

ABSENT: McGowan

7.03

1:30 P.M. **Planning and Public Works**

[Public hearing to consider adoption of a proposed small and large Wind Energy Systems Ordinance together with a negative declaration as the appropriate level of environmental review pursuant to the California Environmental Quality Act \(CEQA\) and CEQA guidelines. \(No general fund impact\) \(Bencomo/Parfrey\) \(*10 minutes\)](#)

[Recommended Action 7.03](#)

[Supporting Document 7.03](#)

Minute Order No. 09-246: After a public hearing the Board of Supervisors approved the recommended action by **Ordinance No. 1389**.

Justin Kudo and Glen Holstein addressed the Board of Supervisors on this item.

MOVED BY: Rexroad / SECONDED BY: Chamberlain
AYES: Thomson, Rexroad, Provenza, Chamberlain
NOES: None
ABSTAIN: None
ABSENT: McGowan

7.04

1:30 P.M. **Planning and Public Works**

[Public hearing and approval for a lot line adjustment, zone boundary change and Williamson Act Successor agreements for parcels located in the upper Yolo Bypass, owned by Knaggs Farming Company, Neal Dow, and Sacramento Valley Conservancy. \(No general fund impact\) \(Bencomo/Berg\) \(*10 minutes\)](#)

[Recommended Action 7.04](#)

Minute Order No. 09-247: After a public hearing the Board of Supervisors approved the recommended action by **Resolution No. 09-135, Zoning Ordinance No. 681.222, Agreement Nos. 09-170 and 07-171**.

MOVED BY: Chamberlain / SECONDED BY: Provenza
AYES: Thomson, Rexroad, Provenza, Chamberlain
NOES: None
ABSTAIN: None
ABSENT: McGowan

P.M. REGULAR AGENDA (ITEMS 8.01-8.02)

Planning and Public Works

8.01

[Waive second reading and adopt an angle parking ordinance and amendments to Chapter 3 of Title 4 of the Yolo County Code. \(No general fund impact\) \(Bencomo/Comingore\) \(*5 minutes\)](#)

[Recommended Action 8.01](#)

[Supporting Document 8.01](#)

Minute Order No. 09-248: Approved recommended action by **Ordinance 1390.**

MOVED BY: Chamberlain / SECONDED BY: Provenza
AYES: Thomson, Rexroad, Provenza, Chamberlain
NOES: None
ABSTAIN: None
ABSENT: McGowan

8.02

[Adopt the Yolo County design guidelines to provide review criteria for the preparation and evaluation of development proposals in the unincorporated area of the county. \(No general fund impact\) \(Bencomo/Berg\) \(*10 minutes\)](#)

[Recommended Action 8.02](#)

Minute Order No. 09-249: Approved recommended action by **Resolution No. 09-136.**

MOVED BY: Provenza / SECONDED BY: Rexroad
AYES: Thomson, Rexroad, Provenza, Chamberlain
NOES: None
ABSTAIN: None
ABSENT: McGowan

ADJOURNMENT

9.01

In memory of:

- A. [Shirley Kreissman. \(Supervisor Thomson\)](#)
- B. [Betty Jane Eames Polk. \(Supervisor Thomson\)](#)
- C. [Gene Cartwright. \(Supervisor Thomson on behalf of Supervisor McGowan\)](#)
- D. [Walter Vincent Bloom. \(Supervisor Thomson on behalf of Supervisor McGowan\)](#)

[Next meeting scheduled for: October 13, 2009](#)

I declare under penalty of perjury that the foregoing agenda was posted September 24, 2009 by 5:00 P.M. at the following places:

- 1. On the bulletin board at the east entrance of the Erwin W. Meier Administration Building, 625 Court Street, Woodland, California; and
- 2. On the bulletin board outside the Board of Supervisors Chambers, Room 206, in the Erwin W. Meier Administration Building, 625 Court Street,

Woodland, California.

I declare under penalty of perjury that the foregoing agenda will be posted no later than September 25, 2009 by 5:00 P.M. as follows:

3. On the Yolo County website: www.yolocounty.org.

Michael H. McGowan, Chairman
Yolo County Board of Supervisors

Ana Morales, Clerk to the
Board of Supervisors