Tuesday, September 12, 2017
9:00 A.M.

PLEDGE OF ALLEGIANCE - Led by Supervisor Fletcher

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: Leahy, Mike SECOND: Lofton, Doug

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
<th>ABSTAIN</th>
<th>ABSENT</th>
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</table>
Gary Bradford          X
Randy Fletcher         X
Mike Leahy             X
Doug Lofton            X
Andy Vasquez           X

Motion Carried

314/2017 Office of Emergency Services: Adopt resolution to proclaim local emergency due to Tree Mortality. Adopted Resolution No. 2017-111

315/2017 Office of Emergency Services: Adopt resolution proclaiming local emergency due to Historic Rainfall. Adopted Resolution No. 2017-112

316/2017 Office of Emergency Services: Adopt resolution to proclaim local emergency due to Flood Waters. Adopted Resolution No. 2017-113

317/2017 Office of Emergency Services: Adopt Resolution proclaiming local emergency due to Oroville Dam Spillway Event. Adopted Resolution No. 2017-114

371/2017 Clerk of the Board of Supervisors: Reappoint James Purcell to Plumas Lake Specific Plan Design Review Committee as a Resident Representative with a term ending September 13, 2019. Approved

377/2017 Office of Emergency Services: Adopt resolution authorizing Director or Manager of Emergency Services to apply for Emergency Management Performance Grant and execute all necessary documents upon review and approval of County Counsel. Adopted Resolution No. 2017-115

394/2017 District Attorney: Approve addendum to the case management contract with Karpel Solutions adding additional licenses for Victim Services staff and authorize Chair to execute upon review and approval of County Counsel. Approved
District Attorney: Adopt resolution to apply for enter into agreement with United States Bureau of Justice Assistance for Justice Assistance Grant Funding and authorizing County Administrator to execute any required documents under grant upon review and approval of County Counsel. Adopted Resolution No. 2017-116

Community Development and Services Agency: Approve “Program for Public Information” as part of the County’s floodplain management efforts and a component of the Community Rating System. Approved

Board of Supervisors: Appoint Tom Inderbitzen and Giuseppe Rioni to Bropy Water District in lieu of election pursuant to Elections Code §10515(a)(3). Approved

Clerk of the Board of Supervisors: Approve meeting minutes of August 8 and 16, 2017. Approved

Board of Supervisors: Reappoint Roland D’Arcy to Browns Valley Cemetery District with a term to expire September 10, 2021. Approved

Elections: Adopt resolution appointing candidates in lieu of election. Adopted Resolution No. 2017-117

Health and Human Services: Adopt resolution authorizing Director to apply for Oral Health Program grant funds for the period of January 1, 2018 through June 30, 2022, and execute the grant agreement and other pertinent documents upon approval of County Counsel. Adopted Resolution No. 2017-118

Health and Human Services: Approve Children's Medical Services (CMS) Plan and Fiscal Guidelines for Fiscal Year 2017/18 and authorize Chair to execute Certification Statements included in the plan. Approved

Health and Human Services: Adopt resolution authorizing Memorandum of Understanding for implementation and utilization of Association of Administrators of Interstate Compact on Adoption and Medical Assistance database and authorizing Chair to execute any and all documents upon review and approval of County Counsel. Adopted Resolution No. 2017-119

Administrative Services: Adopt resolution authorizing Director of Administrative Services to Approve Subordination Non-disturbance and Attornment Agreement, and Estoppel Certificate required by Hampac LLC relating to Packard Avenue Property. Adopted Resolution No. 2017-120

Community Services and Development Agency: Approve amended Professional Services Agreement with The Hanna Group for Construction Management Services - Scales Road Over Slate Creek Bridge Replacement Project and authorize Chair to execute upon review and approval of County Counsel. Approved

Auditor-Controller: Adopt resolution setting Yuba County Appropriations Limit for Fiscal Year 2017-18. Adopted Resolution No. 2017-121

Adopt resolution setting Fiscal Year 2017-2018 Countywide Tax Rates. Adopted Resolution No. 2017-122 and 2017-123

SPECIAL PRESENTATIONS
10:00 A.M. Special Presentation: Receive Yuba County Commission on Aging 2017-2018 Annual Report. (Ten minute estimate). Committee Chair Sue Cejner-Moyers recapped activities and responded to Board inquiries.

Special Presentation: Present proclamation National Child Passenger Safety Week September 17-23, 2017 (Ten minute estimate) Chairman Fletcher read and presented proclamation to Program Aide Tarrah Tomlinson.

