Call to order 8:30 a.m. with Supervisors Andy Vasquez, Mike Leahy, Doug Lofton, and Gary Bradford present. Supervisor Randy Fletcher was absent. Also present was Deputy County Counsel Andrew Naylor, 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, Bradford, Fletcher – Supervisor Leahy and Fletcher 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: Gary Bradford SECOND: Doug Lofton
AYES: Andy Vasquez, Doug Lofton, Gary Bradford
NOES: None ABSENT: Mike Leahy, Randy Fletcher ABSTAIN: None

943/2018 Agricultural Commissioner-Weights/Measures: Approve out-of-state travel for the Agricultural Commissioner to attend California Agricultural Commissioners and Sealers Association conference in Washington D.C., March 4 - 8, 2019. Approved

944/2018 Clerk of the Board of Supervisors: Adopt list of on-going boards, commissions and committees appointed by the Board of Supervisors. Approved

946/2018 Clerk of the Board of Supervisors: Approve minutes of special meeting October 30, 2018. Approved as written

902/2018 Sutter-Yuba Behavioral Health: Adopt resolution authorizing acceptance of the County Noncompetitive Allocation under the No Place Like Home Program; and authorize the Local Mental Health Director to execute the Yuba County NPLH Noncompetitive Allocation application and all related documents on behalf of the County. Adopted Resolution No. 2018-196

908/2018 Board of Supervisors: Adopt resolution continuing a local emergency regarding the proliferation of illegal cannabis cultivation. Adopted Resolution No. 2018-197

941/2018 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

802/2018 Administrative Services: Approve Airport Site Number 11, Hanger #5 Lease agreement with John Ferguson and authorize Chair to execute. Approved
866/2018 Clerk of the Board of Supervisors: Adopt resolution approving Fair Political Practices Act 2018 Biennial Reports and Amendments to Conflict of Interest Codes of Yuba County local agencies. Adopted Resolution No. 2018-198

888/2018 Administrative Services: Approve 5-year lease agreement with All Weather Inc. for Airport property use and authorize Chair to execute. Approved

951/2018 Clerk of the Board of Supervisors: Approve meeting minutes of November 13, and special meeting minutes of November 20, 2018. Approved as written

955/2018 Board of Supervisors: Appoint Alyssa C. Lindman to Yuba County Resource Conservation District as a Director with a term ending November 30, 2022. Approved

957/2018 Health and Human Services: Approve agreement with Extra Self Storage for the rental of storage space # K003 at the rate of $111.00 per month and authorize Chair to execute. Approved

958/2018 Health and Human Services: Approve agreement with Extra Self Storage for the rental of storage space # K004 at the rate of $111.00 per month and authorize Chair to execute. Approved

962/2018 Elections: Accept Certification of Vote for the November 6, 2018 Statewide General Election. Approved

968/2018 Health and Human Services: Approve Children’s Medical Services (CMS) Plan and Fiscal Guidelines for Fiscal Year 2018-2019 and authorize Chair to execute both CMS Certification Statements. Approved

937/2018 Community Development and Services: Approve Contract Change Order No. 1, accept Contract No. 246-2018 Various County Roads Hot Mix Asphalt Overlay Project as complete; authorize Public Works Director to execute Contract Change Order, and sign and record Notice of Completion. Approved

948/2018 Human Resources: Adopt resolution amending Classification System-Basic Salary Schedule as it relates to County Counsel. Adopted Resolution No. 2018-199

971/2018 Community Development and Services: Approve agreement with Gallaway Enterprises to provide professional environmental services for Waldo Road over Dry Creek Bridge Replacement Project, and authorize Chair to execute. Approved

967/2018 Human Resources: Adopt resolution amending the Classification System - Basic/Hourly Schedule relating to Extra Help. Adopted Resolution No. 2018-200

980/2018 Emergency Services: Adopt resolution to approve renewal of ongoing local emergency proclamation due to Flood Waters. Adopted Resolution No. 2018-201

981/2018 Emergency Services: Adopt resolution proclaiming the existence of an ongoing local emergency in the County of Yuba due to Historic Rainfall. Adopted Resolution No. 2018-202

982/2018 Emergency Services: Adopt resolution proclaiming an ongoing local emergency due to Tree Mortality. Adopted Resolution No. 2018-203

983/2018 Emergency Services: Adopt a resolution terminating the existence of an ongoing local emergency due to the Oroville Dam Event. Adopted Resolution No. 2018-204
984/2018 Emergency Services: Adopt a resolution terminating the existence of an ongoing local emergency due to the Cascade Fire. Adopted Resolution No. 2018-205

Supervisor Leahy joined the meeting at 9:03 a.m.

