Call to order 9:00 a.m. with Supervisors Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, and Randy Fletcher present. Also present were County Administrator Robert Bendorf and County Counsel Courtney Abril.

PLEDGE OF ALLEGIANCE - Led by Supervisor Bradford

ROLL CALL - Supervisors Vasquez, Leahy, Lofton, Bradford, Fletcher – All present

CONSENT AGENDA - All matters listed under Consent Agenda are considered to be routine and can be enacted in one motion.

MOTION: Move to adopt

MOVED: Andrew Vasquez
SECOND: Mike Leahy

AYES: Andrew Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None
ABSENT: None
ABSTAIN: None

326/2017 Health and Human Services: Approve agreement with Children’s Home Society of California for California Work Opportunity and Responsibility to Kids (CalWORKs) Child Care Services and authorize Chair to execute. (Human Services Committee recommends approval) Approved

347/2017 Administrative Services: Adopt resolution pursuant to Section 2.50.060 declaring property at 4240 Dan Avenue (APN 014-190-035-000) as surplus and authorizing Director of Administrative Services to sell property, and establish November 14, 2017 as the bid opening date. Adopted Resolution 2017-100

358/2017 Community Development and Services Agency: Approval of plans, specifications and estimate and authorization for advertisement of bids for Feather River Blvd pavement resurfacing from Algodon Road to 400' west of River Oaks Blvd. Approved

359/2017 Board of Supervisors: Approve Child Care Planning Council 2017-2022 Child Care Needs Assessment. Approved

360/2017 Sutter-Yuba Behavioral Health: Adopt resolution dedicating unencumbered Mental Health Services Act Funds for support a regional housing project in partnership with the Regional Housing Authority. Mental Health Act Funds. Adopted Resolution No. 2017-101

311/2017 Office of Emergency Services: Adopt resolution proclaiming the existence of an ongoing local emergency due to flood waters in the County of Yuba. Adopted Resolution No. 2017-102

312/2017 Office of Emergency Services: Adopt Resolution proclaiming existence of an ongoing local emergency due to Historic Rainfall in the County of Yuba. Adopted Resolution No. 2017-103
313/2017 Office of Emergency Services: Adopt resolution proclaiming existence of ongoing local emergency due to tree mortality in the County of Yuba. Adopted Resolution No. 2017-104

228/2017 Office of Emergency Services: Adopt resolution proclaiming existence of an ongoing local emergency due to Oroville Dam Spillway Event. Adopted Resolution No. 2017-105

370/2017 Administrative Services: Approve lease agreement between Bill Schmidt doing business as BC Air LLC, and John Ferguson for Site Number 11, Hangar #5 and authorize Chair to execute. Approved

368/2017 Clerk of the Board of Supervisors: Reappoint Martha Waltz to the Wheatland Cemetery District as a Director with a term ending August 13, 2021. Approved

369/2017 Clerk of the Board of Supervisors: Appoint Mimi Mathews to Assessment Appeals Board No. II as an Alternate and Appoint Kul dip Atwal as Director with both terms ending September 7, 2020. Approved

372/2017 Health and Human Services: Adopt resolution authorizing agreement with California Department of Social Services for Resources Family Approval Program and authorize Chair to execute any and all documents of agreement upon review and approval of County Counsel. Adopted Resolution No. 2017-106

373/2017 Community Development and Services: Approve plans, specifications and estimate, and authorization for advertisement of bids for Feather River Boulevard Curve Correction project, and authorize Chair to execute. Approved

380/2017 Community Development and Services: Approval of plans, specifications and estimate, and authorization for advertisement of bids for Mathews Lane and Ramirez Road Farm to Market pavement resurfacing with a tentative bid opening date of September 19, 2017. Approved

386/2017 Community Development and Services Agency: Receive notice of Final Map TM 2015-0005, The Orchard Phase Two-2 under review, pending approval. Received

PUBLIC COMMUNICATIONS - None

COUNTY DEPARTMENTS

363/2017 Health and Human Services: Authorize transfer of funds in the amount of $45,000 from Account Number 101-4720-441.28-03 (County Medical Services Program County (CMSP) Participation Fee) to Account Number 233-5410-453.18-00 (Maintenance Building Improvement) for completion of the modular unit at 4 Forward. (Five minute estimate) Program Manager Tracy Bryan recapped and responded to Board inquiries. County Administrator Robert Bendorf responded to inquiries regarding Tri-County Juvenile Hall.