PUBLIC COMMUNICATIONS: Mr. Buck Weckman, state of emergency

COUNTY DEPARTMENTS

Health and Human Services: Approve Joint Exercise of Powers Agreement (JPA) between the Counties of Yuba and Sutter, and the Cities of Yuba City, Marysville, Live Oak, and Wheatland for the formation of the Bi-County Homeless Services Authority and authorize Chair to execute. (Human Services Committee recommends approval) Director Jennifer Vasquez recapped agreement and responded to Board inquiries. There were no public comments.

MOTION: Move to approve
MOVED: Leahy, Mike  SECOND: Bradford, Gary

Gary Bradford X
Randy Fletcher X
Mike Leahy X
Doug Lofton X
Andy Vasquez X

Approved

Approve responses to 2016/2017 Grand Jury report and authorize Chair to execute. County Administrator Robert Bendorf recapped findings and responses and responded to Board inquiries. There were no public comments.

MOTION: Move to approve
MOVED: Leahy, Mike  SECOND: Bradford, Gary

Gary Bradford X
Randy Fletcher X
Mike Leahy X
Doug Lofton X
Andy Vasquez X

Approved

Community Development and Services Agency:  Adopt resolution authorizing the borrowing of $6,000 from CSA 66 to CSA 15 for contract work consisting of dig outs and pavement repairs to CSA 15 roads. (Five minute estimate) (4/5 vote required) Public Works Director Mike Lee recapped repairs, costs, and responded to Board inquiries. There were no public comments.

MOTION: Move to approve
MOVED: Vasquez, Andy  SECOND: Lofton, Doug

Gary Bradford X
Randy Fletcher X
Mike Leahy X
Doug Lofton X
Andy Vasquez X

Adopted Resolution No. 2017-124 by roll call vote

County Administrator: Approve a sole-source contract with HF&H Consultants LLC to provide consulting services for a future solid waste collection services agreement to be negotiated with
the current service provider, Recology; and authorize Chair to execute the contract.

County Administrator Robert Bendorf recapped purpose of agreement, services, associated costs, and responded to Board inquiries. There were no public comments.

MOTION: Move to approve
MOVED: Vasquez, Andy  SECOND: Lofton, Doug

Gary Bradford    X
Randy Fletcher    X
Mike Leahy        X
Doug Lofton       X
Andy Vasquez      X

Approved

ORDINANCES AND PUBLIC HEARINGS – Disclaimer read

417/2017  County Counsel: Hold public hearing to receive and consider any written or oral comments or objections regarding the intention of the Board of Supervisors to declare itself to be the Board of Trustees of the Smartsville Cemetery District; and adopt resolution appointing the Board of Supervisors the Board of Trustees of the Smartsville Cemetery District.

County Counsel Courtney Abril recapped purpose of Board serving as Trustees for District, advised written comments had not been received, and responded to Board inquiries.

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

MOTION: Move to close public hearing and adopt resolution
MOVED: Vasquez, Andy  SECOND: Leahy, Mike

Gary Bradford    X
Randy Fletcher    X
Mike Leahy        X
Doug Lofton       X
Andy Vasquez      X

Adopted Resolution No. 2017-125 by roll call vote

CORRESPONDENCE

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

401/2017  Notice from California Fish and Game Commission regarding a notice on proposed emergency action.

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 Vasquez:
  o Homeless priorities and public safety
  o Flood Management Association Conference

Supervisor Leahy: Area 4 Agency on Aging appointments
Supervisor Lofton: CSAC meeting September 7

Supervisor Bradford: Illegal cannabis emergency declaration

County Administrator Robert Bendorf:
- Revisiting homeless priorities
- CSAC Challenge Awards – Behavioral Health Workers at Hospital

Supervisor Fletcher:
- Tour of Oroville Spillway project
- SACOG meeting
- Highway 70 project meeting
- Sierra Nevada Conservancy Meeting
- Homeless issues

Community Development and Services Director Kevin Mallen: Enforcement of illegal cannabis resources

Emergency Services Manager Scott Bryan: Delay of FEMA reimbursements for local emergency declarations due to recent emergencies caused by hurricanes.

CLOSED SESSION: The Board retired into closed session at 10:36 a.m. and returned at 11:08 a.m. with all members present.