SPECIAL PRESENTATIONS

926/2018 Receive presentation from Yuba-Sutter Arts regarding master cultural plan for Yuba-Sutter, update on process and current status. (No background material) (15 minute estimate) Director David Read provided a PowerPoint presentation outlining a Cultural Plan for Yuba Sutter including the following; and responded to Board inquiries:

- Funding opportunities
- Cultural Plan Survey
- Survey Goals
- Planning timeline
- Cultural Plan costs and funding

The following individual spoke: Mr. Charles Sharp

PUBLIC COMMUNICATIONS

Ms. Freda Calvert – illegal dumping in the Goldfields

Ms. Sue Cejner-Moyers and Mr. Dale Whitmore presented plaque to District Attorney Patrick McGrath with the names and dates of service of all previous Yuba County District Attorneys.

COUNTY DEPARTMENTS

963/2018 Board of Supervisors: Accept letter of resignation from District Attorney Patrick J. McGrath effective December 21, 2018. (Five minute estimate) County Administrator Robert Bendorf recapped formal acceptance of resignation letter and responded to Board inquiries.

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

776/2018 Information Technology: Authorize renewal agreement with Microsoft State and Local Government Enterprise, approve enrollment agreement (contract), and authorize Chair to execute Microsoft Volume Licensing Enterprise Agreement and any additional supporting documents that may be required. (Five minute estimate) Director Paul LaValley recapped agreement and responded to Board inquiries.

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

973/2018 Community Development and Services: Approve Right of Way contract with State of California Department of Transportation selling strips of property along frontage of Sycamore Ranch and Hammon Grove Parks for State Highway 20 widening project; purchasing adjacent remnant surplus parcel from State to expand Hammon Grove Park; authorize
Chair to execute grant deeds and certificate of acceptance. (Five minute estimate) Director Mike Lee recapped project scope and benefits to County; and responded to Board inquiries.

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

960/2018 Community Development and Services: Approve amendment to professional services agreement with MBK Engineers to provide flood risk reduction services for the Community of Hallwood. (Ten minute estimate) Director Kevin Mallen recapped amendment, outlined project and responded to Board inquiries.

Mr. Rick Reinhardt, MBK presented a PowerPoint Presentation regarding the training wall, interim design; and responded to Board inquiries.

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

970/2018 Health and Human Services: Approve service agreement with Northwoods Consulting Partners, Inc. for Traverse software, for a period of two years and six months from the effect date of January 1, 2019. (Ten minute estimate) Program Manager Julie Mann provided a PowerPoint presentation regarding the Traverse software benefits, costs over a three year period; and responded to Board inquiries

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

966/2018 County Administrator: Approve agreement with Hinderliter, de Llamas & Associates and authorize Chair to execute. (Ten minute estimate) Assistant County Administrator Grace Mull recapped and responded to Board inquiries.

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

965/2018 County Administrator: Adopt resolutions and approve agreements to administer new 1% transaction and use tax with California Department of Tax and Fee Administration, and authorize Chair to execute. (Ten minute estimate) Assistant County Administrator Grace Mull recapped and responded to Board inquiries.

**MOTION: Move to adopt resolution authorizing Chairman to execute agreements with California Department of Tax and Fee Administration for implementation of a Local Transactions and Use Tax**
**MOVED: Gary Bradford  SECOND: Mike Leahy**
**AYES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford**
**NOES: None ABSENT: Randy Fletcher ABSTAIN: None**

Adopted Resolution No. 2018-206
MOTION: Move to adopt resolution authorizing examination of Transactions (sales) and Use Tax Records
MOVED: Gary Bradford SECOND: Doug Lofton
AYES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford
NOES: None ABSENT: Randy Fletcher ABSTAIN: None
Adopted Resolution No. 2018-207

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

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

ORDINANCES AND PUBLIC HEARINGS – The clerk read the disclaimer

897/2018 Clerk of the Board of Supervisors: Public Hearing - Hold public hearing and adopt resolution adopting the fire mitigation fees for the Linda Fire Protection District. (Five minute estimate)

Chair Vasquez opened the public hearing.