MOTION: Move to approve
MOVED: Gary Bradford
SECOND: Mike Leahy
AYES: Andrew Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None
ABSENT: None
ABSTAIN: None

Approved by roll call vote

367/2017 Administrative Services: Authorize budget transfer in the total amount of $18,384 from the Airport Capital Improvement Fund 131 to the Airport Enterprise Fund 130 for replacement of Airport taxiway lighting regulator. (4/5 Vote required) (Five minute estimate) Airport Manager Mary Hansen recapped and responded to Board inquiries.
MOTION: Move to approve
MOVED: Vasquez, Andy  SECOND: Leahy, Mike
AYES: Andrew Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None  ABSENT: None  ABSTAIN: None

Approved by roll call vote

356/2017 Human Resources and Organizational Services: Approve countywide Student Intern and Volunteer Program and Policy. (Ten minute estimate) Director Jill Abel recapped intern and volunteer program, and advised input was received from local high schools, Yuba College, Office of Education and some universities. Ms. Abel responded to inquiries.

MOTION: Move to approve  MOVED: Lofton, Doug  SECOND: Leahy, Mike
AYES: Andrew Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None  ABSENT: None  ABSTAIN: None

376/2017 Human Resources: Adopt resolution declaring persons who perform voluntary service for the County as employees for the purpose of workers compensation benefits as provided for under Labor Code Section 3363.5. (Ten minute estimate) Director Jill Abel provided a brief recap and responded to Board inquiries.

MOTION: Move to adopt  MOVED: Andrew Vasquez  SECOND: Mike Leahy
AYES: Andrew Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None  ABSENT: None  ABSTAIN: None

Adopted Resolution No. 2017-107

378/2017 Human Resources: Adopt resolution amending Resolution No. 2017-83 related to Extra Help Classification System Hourly Schedule Intern. (Ten minute estimate) Director Jill Abel provided a brief recap and responded to Board inquiries.

MOTION: Move to adopt  MOVED: Mike Leahy  SECOND: Doug Lofton
AYES: Andrew Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None  ABSENT: None  ABSTAIN: None

Adopted Resolution No. 2017-108

382/2017 Community Development and Services Agency: Approve plans, specifications and estimate and authorization to advertise bids for road repairs to Briarwood Lane, Hokin Lane, Intanko Lane and Kapaka Lane pending approval from FEMA with a bid opening date of September 20, 2017. (Five minute estimate) Public Works Director Mike Lee recapped damage to roads from winter storms, scope of project, and responded to Board inquiries.

MOTION: Move to approve  MOVED: Andrew Vasquez  SECOND: Doug Lofton
AYES: Andrew Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None  ABSENT: None  ABSTAIN: None

383/2017 Community Development and Services Agency: Approve plans, specifications and estimate and authorization to advertise bids for road repairs to Camp Far West Rd, Long Ravine Rd, Spenceville Rd, and Waldo Rd pending approval from FEMA with a bid opening date of September 20, 2017. (Five minute estimate) Public Works Director Mike Lee recapped.
MOTION: Move to approve  MOVED: Andrew Vasquez  SECOND: Mike Leahy
AYES: Andrew Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None  ABSENT: None  ABSTAIN: None

384/2017 Community Development and Services Agency: Approve plans, specifications and estimate and authorize advertisement of bids for road repairs to Dry Creek Levee Rd, Ellis Rd, Hale Rd, Tanabe Rd, and Morrison Rd pending approval from FEMA with a bid opening date of September 20, 2017. (Five minute estimate) Public Works Director Mike Lee provided a brief recap.

MOTION: Move to approve  MOVED: Andrew Vasquez  SECOND: Gary Bradford
AYES: Andrew Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None  ABSENT: None  ABSTAIN: None

385/2017 Community Development and Services Agency: Approve plans, specifications and estimate and authorize advertisement of bids for road repairs to Pendola Extension Road, Weeds Point Road and Youngs Hill Road pending approval from FEMA with a bid opening date of September 20, 2017. (Five minute estimate) Public Works Director Mike Lee provided a brief recap.