375/2017 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION pursuant to Government Code 54956.9(d)(1), Doris Kay Tapia, Mark Alan Tapia, Sarah Springer vs. County of Yuba CVPT 17-01242 Approved to defend by unanimous vote

423/2017 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION pursuant to Government Code 54956.9(d)(1), Sheila Halousek v. Yuba County Animal Care Services et al; CVPO17-0001261 Approved to defend by unanimous vote

101/2017 Labor Negotiations pursuant to Government Code §54947(a) – DDA/VYCEA / Negotiator Jill Abel and Karen Fassler No report

414/2017 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION pursuant to Government Code 54956.9(d)(1), Michael and Nicci O’Hagan v. Yuba County Sheriff’s Department; Yuba County Animal Care Services; Deneen Barnhill in her individual and official capacities; and DOES 1-10, CVCV17-0000923 By unanimous vote approved to defend and authority give to staff

BUDGET HEARINGS

421/2017 1:30 P.M. FINAL COUNTY BUDGET FISCAL YEAR 2017-2018 PUBLIC HEARING

1. Receive recommended adjustments to Fiscal Year 2017-2018 Final Budget;
2. Receive comments from Bi-County/County Department Heads;
3. Receive public comments; and
4. Consider Fiscal Year 2017-2018 Final Budget and take action as appropriate. County Administrator (30 minute estimate) County Administrator Robert Bendorf provided a PowerPoint presentation recapping the following:
- Total Operating Budget $168,473,552
- Supplemental Property Taxes - $25,000 increase
- Property Transfer Tax - $25,000 increase
Use of One-Time Funds $787,454
- General Fund Reserves $2,100,000
- General Fund Contingencies $960,000
- Capital Outlay - $350,000 Courthouse Fan Station Replacement and $350,000 future technology improvements
- Recommended Department Adjustments
  - Sheriff's Department - $134,832
  - Health Service for Jail Medical Services - $600,000
  - Code Enforcement - $100,000

MOTION: Move to approve Operating Funds in the amount of $2,225,556
MOVED: Andy Vasquez  SECOND: Mike Leahy
AYES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None  ABSENT: None  ABSTAIN: None

MOTION: Move to approve General Contingencies Fund in the amount of $960,000
MOVED: Andy Vasquez  SECOND: Doug Lofton
AYES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None  ABSENT: None  ABSTAIN: None

MOTION: Move to approve Airport Enterprise Funds in the amount of $401,852
MOVED: Mike Leahy  SECOND: Gary Bradford
AYES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None  ABSENT: None  ABSTAIN: None

MOTION: Move to approve General Reserves in the amount of $2,100,000
MOVED: Doug Lofton  SECOND: Gary Bradford
AYES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None  ABSENT: None  ABSTAIN: None

MOTION: Move to approve Internal Service Funds in the total amount of $23,088,340 as identified in Exhibit A attached to the minutes
MOVED: Mike Leahy  SECOND: Gary Bradford
AYES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: None  ABSENT: None  ABSTAIN: None

Approved by roll call votes

ADMINISTRATIVE HEARINGS

427/2017  Administrative Appeal Hearing - Hold appeal hearing to determine public nuisance for property located at 9820 Rices Texas Hill Road, Oregon House, CA 95962; APN: 048-120-022; Property Owners: Nickulas A and Cynthia B Maglaras. (Community Development and Services Agency) (Ten minute estimate) (Roll Call Vote) Pulled from consideration

428/2017  Administrative Appeal Hearing - Hold appeal hearing to determine public nuisance for property located at 13819 McMenamin Way, Oregon House, CA 95962; APN: 048-150-007; Property Owner: Ryan W Smeeding. (Community Development and Services Agency) (Ten minute estimate) (Roll Call Vote) Pulled from consideration

429/2017  Administrative Appeal Hearing - Hold appeal hearing to determine public nuisance for property located at 13791 McMenamin Way, Oregon House, CA 95962; APN: 048-150-008; Property Owners: John P. and Rhonda L. Moulliet. (Community Development and Services Agency) (Ten minute estimate) (Roll Call Vote) Pulled from consideration
430/2017  Administrative Appeal Hearing - Hold appeal hearing to determine public nuisance for property located at 10447/10453 Texas Hill Road, Dobbins, CA 95935; APN: 048-160-014; Property Owners: Hussam Al-Azzeh and Robin Dodson. (Community Development and Services Agency) (Ten minute estimate) (Roll Call Vote) Pulled from consideration

431/2017  Administrative Appeal Hearing - Hold appeal hearing to determine public nuisance for property located at 10441 Texas Hill Road, Dobbins, CA 95935; APN: 048-160-042; Property Owner: Jed Kenniston. (Community Development and Services Agency) (Ten minute estimate) (Roll Call Vote) Pulled from consideration

