The County of Yuba
BOARD OF SUPERVISORS
JULY 10, 2018

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

PLEDGE OF ALLEGIANCE – Led by Supervisor Vasquez

ROLL CALL - Supervisors Vasquez, Leahy, Lofton, Bradford, Fletcher

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

278/2018 Emergency Services: Adopt resolution proclaiming an ongoing local emergency due to Tree Mortality. Adopted Resolution No. 2018-116

280/2018 Emergency Services: Adopt resolution to approve ongoing local emergency due to Flood Waters. Adopted Resolution No. 2018-107

282/2018 Emergency Services: Adopt resolution proclaiming the existence of an ongoing emergency in the County of Yuba due to Historic Rainfall. Adopted Resolution No. 2018-108

283/2018 Emergency Services: Adopt a resolution proclaiming the existence of an ongoing local emergency due to the Oroville Dam Event. Adopted Resolution No. 2018-109

284/2018 Emergency Services: Adopt resolution proclaiming the existence of an ongoing local emergency due to wildland fires in the County of Yuba. Adopted Resolution No. 2018-110

644/2018 Board of Supervisors: Adopt resolution continuing local emergency regarding proliferation of illegal cannabis cultivation. Adopted Resolution No. 2018-111

646/2018 Board of Supervisors: Reappoint James Parnell as a Director to Strawberry Valley Cemetery District with a term ending May 20, 2022. Approved

653/2018 Administrative Services: Declare items as surplus property and authorize disposal pursuant to Ordinance Code 2.50.060 and direct Auditor-Controller to remove surplus equipment from Capital Asset listing upon receipt of disposal from Purchasing Agent. Approved

655/2018 Sutter-Yuba Behavioral Health: Approve the annual update for Mental Health Services Act for Fiscal Year 2018/19. Approved

659/2018 Community Development and Services: Accept Contract No. 2017-6010 Alleghany Road Bridge Rehabilitation Project as complete; authorize Public Works Director to sign and record Notice of Completion. Approved

249/2018 Community Development Services: Adopt resolution to participate on the Groundwater Sustainability Committee and authorize staff to represent Yuba County on the Committee. (Land Use and Public Works Committee recommends approval.) Adopted Resolution No. 2018-113

669/2018 Community Services and Development: Adopt Resolution establishing existence of public necessity to allow the prime contractor All-American to subcontract road paving operations to Lamon Construction, Inc., relating to Contract No. 2016-2235 Intersection Improvements at Olivehurst Avenue and Powerline Road. Adopted Resolution No. 2018-114

670/2018 Clerk of the Board of Supervisors: Approve meeting minutes of June 12, 2018. Approved as written

658/2018 Health and Human Services: Approve agreement with Yuba County Office of Education for employment services and assessments for California Work Opportunity (CalWORKs) and authorize Chair to execute. Approved

666/2018 Administrative Services: Adopt resolution authorizing Director of Administrative Services to extend Dan Avenue escrow close date by 30 days to clear remaining title issues for purchaser. Adopted Resolution No. 2018-115

654/2018 Administrative Services: Approve as to form, Request for Qualifications including drawings, technical specifications volumes, and appendices for Jail Medical and Mental Health Facility Construction Project. Approved

679/2018 County Administrator: Approve Regional Waste Management Authority (RWMA) program application to the California Department of Resources Recycling and Recovery (CalRecycle) on the County’s behalf for the Used Oil Payment Program for FY 2018/19, by approving submittal of the County Administrator’s letter. Approved

662/2018 County Administrator: Approve agreement with Yuba County Water Agency (YCWA) for a twelve month cash flow loan in the amount of $8,031,642 to pre-pay the County’s annual unfunded liability portion of CalPERS payment for FY 2018-2019 and authorize Chair to execute. Approved

SPECIAL PRESENTATIONS

299/2018 Special Presentation: Present proclamation to Casa de Esperanza proclaiming July 2018 Sexual Assault Awareness Month. (Five minute estimate) Chair Vasquez read and presented proclamation to Sexual Assault Program Manager Marina Cavanagh.

Ms. Cavanagh invited Board members to the “Walk a Mile in Her Shoes” event Saturday, July 14th, at the Yuba-Sutter Mall.
647/2018 Special Presentation: Receive annual progress report from Yuba County Historic Resources Commission. (Ten minute estimate) Historic committee Chair Sue Cejner-Moyers and Roberta D'Arcy recapped vacancies, current and future activities including the following:
- History Fair and Swan Festival
- Japanese-American portraits
- Henry Delemers historical stories
- Promoting authenticity of local articles
- Collection Repository
- Historic Assessment Records

Ms. Cejner-Moyers responded to Board inquiries.