MOTION: Move to approve
MOVED: Doug Lofton  SECOND: Andrew Vasquez
AYES: Andrew Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None  ABSENT: None  ABSTAIN: None

387/2017 Community Development and Services Agency: Approve plans, specifications and estimate and authorize advertisement of bids for road repairs to Indiana Ranch Road, Clark Ranch Road, Wild Acre Way, Westwood Trail, Sandy Way, Skyview Way, Sunnyside Way, Golden Arrow Lane, Silva Path, Vierra Road, Abies Ln, Mourning Dove, Jessica Way, Potts Trail, Leanne Way and Begonia Way pending approval from FEMA with a bid opening date of September 20, 2017. (Five minute estimate) Public Works Director Mike Lee recapped.

MOTION: Move approve
MOVED: Doug Lofton  SECOND: Andrew Vasquez
AYES: Andrew Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None  ABSENT: None  ABSTAIN: None

ORDINANCES AND PUBLIC HEARINGS — The clerk read the disclaimer.

318/2017 Public Hearing - Hold public hearing and adopt resolution approving amendment to Recology Yuba Sutter Collection Service Agreement approving 1.42% rate increase effective October 1, 2017 and 1% franchise fee increase - County Administrator (Fifteen minute estimate) (Roll Call Vote) County Administrator Robert Bendorf recapped franchise agreement, methodology of rate increase and franchise fee, and responded to Board inquiries.

Chairman Fletcher opened the public hearing. No one came forward.

MOTION: Move to close the public hearing and adopt resolution
MOVED: Doug Lofton  SECOND: Andrew Vasquez
AYES: Andrew Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None  ABSENT: None  ABSTAIN: None
Adopted Resolution No. 2017-109 via roll call vote

275/2017 Public Hearing - Hold public hearing and adopt resolution establishing 10-ton weight limit for Ellis Road Bridge over Simmerly Slough until repaired or replaced - Community Development and Services Agency (Ten minute estimate) (Roll Call Vote) Assistant Public Works Director Tim Young recapped recommendation of 10 Ton weight limit pending remedial repair, and responded to Board inquiries.

Caltrans Hydraulic Engineer Scott Davis recapped bridge inspection, recommendations, and responded to Board inquiries.

Following Board discussion Mr. Young advised a flashing beacon would be added to the signage to alert motorist of weight limit.

Chairman Fletcher opened the public hearing. No one came forward.

MOTION: Move to close the public hearing and adopt
MOVED: Doug Lofton SECOND: Andrew Vasquez
AYES: Andrew Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None ABSENT: None ABSTAIN: None

Adopted Resolution No. 2017-110 by roll call vote

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

361/2017 Notice from California Governor’s Office of Emergency Services regarding United States Small Business Administration Physical Disaster Declaration. Received.

365/2017 Three notices from State of California Fish and Game Commission relating to various regulatory actions published in August 4, 2017 California Regulatory Notice Register. Received.

366/2017 Letter from Citizens for a new Yuba County Fish and Game Advisory Commission. Received.

BOARD AND STAFF MEMBERS’ REPORTS

Supervisor Vasquez: RCRC presentation on marijuana regulations

Supervisors Lofton and Bradford: Commended staff on budget workshops

County Administrator Robert Bendorf: Sacramento Bee article regarding affordable housing crises

CLOSED SESSION: The Board retired into closed session at 10:06 a.m. and returned 10:38 a.m. with all members present as indicated above.

69/2017 Conference with Legal Counsel - Existing litigation pursuant to Government Code §54956.9(d)(1) - Fellowship of Friends vs. County of Yuba, YCSCCVPT14-0000794. By unanimous vote provided direction to staff


08/22/2017
391/2017 Conference with Legal Counsel - existing litigation pursuant to Government Code §54956.9(d)(1) - Hedrick vs. Grant Case No. 2:76-CV-00162-GE-EB. No Report

364/2017 Personnel pursuant to Government Code §54957(b)(1) – Public Appointment Administrative Services Director. No Report

1:00 P.M. ADMINISTRATIVE HEARINGS: The clerk administered the oath to all parties testifying in the following matters.

