The County of Yuba

BOARD OF SUPERVISORS

MARCH 26, 2019

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

PLEDGE OF ALLEGIANCE – led by Andy Vasquez

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

CONSENT AGENDA

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

110/2019 Health and Human Services: Approve the Second Amended and Restated Joint Exercise of Powers Agreement for the California Statewide Automated Welfare System (CalSAWS) Consortium and the Memorandum of Understanding (MOU) between the CalSAWS Consortium and the County of Yuba. (Human Services Committee recommends approval) Approved

127/2019 Administrative Services: Approve as to form, Volumes 1 through 4 bridging documents approving proposal, contract, specifications and appendices for the Tri-County Rehabilitation Facility Project. Approved

126/2019 County Administrator- Authorize grant application for Regional Waste Management Authority (RWMA) on County’s behalf for the Local Government Waste Tire Amnesty Event Grant Program and authorize County Administrator to execute submittal letter. Approved

137/2019 Agricultural Commissioner: Adopt resolution authorizing Agricultural Commissioner to execute specific ongoing/new contracts, agreements, cooperative agreements, grants and/or Memorandum of Understanding for Fiscal Year 2019/2020 or multiyear contracts. Adopted Resolution No. 2019-28

129/2019 Sheriff-Coroner: Adopt resolution authorizing Sheriff to execute grant application, agreement, and necessary documents with Department of Boating and Waterways for boating and safety enforcement activities for Fiscal Year 2019-2020. Adopted Resolution No. 2019-29

130/2019 Sheriff-Coroner: Approve Budget Transfer from Account No. 108-2900-423-23.00 Professional Services in the amount of $797,075.00, to Account No. 108-2900-423-63.00 Equipment, to correct error made on mid-year budget transfer for the Jail division. Approved
144/2019 Administrative Services: Adopt resolution to authorize Director of Administrative Services to execute all documents for USDA grant to receive additional Yuba County Airport Taxiway Project funding. Adopted Resolution No. 2019-30

128/2019 Board of Supervisors: Appoint Judy A. Harlow to Yuba County Resource Conservation District as a Director with a term ending November 30, 2020. Approved

121/2019 Administrative Services: Approve amendment No. 2 with Mead & Hunt, Inc. for construction administration services for Transient Tie-Down Apron Rehabilitation Project at Yuba County Airport and authorize Chair to execute. Approved

99/2019 Administrative Services: Approve contract with ACCO Engineered Systems for full replacement of S-18, E19, S-8, E-9 air handlers and exhaust fans at Yuba County Courthouse, and authorize Chair to execute. Approved

124/2019 Board of Supervisors: Reappoint Warner Phillips to Yuba County Planning Commission as a District Five Representative with a term ending January 10, 2023. Approved

141/2019 Board of Supervisors: Approve amended Board Standing Committees amending SACOG appointments by appointing Mike Leahy as Representative and Andy Vasquez as Alternate; and delete Alternate position to Yuba-Sutter Economic Development Corporation to align with their adopted By-laws. Approved

147/2019 Human Resources: Approve Amendment to the Master Labor Agreement regarding Detention Services Premium between The County of Yuba and Yuba County Employees' Association, Local #1 effective 4/1/19. Approved

156/2019 Board of Supervisors: Authorize out-of-state travel for two Supervisors to attend 2019 Defense Communities National Summit, June 10-12, 2019 in Washington DC. Approved

159/2019 Clerk of the Board of Supervisors: Approve meeting minutes of March 12, 2019. Approved

SPECIAL PRESENTATIONS

135/2019 Special Presentation: Present proclamation to American Red Cross recognizing March 2019 as American Red Cross month. (No background material) (Five minute estimate) Chair Leahy read and presented proclamation to individuals representing American Red Cross.

PUBLIC COMMUNICATIONS

Ms. Mary Salvato: Code Enforcement violations on a rental property located at 1646 2nd Ave. Olivehurst

Reverend Heidi Lepp: State protected rights

Ms. Honna Lee Stradiota: Mistreatment of the homeless

COUNTY DEPARTMENTS

150/2019 County Administrator: Receive presentation from Recology regarding local impacts of China's recycling policies, and adopt resolution in support of a statewide commission on recycling markets. (20 minutes estimate) Management Analyst Jamme Yang provided a brief recap and introduced Recology Commodities Manager Terry Bentley.
Mr. Bentley provided a PowerPoint presentation on China's SWORD program, including the following:
- Commodities market for recyclable materials
- Market collapse
- National and local market impacts
- Price increase
- Shipping tariffs

Recology Yuba-Sutter response:
- Pursue new markets, domestically and foreign
- Education and outreach
- Quality control
- Alternative methods

Mrs. Yang recapped resolution to support a statewide commission to address challenges with recycling markets. The resolution also voices support to include representatives from local governments on the commission.