PUBLIC COMMUNICATIONS - None

COUNTY DEPARTMENTS

668/2018 Community Development and Services: Award Contract 17-007 for Camp Far West, Star Bend, and Shad Pad repairs, to Darren Taylor Construction, Inc., in the amount of $365,464 and authorize Chair to execute contract pending County Counsel approval. (Five minute estimate) Director Mike Lee recapped storm damage repair projects and funding sources.

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

665/2018 County Administrator: Direct Assistant Assessor Kimberly Heisch to discharge the duties of the Assessor from July 4, 2018 through August 12, 2018; and appoint Assessor Elect Stephen Duckels, as Yuba County's Assessor effective August 13, 2018 through December 31, 2018, completing the remainder of the current Assessor's term of office. (Ten minute estimate) County Administrator Robert Bendorf recapped.

MOTION: Move to direct Assistant Assessor Kimberly Heisch to discharge the duties of the Assessor from July 4, 2018 through August 12, 2018
MOVED: Randy Fletcher SECOND: Mike Leahy
AYES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES/ABSTAIN/ABSENT: None

Approved via Roll Vote

MOTION: Move to appoint Assessor-Elect Stephen Duckels, as Assessor effective August 13, 2018 through December 31, 2018
MOVED: Randy Fletcher SECOND: Mike Leahy
AYES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES/ABSTAIN/ABSENT: None

Approved via Roll Call Vote

07/10/2018
ORDINANCES AND PUBLIC HEARINGS – The clerk read the disclaimer.

304/2018 County Administrator: Ordinance - hold public hearing, waive second reading, and adopt ordinance amending Section 2.53.050 of Chapter 2.53 of the Yuba County Ordinance Code relating to the Office of Clerk of the Board of Supervisors. (Five minutes estimate) County Administrator Robert Bendorf provided a brief recap.

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

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

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

643/2018 State of California Governor's Office proclamation calling Tuesday, November 6, 2018 Statewide General Election. Received

657/2018 Notice from Association of State and Territorial Health Officials regarding Information Sharing and Data Use Agreement with ASTHO for the BioSense Program terminating June 30, 2018. Received

675/2018 Notice from City of Marysville enclosing Resolution No. 2018-023 requesting consolidation of General Municipal Election with November 6, 2018 General Election. Received

678/2018 City of Wheatland Resolution No. 16-18 requesting consolidation of General Municipal Election with November 6, 2018 General Election. 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 Fletcher: Public Safety meetings at Oregon House Alcouffe Center and Loma Rica Lions Club

Supervisor Vasquez: Headwaters Tour

County Administrator Robert Bendorf: commended Community Development and Services Director Kevin Mallen, Public Works Director Mike Lee, and their staff for the complicated work that goes into road repair projects.

CLOSED SESSION The Board retired into closed session at 9:34 a.m. and returned at 11:08 a.m. with all members present as indicated above.

23/2017 Conference with Legal Counsel - Existing litigation pursuant to Government Code §54956.9(d)(1) - Hedrick vs. Grant Case No. 2:76-CV-00162-geb-efb - No reportable action

656/2018 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Government Code section 54956.9. (2)(d) One case - No reportable action
County Administrator Robert Bendorf left closed session at 9:54 a.m. and returned at 10:05 a.m.
663/2018 PUBLIC EMPLOYEE PERFORMANCE EVALUATION – pursuant to Government Code § 54957(b)(1) - Department Head Evaluation/Public Health Officer - Direction provided to staff

County Administrator Robert Bendorf left closed session at 10:34 a.m.

568/2017 Labor Negotiations pursuant to Government Code §54947(a) – DDAA/Negotiator-Jill Abel - By unanimous vote authority was provided to staff

County Administrator Robert Bendorf returned to closed session at 10:52 a.m.

671/2018 PUBLIC EMPLOYEE PERFORMANCE EVALUATION – pursuant to Government Code § 54957(b)(1) - Department Head Evaluation/County Counsel - No reportable action

672/2018 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – initiation of litigation pursuant to 54956.9(d)(4) – two cases - one case no reportable action, and on one case direction to initiate an action has been given by the Board by unanimous vote, action of the particulars shall once formally commenced be disclosed to any person upon inquiry, unless to do so would jeopardize agencies ability to effectuate service of process on one or more unserved parties

674/2018 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION pursuant to Government Code 54956.9(d)(1), KANE COUNTY, UTAH, individually and on behalf of all others similarly situated, Plaintiffs, v. THE UNITED STATES OF AMERICA, Defendant. USDC Case No.: 2:15-cv-00794-KJM-EFB - By unanimous vote authority was given to staff

673/2018 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION pursuant to Government Code §54956.9(d)(1) - Worker's Compensation Claim No's. 20142000457, 20142000264, 20142000544/Calvin Broussard - By unanimous vote authority was given to staff

ADJOURN: 11:09 a.m.

Chair

ATTEST: RACHEL FERRIS
CLERK OF THE BOARD OF SUPERVISORS

Approved: July 24, 2018