Call to order .m. with Supervisors Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, and Randy Fletcher present. Also present were County Administrator Robert Bendoff 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 approve Consent Agenda
MOVED: Andy Vasquez  SECOND: Gary Bradford
AYES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None  ABSENT: None  ABSTAIN: None

395/2017 Office of Emergency Services: Adopt resolution proclaiming an ongoing local emergency due to Tree Mortality. Adopted Resolution No. 2017-142

396/2017 Office of Emergency Services: Adopt resolution to approve ongoing local emergency proclamation due to Flood Waters. Adopted Resolution No. 2017-143

397/2017 Office of Emergency Services: Adopt a resolution proclaiming the existence of an ongoing local emergency due to the Oroville Dam Event. Adopted Resolution No. 2017-144

398/2017 Office of Emergency Services: Adopt a resolution proclaiming the existence of an ongoing emergency in the County of Yuba due to Historic Rainfall. Adopted Resolution No. 2017-145

511/2017 County Administrator: Approve and authorize Chairman to sign one-year contract for Public Defender First Conflict services with Michael J. Sullinger, Douglas Tibbits, and Philippa Lauben. Approved

519/2017 Clerk of the Board: Approve minutes of September 26, October 10 and 17, 2017. Approved

525/2017 Office of Emergency Services: Approve resolution proclaiming the existence of an ongoing local emergency due to wildland fires in the County of Yuba. Adopted Resolution No. 2017-146

516/2017 Administrative Services: Approve Memorandum of Understanding with Superior Court for Use of Space in Courthouse and authorize Chair to execute. Approved

518/2017 Administrative Services: Approve Sublease renewal agreement with Yuba Feather Community Services for Ponderosa Park and authorize Chair to execute. Approved
PUBLIC COMMUNICATIONS:

Mr. James Seif – Sanctuary State  
Mr. Charles Sharp – Social/Internet media regarding Cascade Fire

COUNTY DEPARTMENTS

479/2017 Office of Emergency Services: Approve Memorandum of Understanding between County of Yuba and the Smartsville Fire Protection District and authorize Chair to execute. (Five minute estimate) Manager Scott Bryan recapped agreement for CalFire dispatch services and responded to inquiries.

There were no public comments.

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

509/2017 Office of Emergency Services: Adopt resolution for California Department of Forestry and Fire Protection (Cal Fire) Consolidated Dispatch Contract for three year term fiscal year 2017-2020 and authorize Chair to execute. (Ten minute estimate) Manager Scott Bryan recapped services and responded to inquiries.

There were no public comments.

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

Adopted Resolution No. 2017-147

512/2017 County Administrator: Receive report on current status of the County's Public Administration and Public Safety software. (Ten minute estimate) Community Development and Services Director Kevin Mallen, Information Technology Director Paul LaValley, and Auditor Rich Eberle provided information regarding needs, infrastructure of systems, technology required, and responded to Board inquiries. County Administrator Robert Bendorf recapped estimated costs, importance of moving forward with project for efficiency, backup protection for disasters, and efficiencies derived moving forward.

There were no public comments.

Board members recommended moving forward.

510/2017 Office of Emergency Services: Adopt resolution authorizing Director of Emergency Services or Emergency Operations Manager to accept annual PG&E Disaster Preparedness Funds and authorize transfer of $20,000 from OES revenue account 101-4200-363-7426 to OES account 101-4200-427-28-00. (4/5 vote required) (Ten minute estimate) Emergency Services Manager Scott Bryan recapped use of funds for emergency center and responded to inquiries.

MOTION: Move to adopt  
MOVED: Mike Leahy  SECOND: Andy Vasquez

10/24/2017
AYES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None ABSENT: None ABSTAIN: None

Adopted Resolution No. 2017-148 by roll call vote.

524/2017 Auditor: Adopt resolution regarding emergency appropriations and authorize budget adjustment in the total amount of $150,000 appropriating funds to cover expenditures incurred related to Cascade Fire event. (Ten minute estimate) (4/5 vote required) Auditor Rich Eberle provided a brief recap and responded to inquiries.

