The County of Yuba

BOARD OF SUPERVISORS

AUGUST 9, 2016

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, Roger Abe, and Randy Fletcher. Supervisor Griego was absent. Also present were County Administrator Robert Bendorf, County Counsel Angil Morris-Jones and Deputy Clerk of the Board of Supervisors Rachel Ferris. Chairman Abe presided.

I. PLEDGE OF ALLEGIANCE - Led by Supervisor Fletcher

II. ROLL CALL - Supervisors Vasquez, Nicoletti, Griego, Abe, Fletcher – Supervisor Griego absent

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 Consent Agenda
MOVED: Andy Vasquez              SECOND: Randy Fletcher
AYES: John Nicoletti, Andrew Vasquez, Roger Abe, Randy Fletcher
NOES: None  ABSENT: Mary Jane Griego  ABSTAIN: None

A. Board of Supervisors

1. (325-0816) Approve Amended and Restated Joint Exercise of Powers Agreement between Sutter, Nevada, Yuba and Colusa Counties, and the Cities of Live Oak, Yuba and Colusa for the purpose of creating a Regional Housing Authority and authorize Chair to execute. Approved.

B. Clerk of the Board of Supervisors

1. (326-0816) Reappoint Norbert Kominsky to Assessment Appeals Board as a Representative with a term to end September 2, 2019. Approved.

2. (327-0816) Reappoint Ruth Mikkelsen to Browns Valley Cemetery District as a Director with a term to end August 22, 2020. Approved.

3. (328-0816) Approve minutes of the meeting of July 19, 2016. Approved as written.

C. Community Development and Services

1. (329-0816) Accept Montrose Unit 4 Improvements project as complete, authorize release of Performance Bond (#PB00535000052), Tract Map 2014-0001 and file a Notice of Completion. Approved.
D. Emergency Services

1. (330-0816) Adopt resolution proclaiming the existence of ongoing local drought emergency in Yuba County pursuant to Government Code 8630. Adopted Resolution No. 2016-70, which is on file in Yuba County Resolution Book No. 47.

E. Probation

1. (331-0816) Approve three agreements with Marysville Joint Unified School District (MJUSD) for Probation and Schools Success Program (PASS) for Deputy Probation Officers and/or Intervention Counselors and authorize Chair to execute. Approved.

F. Sheriff-Coronor

1. (332-0816) Approve Letter of Understanding with BGE Yuba to provide supplemental law enforcement services at Toyota Amphitheater. Approved.

IV. PUBLIC COMMUNICATIONS:

- Ms. Heidi Grossman - Cannabis raids by law enforcement
- Mr. Brook Hilton - Regulation and cultivation of medical marijuana

Supervisor Griego joined the meeting at 9:33 a.m.

V. ORDINANCES AND PUBLIC HEARINGS: The clerk read the disclaimer.

A. (333-0816) Public Hearing - Hold public hearing and adopt resolution amending Recology Yuba-Sutter Collection Service Agreement for associated 1.18% rate increase adjustment for Rate Year 2017, effective October 1, 2016. (Ten minute estimate) County Administrator Robert Bendorf recapped rate adjustments, rate year increases and the designation of the County Administrator as the contract administrator. Mr. Bendorf responded to Board inquiries.

Recology General Manager Mike Leggins recapped operational efficiencies and determination of routes based on volume.

Chair Abe opened the public hearing. No one came forward.

MOTION: Moved to adopt
MOVED: John Nicoletti, SECOND: Andy Vasquez
AYES: Andy Vasquez, John Nicoletti, Mary Jane Griego, Roger Abe, Randy Fletcher
NOES: None ABSENT: None ABSTAIN: None

Adopted Resolution No. 2016-71, which is on file in Yuba County Resolution Book No. 47.

B. (317-0716) Ordinance - Hold public hearing, waive reading, and adopt ordinance adding Chapter 3.26 Training of District Attorney Investigators to accept Standards for recruitment and training of Peace Officers established by Commission on Peace Officers Standards and Training to the Yuba County Ordinance Code. (Law and Justice Committee recommends approval) (Second Reading) (Roll Call Vote) (Ten minute estimate) District Attorney Patrick McGrath recapped POST training requirements and benefits, and responded to Board inquiries.
Chairman Abe opened the public hearing. No one came forward.

MOTION: Move to close public hearing, waive reading, and adopt ordinance
MOVED: John Nicoletti SECOND: Andrew Vasquez
AYES: John Nicoletti, Andrew Vasquez, Mary Jane Griego, Roger Abe, Randy Fletcher
NOES: None ABSENT: None ABSTAIN: None

By roll call vote, adopted Ordinance No. 1557, which is on file in Yuba County Ordinance Book No. 25.