432/2017  Administrative Appeal Hearing - Hold appeal hearing to determine public nuisance for property located at Vacant Lot on Yuba Nevada Road, Dobbins, CA 95935; APN: 048-170-043; Property Owner: Joshua Patrick Murphy. (Community Development and Services Agency) (Ten minute estimate) (Roll Call Vote) Pulled from consideration

433/2017  Administrative Appeal Hearing - Hold appeal hearing to determine public nuisance for property located at vacant lot off Yuba Nevada Road, Dobbins, CA 95935; APN: 048-170-045; Property Owner: Ofelia Gutierrez-Duarte, Trustee of the Ofelia Gutierrez-Duarte Trust. (Community Development and Services Agency) (Ten minute estimate) (Roll Call Vote) Pulled from consideration

434/2017  Administrative Appeal Hearing - Hold appeal hearing to determine public nuisance for property located at 13555 Providence Way, Dobbins, CA 95935; APN: 048-170-060; Property Owner: The Living Garden LLC. (Community Development and Services Agency) (Ten minute estimate) (Roll Call Vote) Pulled from consideration

435/2017  Administrative Appeal Hearing - Hold appeal hearing to determine public nuisance for property located at Vacant Lot off Providence Way, Dobbins, CA 95935; APN: 048-170-061; Property Owners: Paul and Nataliya McGovern. (Community Development and Services Agency) (Ten minute estimate) (Roll Call Vote) Pulled from consideration

436/2017  Administrative Appeal Hearing - Hold appeal hearing to determine public nuisance for property located at 13428 Providence Way, Dobbins, CA 95935; APN: 048-170-065; Property Owners: Sraddha A Ferry-Ferreira and Ann H Matusow. (Community Development and Services Agency) (Ten minute estimate) (Roll Call Vote) Pulled from consideration

437/2017  Administrative Appeal Hearing - Hold Appeal Hearing to determine public nuisance for property located at 13386 Providence Way, Dobbins, CA 95935; APN: 048-170-067; Property Owner: Mylan A Login. (Community Development and Services Agency) (20 minute estimate) (Roll Call Vote) Code Enforcement Manager Jeremy Strang recapped purpose of hearing regarding property, provided PowerPoint presentation of Google Earth images depicting emplacement of recreational vehicle for human habitation, discharge sewage to ground surface, hazardous electrical use, lack of legal water source, 345 marijuana plants cultivated outdoors, construction of hoop-style greenhouses without permit, and flight photo taken 9/11/2017.

County Counsel Courtney Abril advised the Board on Counsel for Code Enforcement Mr. Naylor's objection in response to comments made by Ms. Heidi Lepp. Chairman Fletcher requested Ms. Lepp to comment only on issues before the hearing today, who continued with comments on other matters, the Board recessed at 2:32 p.m. and reconvened at 2:37 p.m.

Mr. Naylor indicated the property owner may wish to speak.
Following comments of Ms. Lepp, Counsel advised per Ordinance speakers were limited to 10 minutes.

Mr. Mylan Login, property owner, questioned the unpermitted structure violation, advised PG&E permit for electrical requested however not received, stated as a church he had the right to cultivate, and disputed discharge of sewage which was grey water only and requested more time to abate due to the heat.

The Board recessed at 2:52 p.m. and reconvened at 3:01 p.m.

Mr. Mylan, requested more time to abate due to the heat and submitted a copy of the amended complaint filed by Ms. Lepp.

With no further comments, Chairman Fletcher closed the hearing.

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

Administrative Appeal Hearing – Hold appeal hearing to determine public nuisance for property located at Vacant Lot on Providence Way, Dobbins, CA 95935; APN: 048-170-063; Property Owner: David Login. (Community Development and Services Agency) (20 minute estimate)
(Roll Call Vote) Mr. Strang identified violations on vacant parcel, cultivation of 291 plants outdoors, unpermitted construction of hoop-style greenhouses, emplacement of recreational vehicle without permits; and included PowerPoint pictures of violations dated August 31 and flight picture of 9/11/2017.

Mr. David Logan, advised of lease of property to church, learned 3 days ago of the hearing, felt the fines were excessive, and requested exception and allowance for more time to perform corrections requested. Mr. Logan responded to board inquiries.

Mr. Strang indicated meeting and discussing violations regarding cultivation and electrical and advised since 2012 a dwelling has been a requirement for cultivation of marijuana.

The following individual spoke: Ms. Charnell James

Chairman Fletcher closed the hearing.