There were no public comments.

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

Adopted Resolution No. 2017-149

ORDINANCES AND PUBLIC HEARINGS – Disclaimer read

508/2017 Community Development and Services: Hold public hearing, waive first reading, and introduce an ordinance creating Chapter 7.41 of the Yuba County Ordinance Code relating to commercial cannabis activities. (15 minute estimate) (Roll Call Vote) Director Kevin Mallen recapped ordinance prohibiting commercial cannabis activities within the County and responded to Board inquiries.

Chairman Fletcher opened the public hearing.

The following individuals spoke:
Mr. Charles Sharp
Mr. Buck Weckman
Ms. Karen Liggett

MOTION: Move to close public hearing, waive reading, and introduce ordinance
MOVED: Mike Leahy SECOND: Andy Vasquez
AYES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None ABSENT: None ABSTAIN: None

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

521/2017 Letter from Pastor Terry Witt regarding Riverside Redemption Church. Received

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.

Supervisor Leahy: Amazon locating to Sacramento

Supervisor Lofton and Bradford: Cascade Fire response

Supervisor Vasquez: Sanctuary State
County Administrator Robert Bendorf: Staff response to Cascade Fire

County Counsel: Special meeting October 31, 2017

Supervisor Fletcher:
Broadband in Yuba Foothills
Memorial Adjournments:
  · Ms. Sandra Picciano
  · Ms. Roseann Marie Hannah
  · Mr. David Culp
  · Mr. Stanley A. Coolidge Jr.
  · Mr. Frank Cook
  · Mr. Michael Elkins

CLOSED SESSION – The Board retired into closed session at 10:28 a.m. and returned at 10:47 a.m.

517/2017 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION pursuant to Government Code §54956.9(d)(1) - Worker’s Compensation Claim No. 20152000589 of Rambo Fui - Authority provided to staff by unanimous vote

101/2017 Labor Negotiations pursuant to Government Code §54947(a) – DDAA/YCEA / Negotiator Jill Abel and Karen Fassler - Authority provided to staff by unanimous vote

1:30 P.M. ADMINISTRATIVE HEARINGS - Disclaimer read

465/2017 Administrative Appeal Hearing - Hold appeal hearing to determine public nuisance for property located at 8458/8492 Dutch Flat Trail, Smartsville, CA 95977; APN: 006-260-035; Property Owner: Shaun Brady. (Community Development and Services) (20 minute estimate) (Roll Call Vote) Program Manager Jeremy Strang recapped google images depicting cultivation of 260 marijuana plants outdoors, construction of hoop-style green houses, emplacement of recreation vehicle and two accessory building without permits; accumulation and storage of abandoned, wrecked, dismantled or inoperable vehicles; propagation and harborage of vector and vermin by accumulation of junk, trash, and debris; illegal grading activities, and discharge of sewage to ground surface. Mr. Strang responded to Board inquiries.

Attorney Jennifer Granger, on behalf of property owner, advised of plant removal, trash, recreational vehicle and electric issues; requested 60 days to restart permitting process for resident; and objected to inclusion of “hearing prep” and “warrant return” fees.

Chairman Fletcher opened the hearing. The following individual spoke: Ms. Karen Liggett

Mr. Shaun Brady, property owner, advised fees have been paid towards building plans for dwelling.

Chairman Fletcher closed the hearing.

MOTION: Move to confirm public nuisance; order legal owner to continue to abate remaining public nuisance conditions within 60 days; to submit to inspection of property as necessary to verify compliance; order Code Enforcement to abate if any public nuisance not in compliance with orders; set cost accounting hearing after final compliance inspection; confirm enforcement costs of $4,285.05
MOVED: Andy Vasquez  SECOND: Mike Leahy
AYES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None  ABSENT: None  ABSTAIN: None

466/2017 Administrative Appeal Hearing - Hold appeal hearing to determine public nuisance for property located at Vacant Lot on Dutch Flat Trail, Smartsville, CA 95977; APN: 006-340-010; Property Owners: Anthony Damiano & Juan Sandoval. (Community Development and Services Agency) (20 minute estimate) (Roll Call Vote)

Attorney Jennifer Granger for property owners requested time to review revised orders presented to Board.