388/2017 Administrative Hearings: Hold appeal hearing to determine public nuisance for property located at 13172 Yuba Nevada Road, Dobbins, CA 95935; APN: 048-170-025; Property Owners Doris Kay and Mark Alan Tapia and Sarah Springer. (Community Development and Services Agency) (20 minute estimate) (Roll Call Vote) County Counsel Courtney Abril recapped administrative hearing procedure. Community Development and Services Director Kevin Mallen provided PowerPoint presentation with satellite image history and a current aerial photo dated August 21, 2017 depicting outdoor grow area of 36 marijuana plant, and responded to Board inquiries.

Code Enforcement Officer Chris Monaco responded to inquiries from Deputy Counsel Andrew Naylor and Attorney Ryan Birss regarding his experience and education relating to marijuana plants, other crops and their related structures.

Chair Fletcher opened the public hearing. There were no comments.

MOTION: Move to confirm public nuisance; order abatement by 5:00 p.m. August 23, 2017; order owner submit to inspection 8:00 a.m. August 24, 2017; order Code Enforcement to abate if not in compliance; order Cost Accounting hearing; and confirm enforcement costs of $1,791.93 MOVED: Andrew Vasquez SECONED: Gary Bradford

AYES: Andrew Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher

NOES: None ABSENT: None ABSTAIN: None

Approved by roll call vote

389/2017 Administrative Hearings: Hold Appeal Hearing to determine public nuisance for property located at: 13598 Musholt Road, Dobbins, CA 95935; APN: 048-140-033; Property Owner: Justin Green. (Community Development and Services) (20 Minute Estimate) (Roll Call Vote) Community Development and Services Director Kevin Mallen presented PowerPoint presentation with satellite image history depicting outdoor grow area of 97 marijuana plants, multiple unpermitted greenhouses, a current aerial photo dated August 2017 showed most of the plants had been removed. Mr. Mallen responded to Board inquiries.

Chair Fletcher opened the public hearing.

Property owner Mr. Justin Green advised he had contacted the tenants regarding clean up, started the process to obtain permits for the green house and abatement of the property. Mr. Green agreed to allow Code Enforcement to inspect the property Wednesday, August 23.

MOTION: Move to confirm public nuisance; order abatement by 5:00 p.m. August 23, 2017; order owner submit to inspection 8:00 a.m. August 24, 2017; order Code Enforcement to abate if not in compliance; order Cost Accounting hearing; and confirm enforcement costs of $1,791.93 MOVED: Andrew Vasquez SECONED: Doug Lofton

AYES: Andrew Vasquez, Doug Lofton, Gary Bradford, Randy Fletcher

NOES: Mike Leahy ABSENT: None ABSTAIN: None

Approved by roll call vote

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390/2017 Administrative Hearings: Hold Appeal Hearing to determine public nuisance for property located at: 13626 De Long Way, Dobbins, CA 95935; APN: 048-140-034; Property Owners: Kenneth E and Christine M Loyd. (Community Development and Services Agency) (20 minute estimate) (Roll Call Vote.) County Counsel Courtney Abril indicated a letter had been received from the Attorney in lieu of attendance.

MOTION: Move to accept letter and move forward with hearing
MOVED: Leahy, Mike SECOND: Bradford, Gary
AYES: Andrew Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None ABSENT: None ABSTAIN: None

Community Development and Service Director Kevin Mallen provided a PowerPoint presentation with satellite image history and a current aerial photo dated August 21, 2017 depicting an outdoor grow area of 37 marijuana plants and three unpermitted greenhouses, and responded to Board inquiries.

County Counsel Courtney Abril advised a letter received from Attorney Charnel James would be made part of the record.

Chair Fletcher opened the public hearing. There were no comments.

MOTION: Move to confirm public nuisance; order abatement by 5:00 p.m. August 23, 2017; order owner submit to inspection 8:00 a.m. August 24, 2017; order Code Enforcement to abate if not in compliance; order Cost Accounting hearing; and confirm enforcement costs of $1,791.93
MOVED: Mike Leahy SECOND: Gary Bradford
AYES: Andrew Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None ABSENT: None ABSTAIN: None

Approved by roll call vote

ADJOURN: 1:56 p.m.

Chair

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

Approved: September 26, 2017