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

PLEDGE OF ALLEGIANCE – Supervisor Bradford

ROLL CALL - Supervisors Vasquez, Leahy, Lofton, Bradford, Fletcher – Supervisor Vasquez absent

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

702/2018 Emergency Services: Adopt resolution proclaiming an ongoing local emergency due to Tree Mortality. Adopted Resolution No. 2018-129

703/2018 Emergency Services: Adopt resolution to approve ongoing local emergency proclamation due to Flood Waters. Adopted Resolution No. 2018-130

704/2018 Emergency Services: Adopt resolution proclaiming the existence of an ongoing emergency in the County of Yuba due to Historic Rainfall. Adopted Resolution No. 2018-131

705/2018 Emergency Services: Adopt a resolution proclaiming the existence of an ongoing local emergency due to the Oroville Dam Event. Adopted Resolution No. 2018-132

706/2018 Emergency Services: Approve resolution proclaiming the existence of an ongoing local emergency due to wildland fires in the County of Yuba. Adopted Resolution No. 2018-133

667/2018 Administrative Services: Declare items as surplus property and authorize disposal pursuant to Ordinance Code Title 2 Section 2.50.060. Direct Auditor-Controller to remove the Surplus equipment from Capital Asset listing upon documentation of disposal from Purchasing Agent. Approved

718/2018 Board of Supervisors: Adopt resolution continuing a local emergency regarding the proliferation of illegal cannabis cultivation. Adopted Resolution No. 2018-134
728/2018 Administrative Services: Authorize removal of 4240 Dan Avenue property from Yuba County Asset List. Approved

729/2018 Clerk of the Board of Supervisors: Approve meeting minutes from July 24, 2018 and Special Meeting July 23, 2018. Approved as written


735/2018 Administrative Services: Approve request for proposal to design a new 3,560-foot long taxiway extending south from the western edge of Taxiway B, parallel to the western side of airport property. Approved

736/2018 County Administrator: Approve Indemnification and Release of Liability agreement with North Yuba Water District, and authorize Chair to execute. Approved

734/2018 County Administrator: Approve Amendment No. 3 to Joint Powers Agreement with Sierra-Sacramento Valley Emergency Medical Services and authorize Chair to execute. Approved

SPECIAL PRESENTATIONS

719/2018 Receive mission update from Beale Air Force Base Commander Col. Andrew Clark. (Ten minute estimate) (No background material) Colonel Andrew Clark recapped 22 year career with the United State Air Force, provided updates on the U2 and A24 reconnaissance mission, and future plans for mission and base expansion; and responded to Board inquiries relating to current and future infrastructure needs.

688/2018 Special Presentation: Tahoe-Central Sierra Initiative between the Sierra Nevada Conservancy, Forest Service (Tahoe and Eldorado National Forests), the Tahoe Basin, and other partners. (Fifteen minute estimate) Assistant Executive Director Bob Kingman provided a PowerPoint presentation recapping efforts to increase the pace and scale of forest and watershed restoration, and responded to Board inquiries.

PUBLIC COMMUNICATIONS – None.

COUNTY DEPARTMENTS

725/2018 Human Resources: Approve Memorandum of Understanding between the County of Yuba and the Deputy District Attorney Association for a two year term beginning August 1, 2018 to June 30, 2020; and authorize Chair to execute. (Five minute estimate) Director Jill Abel provided a brief recap and responded to Board inquiries.

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

720/2018 County Administrator: Accept resignation from Sheriff-Coroner Steve Durfor; appoint Sheriff-Coroner Elect Wendell Anderson as Yuba County's Sheriff-Coroner effective September 1, 2018 through January 7, 2019, completing the remainder of the current Sheriff's term of office; and direct the Clerk of the BOS to prepare the Notice of Appointment. (Ten minute estimate) County Administrator Robert Bendorf recapped resignation received from Sheriff Durfor, and recommendation of appointment of Sheriff-Elect Wendell Anderson.
Sheriff Durfor urged the Board to accept resignation and support appointment of Sheriff Elect Wendell Anderson.

Sheriff Elect Wendell Anderson commended Sheriff Durfor for his leadership, commitment, and contribution to the community.

MOTION: Move to accept resignation and make appointment
MOVED: Doug Lofton SECOND: Gary Bradford
AYES: Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None ABSTAIN: None ABSENT: Andy Vasquez

730/2018 Community Development and Services: Award contract to apparent low bidder, Knife River Construction, for Contract No. 187/2018 Farm to Market and Emergency Relief Road Rehabilitation on Various Roads project. (Five minute estimate) Director Mike Lee recapped project and responded to Board inquiries.

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

ORDINANCES AND PUBLIC HEARINGS - The Clerk read the disclaimer.

724/2018 Community Development and Services: Hold public hearing and adopt resolutions adopting Community Development Block Grant Program Income Fund Waivers for Rehabilitation Activities, and for Assisted Homebuyer Activities. (Five minute estimate)

Vice Chair Leahy opened the public hearing.

