Call to order 9:00 a.m. with Supervisors Andy Vasquez, Mike Leahy, Doug Lofton, and Randy Fletcher present. Supervisor Gary Bradford was absent. 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 Lofton

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

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

Clerk of the Board of Supervisors Rachel Ferris requested the Board remove staff report inadvertently attached to agenda item 865-2018.

County Counsel Courtney Abril reported a clerical error on professional services agreement 892-2018 and provided a corrected page.

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

835/2018 Emergency Services: Adopt resolution proclaiming an ongoing local emergency due to Tree Mortality. Adopted Resolution No. 2018-170

836/2018 Emergency Services: Adopt resolution to approve ongoing local emergency proclamation due to Flood Waters. Adopted Resolution No. 2018-171

837/2018 Emergency Services: Adopt resolution proclaiming the existence of an ongoing emergency in the County of Yuba due to Historic Rainfall. Adopted Resolution No. 2018-172

838/2018 Emergency Services: Adopt a resolution proclaiming the existence of an ongoing local emergency due to the Oroville Dam Event. Adopted Resolution No. 2018-173

839/2018 Emergency Services: Adopt resolution proclaiming the existence of an ongoing local emergency due to wildland fires in the County of Yuba. Adopted Resolution No. 2018-174
875/2018 Clerk of the Board of Supervisors: Approve meeting minutes of September 25, 2018. Approved as written

878/2018 Sheriff-Coronor: Receive Inmate Welfare Expenditure Summary for Fiscal Year 2017-18 pursuant to Penal Code Section 4025 (e). Approved

877/2018 Clerk of the Board of Supervisors: Approve corrected minutes of July 24, 2018. Approved

860/2018 County Administrator: Approve one-year contract for Public Defender First Conflict services with Michael J. Sullinger and Philippa Lauben, and authorize Chair to execute. Approved

798/2018 Administrative Services: Approve the Airport Site No. 5, Lease Site 5-5, Hanger 1 lease agreement with Larry and Bev Potter, and authorize Chair to execute. Approved

806/2018 Administrative Services: Approve Airport Hanger lease agreement Site No. 11, Hangar 2 with Dennis James, and authorize Chair to execute. Approved

887/2018 Community Development and Services: Approve agreement with TJKM to provide safety analysis for the Systemic Safety Analysis Report Program project, and authorize Chair to execute. Approved

865/2018 Board of Supervisors: Adopt resolution continuing a local emergency regarding the proliferation of illegal cannabis cultivation. Adopted Resolution No. 2018-175

892/2018 County Counsel: Approve Professional Services Agreement with consortium of legal firms - Baron & Budd, P.C., Singleton Law Firm, Thorsnes Bartolotta McGuire, Dixon Diab & Chambers, and Terry Singleton, Esq. ("Counsel") - to represent the County in pursuing litigation arising from the Cascade Fire in October 2017 and authorize County Counsel to execute agreement and related documents on behalf of the County regarding said representation. Approved

PUBLIC COMMUNICATIONS

CORE Charter School Executive Director Chris Mahurin requested a Letter of Commitment from the Board to obtain grant funding for educational opportunities from the Department of Education, Specialized Secondary program. Mr. Mahurin recapped programs, and responded to Board inquiries.

Following receipt of Board consensus, County Administrator Robert Bendorf advised his staff would prepare letter.

COUNTY DEPARTMENTS

881/2018 Board of Supervisors: Recommend nomination of representative and alternate to California State Association of Counties Board of Directors for 2019. (Five minute estimate)

MOTION: Move to approve re-appointment of Supervisors Doug Lofton as Representative; and Gary Bradford as Alternate
MOVED: Randy Fletcher SECOND: Mike Leahy
AYES: Andy Vasquez, Mike Leahy, Doug Lofton, Randy Fletcher
NOES: None ABSTAIN: None ABSENT: Gary Bradford

10/23/2018
883/2018 Human Resources: Adopt resolution amending the Classification System-Basic Salary/Hourly Schedule, and adopt resolution amending the Department Allocation Schedule as it relates to the Assessor's Department, effective October 1, 2018. (Five minute estimate) Human Resource Analyst Cindy Clark and Assistant Auditor Kim Heisch recapped and responded to Board inquiries.

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

Adopted Resolution No’s. 2018-176, and 2018-177 respectively

885/2018 Community Development and Services: Accept Feather River Boulevard Interchange project as complete; approve Contract Change Orders; and authorize Public Works Director to sign and record Notice of Completion. (Five minute estimate) Director Mike Lee recapped project and change orders, and responded to Board inquiries.