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

Adopted Resolution No. 2019-31

148/2019 County Administrator: Approve letter of support for Assembly Bill 449, which would allow Yuba City and Yuba and Sutter counties to retain funds from the sale of ROW properties that Caltrans acquired, and authorize Chair to execute. (Five minutes estimate) Management Analyst Jamme Yang recapped and responded to Board inquires.

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

149/2019 County Administrator: Approve letter of support for H.R. 830 which would allow construction without elevation of agricultural structures located in special flood hazard zones and establish flood insurance rates based on actuarial risk, and authorize Chair to execute. (Five minutes estimate) Management Analyst Jamme Yang provided a brief recap and responded to Board inquires.

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

134/2019 Board of Supervisors: Adopt resolution declaring the Board of Supervisors' intention to divest itself of authority over the Smartsville Cemetery District pursuant to Health and Safety Code §9026 and to hold a public hearing on the Board's authority to govern the District. (5 minute estimate) Deputy County Administrative Officer Leanne Link briefly recapped timelines and responded to Board inquiries.
MOTION: Move to adopt
MOVED: Randy Fletcher SECOND: Andy Vasquez
AYES: Andy Vasquez, Mike Leahy, Gary Bradford, Randy Fletcher
NOES: None ABSTAIN: None ABSENT: Doug Lofton

Adopted Resolution No. 2019-32

122/2019 Information Technology: Approve contract to purchase Rubrik Data Protection System for countywide data backup and recovery to the cloud, and authorize Chair to execute. (Five minute estimate) Director Paul LaValley recapped potential issues, and the need for data backup and recovery. Mr. LaValley responded to Board inquiries.

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

ORDINANCES AND PUBLIC HEARINGS – The clerk read the disclaimer

125/2019 Ordinance: Hold public hearing, waive second reading, and adopt ordinance creating Chapter 7.42 of the Yuba County Ordinance Code prohibiting the cultivation of industrial hemp within the unincorporated area of Yuba County. (Agricultural Commissioner) (30 minute estimate) (Roll Call Vote) Chair Leahy opened the public hearing.

The following individuals spoke:
• Ms. Karen Liggett
• Ms. Mary Jane Salvato
• Ms. Lou Niel

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

Adopted Ordinance No. 1581 by unanimous Roll Call Vote

ITEM OF PUBLIC INTEREST

143/2019 Community Development and Services: Make finding of a public convenience or necessity for a Type 20 ABC license for NB Market and Deli located at 1668 N. Beale Road. Planning Manager Kevin Perkins provided a brief recap of request and responded to Board inquiries.

MOTION: Move to make findings of a public necessity
MOVED: Andy Vasquez SECOND: Randy Fletcher
AYES: Andy Vasquez, Mike Leahy, Gary Bradford, Randy Fletcher
NOES: None ABSENT: Doug Lofton ABSTAIN: None
BOARD AND STAFF MEMBERS' REPORTS

Supervisor Vasquez:
• Received Board consensus to have Community Development and Services Director Kevin Mallen review building codes for mobile homes
• Homeless Consortium informational booklets

Supervisor Gary Bradford:
• Wheatland Town hall meeting regarding CSA 14 Assessment on March 19
• New business opening in Wheatland - Walkers Wine and Brew house
• New retail building space in Plumas Lake approved
• YouTube video titled: “Seattle is Dying”

Supervisor Fletcher:
• Requested to be appointed to an Ad hoc committee to review Insurance issues for the foothills
• Memorial Adjournment: Mr. Dean Miller

Chairman Leahy established an Adhoc committee to review Insurance issues and solutions for the foothills, and appointed Supervisor Lofton and Supervisor Fletcher to serve.

County Administrator Robert Bendorf: Was invited to assist Glenn County with interviews for a County Administrator position on March 28 and 29.

Supervisor Leahy:
You Tube video “Seattle is Dying”

CLOSED SESSION: The Board retired into closed session at 10:17 a.m. and returned at 10:54 a.m. with all members present as indicated above.

142/2019 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION pursuant to Government Code section 54956.9(d)(1) - Bishop v. County of Yuba, Riverside County Superior Court Case No. RIC1817810 By unanimous vote the Board authorized defense of action and retention of outside counsel

140/2019 Conference with Labor Negotiators pursuant to Government Code §54957.6 – Agency designated representatives: Robert Bendorf, Jill Abel, and Don Turko; Employee Organizations: DSA/MSA/PPOA

160/2019 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION pursuant to Government Code §54956.9(d)(1) – Aaron Sanders v. Henry Abe, Yuba County, et al., U.S. District Court Eastern District of California, Case No. 2:18-cv-02789-WBS-DMC

ADJOURN: 10:55 a.m. in memory of Mr. Dean Miller.

Chair

ATTEST: RACHEL FERRIS
CLERK OF THE BOARD OF SUPERVISORS

03/26/2019

Approved: April 23, 2019

MINUTE BOOK NO. 76 PAGE 35