Director Kevin Mallen recapped program and state requirements; and responded to Board inquiries.

Vice Chair Leahy closed the Public hearing.

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

Adopted Resolution No.’s 2018-136 and 2018-137 respectively

732/2018 Community Development and Services: Public Hearing - Hold cost accounting hearing to determine administrative and abatement costs to be assessed against property located at 5576 S. Gledhill Avenue, West Linda, CA 95961, and authorize a special tax assessment and abatement lien. (Five minute estimate) (Roll Call Vote)

The Clerk administered the oath to all parties testifying.

Vice Chair Leahy opened the public hearing. No one representing the Estate of Lawrence Arthur Samuel came forward.

Code Enforcement Manager Jeremy Strang provided a Power Presentation depicting violations and responded to Board inquiries.
MOTION: Move to close the public hearing and adopt findings of fact, conclusions of law, and orders authorizing the assessment of administrative and abatement costs and penalties in the amount of $18,165.58 and the recording of a lien
MOVED: Doug Lofton SECOND: Gary Bradford
AYES: Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None ABSTAIN: None ABSENT: Andy Vasquez

731/2018 Community Development and Services: Public Hearing - Hold cost accounting hearing to determine administrative and abatement costs and penalties to be assessed against property located at 5511 S. Gledhill Avenue, West Linda, CA 95961, and authorize a special tax assessment and abatement lien. (Five minute estimate) (Roll Call Vote)

Vice Chair Leahy opened the public hearing. No one representing the Estate of Terry Delozier came forward.

Code Enforcement Manager Jeremy Strang provided a Power Presentation depicting violations and responded to Board inquiries.

MOTION: Move to close the public hearing and adopt findings of fact, conclusions of law, and orders authorizing the assessment of administrative and abatement costs and penalties in the amount of $13,892.80 and the recording of a lien
MOVED: Doug Lofton SECOND: Gary Bradford
AYES: Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None ABSTAIN: None ABSENT: Andy Vasquez

738/2018 Sheriff-Coroner: Ordinance - Hold public hearing, waive second reading, and adopt ordinance repealing and re-enacting Chapter 13.00.034 of the Yuba County Consolidated Fee Ordinance for Fiscal Year 2018-19. (Five minute estimate)

Vice Chair Leahy opened the public hearing.

Sheriff Durfor briefly recapped ordinance.

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

Adopted Ordinance No. 1576 via Roll Call Vote

739/2018 Community Development and Services: Ordinance - Hold public hearing, waive second reading, and adopt ordinance enacting Cedar Lane Housing Project Development Agreement. (Five minute estimate) (Roll Call Vote)

Vice Chair Leahy opened the public hearing.

Director Kevin Mallen provided a brief recap.

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

Adopted Ordinance No. 1577 via Roll Call Vote
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 Bradford:
- Labor Day Parade in Nicholas
- Attended Eagle Scout Court of Order held August 11, in honor of Ethan Morrison
- Memorial Adjournment: Mr. Larry Panteloglow

Supervisor Fletcher:
- National Night Out August 10
- Met with Circle regarding Yuba River August 10
- Warming fire ordinance
- Memorial Adjournment: Mr. Roger Shelton and Mr. Danny Diggers

County Administrator Robert Bendorf: Health Officer Recruitment

Vice Chair Leahy created an ad hoc committee to review and explore recruitments for Yuba County Health Officer and appointed Supervisor Lofton and Bradford

Supervisor Leahy: Memorial Adjournment Mr. Ken Scott

CLOSED SESSION – The Board retired into closed session at 10:22 a.m. and returned at 12:12 p.m. with all members present as indicated above.

748/2018 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION pursuant to Government Code §54956.9(d)(1), Richard Tierny and Jonathan Brown vs. David Haresh, Henry Abe, and Edgar Guzman, Yuba County Deputy Sheriffs, United States District Court, Eastern District of California Case No. 2:18-CV-02057-MCE-CKD – Authority provided to staff and approval to defend and seek outside counsel

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-EB – Approval and authority was provided to staff by unanimous vote

717/2018 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION pursuant to Government Code §54956.9(d)(1) - WCAB No. 20152001600 and 20152001438, Lois DeAlba - Authority was provided to staff by unanimous vote

742/2018 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION pursuant to Government Code §54956.9(d)(1), County of Yuba, Plaintiffs, v. Amerisourcebergen Drug Corporation et al. USDC Case No.:2:18-cv-01145-WBS-KJN; - Authority was provided to staff by unanimous vote

288/2018 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to Government Code Section §54956.9, (d)(2) Number of potential cases: Three case – on one case no reportable action; on one case Authority was provided to staff by unanimous vote; and on final case there was no reportable action.
ADJOURN: 12:13 p.m. in memory of Mr. Larry Panteloglow, Mr. Roger Shelton, Mr. Danny Diggers, and Mr. Ken Scott.

__________________________________________
Chair

ATTEST: RACHEL FERRIS
CLERK OF THE BOARD OF SUPERVISORS

__________________________________________
Approved:

08/14/2018

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