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

886/2018 County Administrator: Approve amended agreement between Yuba County and First Five Yuba Commission. (Ten minute estimate) County Administrator Robert Bendorf recapped agreement and responded to Board inquiries.

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

893/2018 Treasurer and Tax Collector: Adopt resolution and order authorizing the issuance and sale of the Marysville Joint Unified School District, Yuba and Butte Counties, California, General Obligation Bonds, Election of 2008, Series 2018; prescribing the terms and of the bonds and their sale; approving forms of the first supplemental paying agent agreement and bond purchase agreement; appointing paying agent; and authorizing execution of necessary certificates. (Five minute estimate) Treasurer Tax Collector Dan Mierzwa recapped and responded to Board inquiries.

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

Adopted Resolution No. 2018-178

ORDINANCES AND PUBLIC HEARINGS – The clerk read the disclaimer.

879/2018 Community Development and Services: Hold public hearing and adopt resolutions applying to Housing and Community Development for Community Development Block Grant Program Income Fund Waivers for Rehabilitation Activities, and Assisted Homebuyer Activities. (Five minute estimate) Director Kevin Mallen recapped required changes to the resolution and responded to Board inquiries.
Chair Vasquez opened the public hearing. No one came forward.

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

Adopted Resolution No’s. 2018-179, and 2018-180 respectively.

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

874/2018 Notice from Consumer Protection and Enforcement Division of California Public Utilities Commission enclosing Notification letter for Bullards Bar cell phone tower location. Received

BOARD AND STAFF MEMBERS’ REPORTS

County Counsel Courtney Abril:
• Out of the office remainder of the week
• Internship position filled

County Administrator Robert Bendorf – Out of office remainder of the week

CLOSED SESSION - The Board retired into closed session at 9:28 a.m. and returned at 10:31 a.m. with all members present as indicated above.

124/2018 Conference with Legal Counsel - Anticipated Litigation - initiation of litigation pursuant to §54956.9(d)(4) - Two Cases – Both cases, no reportable action

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

889/2018 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION pursuant to Government Code §54956.9(d)(1) – Christine Losh v. Kimerli Rempp, Yellow Ribbon Gift and Thrift, Good Samaritan Gift Shop, City of Yuba, County of Yuba and DOES 1-100; Yuba County Superior Court case number CVCEV18-01629 - By unanimous vote authority was provided to defend and go to outside counsel

895/2018 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION pursuant to Government Code §54956.9(d)(1) – BRIGITTE RAELYNN BUTCHER, BILLY JOHN REID, JOLENE ANN REID, SUSAN EXTEIN; STANLEY EXTEIN; MICHAEL ELLIOT; CRYSTAL MOTLEY; DICK VEIT, DENNIS OWENS, DERECK DEMPSEY, CARRIE ANTRAPP, WILBUR BARTHOLOMEW; ANNETTE SKEEN, individually and on behalf of themselves and all others similarly situated; MARYSVILLE HOMELESS UNION, CALIFORNIA HOMELESS UNION/STATEWIDE ORGANIZING COUNCIL v. CITY OF MARYSVILLE, a municipal entity; MAYOR RICKY SAMAYOA, CITY COUNCILMEMBER DALE WHITMORE, CITY COUNCILMEMBER DON PETTIGO, CITY ATTORNEY BRENT BORDSEN, CHIEF OF POLICE CHRIS SACHS; COUNTY OF YUBA; YUBA COUNTY CODE ENFORCEMENT DIVISION, YUBA COUNTY WATER DISTRICT; YUBA COUNTY CODE ENFORCEMENT DIVISION MANAGER JEREMY STRANG, YUBA COUNTY CODE ENFORCEMENT OFFICER TRACEY CLARK; CODE ENFORCEMENT OFFICER CHRIS MONACO, individually and in their official capacities;
H&H TRENCHING CO.; DOES 1-100.; United States District Court Eastern District of California, case number 2:18-cv-02765-JAM-CKD - By unanimous vote authority was provided to defend and go to outside counsel

900/2018 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION pursuant to Government Code §54956.9(d)(1) – Aaron D. Sanders, individually and as successor in interest to Eddie Ichiro Sanders vs. Henry Abe, Tamara Pesci, Alan Garza, and County of Yuba, United States District Court Eastern District of California, Case No. 2:18-cv-02789-WBS-DMC. - By unanimous vote authority was provided to defend and go to outside counsel

ADJOURN: 10:32 a.m.

Chair

ATTEST: RACHEL FERRIS
CLERK OF THE BOARD OF SUPERVISORS

Approved: Nov 13, 2018