Chief Webb recapped fees, and responded to Board inquiries.

MOTION: Move to close the public hearing and adopt
MOVED: Doug Lofton SECOND: Mike Leahy
AYES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford
NOES: None ABSENT: Randy Fletcher ABSTAIN: None
Adopted Resolution No. 2018-208 via roll call vote

956/2018 County Counsel: Public Hearing - Hold public hearing and adopt amendment to 2018 Yuba County Conflict of Interest Code. (Five minute estimate)

Chair Vasquez opened the public hearing

Deputy County Counsel Andrew Naylor recapped and responded to Board inquires

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

Approved via Roll Call Vote

ITEM OF PUBLIC INTEREST
969/2018 Community Development and Services: Make a finding of convenience or necessity for the transfer of a Type 48 ABC license for Moonshiners Saloon located at 5861 Feather River Blvd. (Five minute estimate) Planning Manager Kevin Perkins recapped request to transfer license and responded to Board inquiries.

Mr. Howard Miller, owner, responded to specific inquiries related to opening date of Moonshiners Saloon.

MOTION: Make finding of public convenience
MOVED: Mike Leahy  SECOND: Doug Lofton
AYES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford
NOES: None ABSENT: Randy Fletcher ABSTAIN: None

Approved by roll call vote

CORRESPONDENCE

936/2018 Three notices from California Fish and Game Commission regarding proposed regulatory actions. Received

947/2018 Letter from Wheatland Cemetery District requesting consideration for inclusion of land set aside for public cemeteries in new developments. Received

BOARD AND STAFF MEMBERS' REPORTS

Supervisor Leahy:
♦ Attended Marysville Christmas Parade
♦ Economic Development Summit

Supervisor Lofton:
♦ Attended Olivehurst Christmas Parade
♦ Memorial Adjournment: Mr. Will Brock

Supervisor Bradford:
♦ Attended Marysville and Olivehurst Christmas parades
♦ Attended Tree Lighting ceremonies in Wheatland and Plumas Lake

Supervisor Vasquez:
♦ Attended SACOG meeting held December 6
♦ Out of state December 3 – 8, 2018

CLOSED SESSION

882/2018  CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION pursuant to Government Code §54956.9(d)(1) – Robin and Taylor Theis vs. Yuba County Sheriff’s Department, Daneen Barnhill, Case No. CVCV18-01657 – By unanimous vote direction provided

949/2018 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION pursuant to Government Code §54956.9(d)(1) – Workers’ Compensation Claim No. 20162001280, Dena Maez – By unanimous vote authority provided

974/2018 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION pursuant to Government Code §54956.9(d)(1) – Workers’ Compensation Claim Nos. 20162001280, YCWC-5559673 Paul Nacin – By unanimous vote authority provided

975/2018 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION pursuant to Government Code §54956.9(d)(1) – Michael and Nicci O’Hagan vs. YCSO, Daneen Barnhill, Case No. CVCV17-0000923 – By unanimous vote direction given to staff

976/2018 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9. Two cases – First Case – By unanimous vote information provided; Second case – By unanimous vote pursuant to Government Code § 54957.1, approval given to County to contract with outside counsel to defend County in potential litigation by Howard Jarvis Taxpayer Association contesting the results of a local election matter

2:00 P.M. SPECIAL PRESENTATION

964/2018 Public Community Forum receive information on Immigration and Customs Enforcement (ICE) access to individuals. (No background material) (15 minute estimate) Undersheriff Ron Johnson provided a presentation on the Truth Act established by Government Code §7283 and requirements for a Community Forum. Undersheriff Johnson recapped the ways in which Immigration and Customs Enforcement (ICE) can request access to a detainee, and steps provided for the County track requests from ICE, including the following.
- Written request to interview a person in custody
- Request for a person’s release date from local custody
- Request local law enforcement place a hold on a person to maintain custody beyond the local release date
- Request local law enforcement facilitate the transfer of a person from local custody to ICE custody

Undersheriff Johnson recapped 2018 ICE requests and responded to Board inquiries.

ADJOURN: at 2:10 p.m. in honor of Mr. Will Brock.

Chair

ATTEST: RACHEL FERRIS
CLERK OF THE BOARD OF SUPERVISORS

Approved: Jan 8, 2019