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


B. (335-0816) Three notices from California Fish and Game Commission on proposed regulatory actions relating to Upland Game Bird Special Hunt, Nongame Animals General Provisions, proposed 90-day extension of emergency action relating to Dungeness Crab and Rock Crab Fisheries. Received.

C. (336-0816) Notice from Nevada Joint Union High School District enclosing Resolution No. 43-15/16 ordering an election and establishing specifications of the Election Order adopted on June 29, 2016 calling for a November 8, 2016 local bond election. Received.

D. (337-0816) Notice from Browns Valley Irrigation District regarding 2015 Agricultural Water Management Plan. Received.

E. (338-0816) Notice from Federal Energy Regulatory Commission regarding Project Consultation with United Auburn Indian Community. Received.

F. (339-0816) Notice from Wheatland City Council enclosing Resolution No. 16-16 requesting consolidation of City Election with the November 8, 2016 Statewide Election. Received.

G. (340-0816) Notice from City of Marysville enclosing Resolution No. 2016-39 ordering a General Municipal Election, a measure on a ballot to impose Cannabis Business Tax and requests consolidation with the November 8, 2016 local bond election. Received.

VII. BOARD AND STAFF MEMBERS REPORTS:

Supervisor Griego: Memorial Adjournments: Ms. Bertha Edwards and Mr. Gregory Straolzini

Supervisor Fletcher - Meetings attended:
- July 27 Forbestown Museum Dinner
- August 8 Yuba County Water Agency Workshop
- August 3 Children’s Council meeting
- August 3 Swearing in ceremony for Yuba County Superintendent of Schools
- August 4 Yuba County Water Agency Ad hoc meeting
- Memorial Adjournment – Mr. Craig G. Hall

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Supervisor Abe:
- July 30 Plumas Lake Block party
- August 1 North Central Counties Consortium meeting
- August 3 Swearing in ceremony for Yuba County Superintendent of Schools
- August 3 LAFCO meeting elected Chair for 2016/2017
- August 4 Yuba Sutter Fair opening ceremony
- August 6 Yuba Sutter Fair Junior Auction

County Administrator Robert Bendorf:
- Received Board consensus to send letter of opposition for AB 1066 Agricultural workers: wages, hours, and working conditions
- August 16 and 17 Budget Workshops
- Received Board consensus to accept position on Homeless Taskforce with CSAC and League of Cities

Supervisor Nicoletti: August 14 parade and celebration for 2016 Olivehurst Linda District 2 All Stars and Team West United States World Series participants, 2016 Peach Bowl District 2 all Stars and Northern California State Champions, and 2016 Marysville Minors District 2 All Stars and Northern California Minors All Stars State

VIII. CLOSED SESSION: The Board retired into closed session at 10:10 a.m. and returned at 1:35 p.m. with all members present as indicated above.

A. Conference with Real Property Negotiator Pursuant to Government Code 54956.8 - Property: APN 019-270-040 Goldfields Parkway (Owner Menconi, Hal Jr.) Negotiating Parties: Mike Lee Negotiations: Terms of Price By unanimous vote the Board gave terms and conditions

B. Pending litigation pursuant to Government Code 54956.9(d)(1) - Rackley vs. County of Yuba By unanimous vote gave staff direction

C. Pending litigation pursuant to Government Code 54956.9(d)(1) - Fellowship of Friends vs Yuba County Staff was given direction.

D. Personnel pursuant to Government Code 54957.6(a) - Labor Negotiations DSA/County of Yuba Staff was given direction.

E. Personnel pursuant to Government Code 54957(b)(1) - Public Guardian-Conservator By unanimous vote the Board gave authority.

IX. RECESS: The Board returned at 1:35 p.m. with all members present as indicated above.

1:30 P.M. SPECIAL BOARD WORKSHOP Regional Waste Administration jurisdictional workshop. (No background) (1.5 hour estimate)

Regional Waste Management Director Keith Martin recapped contracting with Sloan Vasquez McAfee for surveys and workshops relating to collection services and solid waste management.

Ms. Carissa McAfee presented a PowerPoint presentation outlining the following
- Collection Service Areas (CSA)
- New Collection Service Agreements
- Options
◦ Extend Current CSA with no changes
◦ Negotiate new service agreement prior to the end of the current agreement
◦ Conduct competitive procurement in 2018

Mr. Joe Sloan responded to inquiries regarding providing an opportunity for both the county and the contractor to enter into negotiations.

The following individuals spoke:
• Mr. Scott Kunis
• Mr. Mike Leggins
• Mr. Richard Hobbs
• Mr. Kelly Purdom

ADJOURN: 2:40 p.m. in honor of Ms. Bertha Edwards, Mr. Gregory Straolzini, and Mr. Craig G. Hall.

Chair

ATTEST: DONNA STOTTEMEYER
CLERK OF THE BOARD OF SUPERVISORS

By Rachel Ferris, Deputy Clerk

Approved: Sept 13, 2016