The Board recessed at 1:57 p.m. and reconvened at 2:04 p.m.

Program Manager Jeremy Strang recapped google images depicting marijuana cultivation of 147 plants outdoors, no permitted legally occupied dwelling, construction of 2-hoop style greenhouses without permit, discharge of sewage to ground surface, illegal grading activities, hazardous electrical, and propagation and harborage of vector and vermin; and advised as of September 16 plants had been removed. Mr. Strang responded to Board inquiries.

Ms. Granger advised the generator was not connected to cultivation, illegal grading was not supported, provided Exhibit A regarding greenhouse structure, and indicated clients will work with the board to comply, and requested time to become compliance with building permits.

Mr. Anthony Damiano and Mr. Juan Sandoval apologized for situation and advised would work with county to become compliant.

MOTION: Move to confirm public nuisance; order legal owner to continue to abate remaining public nuisance conditions within 60 days; to submit to inspection of property as necessary to verify compliance; order Code Enforcement to abate if any public nuisance not in compliance with orders; set cost accounting hearing after final compliance inspection; confirm enforcement costs of $4,051.32
MOVED: Andy Vasquez  SECOND: Mike Leahy
AYES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None  ABSENT: None  ABSTAIN: None

497/2017 Administrative Appeal Hearing - Hold Appeal Hearing to determine public nuisance for property located at 9019 Marysville Road, Oregon House, CA 95962; APN: 048-080-035; Property Owner: Jeavonhn and Shana Kay Bennett. Continued to November 15, 2017 at 9:00 a.m.

526/2017 Administrative Appeal Hearing - Hold Appeal Hearing to determine public nuisance for property located at 9660 Mason Way, Oregon House, CA 95962; APN: 060-100-028; Property Owner: Richard Shelton. Continued to November 15, 2017 at 9:00 a.m.

527/2017 Administrative Appeal Hearing - Hold Appeal Hearing to determine public nuisance for property located at 12422 Regent Way, Oregon House, CA 95962; APN: 048-240-017; Property Owner: Sidney L. McCarty. Continued to November 15, 2017 at 9:00 a.m.

528/2017 Administrative Appeal Hearing - Hold Appeal Hearing to determine public nuisance for property located at 6808 Potts Trail, Browns Valley, CA 95918; APN: 005-270-195; Property Owner: Michael J. and Grace J. Cesario. Continued to November 15, 2017 at 9:00 a.m.

530/2017 Administrative Appeal Hearing - Hold Appeal Hearing to determine public nuisance for property located at 6413 Dantoni Road, Marysville, CA 95901; APN: 018-210-068; Property Owner: Blanca Rodriguez and Todd Klundt. Continued to November 15, 2017 at 9:00 a.m.
529/2017 Administrative Appeal Hearing - Hold Appeal Hearing to determine public nuisance for property located at 15314 Burch Lane, Brownsville, CA 95919; APN: 060-100-002; Property Owner: Angela D. Stroming, Austin T. Stroming, William B. Stonecipher. Continued to November 15, 2017 at 9:00 a.m.

531/2017 Administrative Appeal Hearing - Hold Appeal Hearing to determine public nuisance for property located at 13019 Rices Crossing Road, Oregon House, CA 95962; APN: 048-020-013; Property Owner: Stephen S. Brown. Continued to November 15, 2017 at 9:00 a.m.

ADJOURN: 2:27 p.m. in memory of Ms. Sandra Picciano, Ms. Roseann Marie Hannah, Mr. David Culp, Mr. Stanley A., Coolidge Jr., Mr. Frank Cook, and Mr. Michael Elkins

Chair

ATTEST: DONNA STOTTERMeyer
CLERK OF THE BOARD OF SUPERVISORS

Approved: November 14, 2017