MOTION: Move to confirm public nuisance; order abatement of violations on the property after 5:00 p.m. September 13, 2017; order owner submit to inspection September 14, 2017 8:00 a.m. or soon thereafter; order Code Enforcement to abate if not in compliance; order Cost Accounting hearing; and confirm enforcement costs incurred to date of $2804.76
MOVED: Andy Vasquez       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

Administrative Appeal Hearing – Hold appeal hearing to determine public nuisance for
property located at 13918 McMeanamin Way, Oregon House, CA 95962; APN: 048-150-003; Property Owners: Roger E. And Francis M. Bird, Trustees of the Bird Family Trust. (Community Development and Services Agency) (20 minute estimate) (Roll Call Vote) Pulled from consideration.

440/2017  Administrative Appeal Hearing - Hold appeal hearing to determine public nuisance for property located at 14143 Terra Roja Lane, Dobbins, CA 95935; APN: 060-310-009; Property Owner: Tosha Asker. (Community Development and Services Agency) (20 minute estimate) (Roll Call Vote) Attorney Charnel James on behalf of client Samual Marez, legal property owner, provided deed of trust, adequate time frame to allow owner to abate nuisances had not been provided and requested a continuance due to court hearing on this matter and extend this issue until the next board meeting.

MOTION: Move to hear item 440/2017
MOVED: Gary Bradford       SECOND: Andy Vasquez
AYES: Andrew Vasquez, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: Mike Leahy          ABSENT: None   ABSTAIN: None

Mr. Strang recapped violations on parcel including cultivation of 174 plants outdoors, construction of hoop-style greenhouses without permits, emplacement of recreational vehicle without permits; and included PowerPoint presentation of photos depicting violations dated September 1 and flight picture from September 11 which indicated plants present had not been abated. Mr. Strang responded to Board inquiries.

Mr. Strang responded to inquires from Counsel Andrew Naylor and Ms. James.

Chairman Fletcher closed the public hearing.

MOTION: Move to confirm public nuisance; order abatement of violations on the property after 5:00 p.m. September 13, 2017; order owner submit to inspection September 14, 2017 8:00 a.m. or soon thereafter; order Code Enforcement to abate if not in compliance; order Cost Accounting hearing; and confirm enforcement costs incurred to date of $2,648.94
MOVED: Andy Vasquez       SECOND: Gary Bradford
AYES: Andrew Vasquez, Doug Lofton, Gary Bradford, Randy Fletcher
NOES: Mike Leahy          ABSENT: None   ABSTAIN: None

ADJOURN: 4:05 p.m.

Human Services Committee - Supervisors Bradford, Leahy - Alternate Vasquez

404/2017  8:45 A.M. Consider agreement with Municipal Resource Group, LLC for provision consulting services - Health and Human Services:  (Ten minutes estimate) Recommended approval on Consent Agenda
### Section I  Operating Funds

The following budgets may be approved en mass.

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Section I cont'd

Operating Funds

Agriculture Extension $92,285
Public Works Road $29,766,395
Health Services $7,597,804
Public Authority $598,873
Child Support Services $3,956,093
District Attorney $2,452,619
Sheriff $12,709,348
Sheriff - County Jail $14,390,831
Juvenile Hall $5,394,610
Sheriff - Court Bailiffs $661,827
County Drug Grant -$232
Criminal Justice System Grant $380
NSP 3 HCD $12,169
Debt Service $3,663,712
Standards & Training - Prob/JuH $36,203
Standards & Training - Sheriff $0
Solar Panels $0
Sheriffs Facility $248,591
Tri-County Juvenile Hall $1,707,832
Jail Expansion $269,133
HELP Program $201,406

Subtotal Funds 100-134 $166,910,294

Section II

Individually Approved Funds

Contingencies - General $960,000

Total Operating Funds

Airport Enterprise Funds $401,852

Total Enterprise Funds $168,473,552

Reserves-General $0

Funds 100-134 + Contingencies + Airport + HELP

FY 2017-2018 Reserves Amount is $2,100,000

Internal Service Funds

Automotive Service $749,583
Sheriff - Automotive Service $645,871
Utility ISF $2,427,818
IT - Network Infrastructure $788,097
Workers Comp $2,227,257
Liability Insurance $2,222,521
Health Insurance $13,301,580
General Insurance $161,707
Unemployment Insurance $563,926
Short Term Disability $0

Total Internal Service Funds $23,088,340

9/12/2017
Page 2 of 2
Exhibit A