The County of Yuba
BOARD OF SUPERVISORS

APRIL 9, 2019

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

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

CONSENT AGENDA

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

100/2019 Emergency Services: Adopt resolution to approve renewal of ongoing local emergency proclamation due to Flood Waters. Adopted Resolution No. 2019-33

101/2019 Emergency Services: Adopt resolution proclaiming the existence of an ongoing local emergency in the County of Yuba due to Historic Rainfall. Adopted Resolution No. 2019-34


138/2019 Board of Supervisors: Appoint Gary B. Fildes to Yuba County Resource Conservation District as a Director with a term ending November 30, 2020. Approved

136/2019 Community Development and Services: Approve Public Interest Finding, and award contract to ADKO Engineering Inc. for Engineering Design of the Bridge Preventative Maintenance Program Project, and authorize Chair to execute. Approved

153/2019 Elections: Declare items as surplus property and authorize disposal; direct Auditor-Controller to remove the surplus equipment from Capital Assets listing. Approved

155/2019 Community Development and Services: Adopt resolution certifying the 2018 Maintained Mileage of Yuba County Road Network. Adopted Resolution No. 2019-36

04/09/2019
172/2019 Community Development and Services: Award Contract 2019-2242 7th Avenue Bicycle Path and Pedestrian Improvements project, to the lowest responsive responsible bidder, and authorize chair to sign the contract pending County Counsel approval. (Five minute estimate) Approved

145/2019 Administrative Services: Adopt resolution rescinding resolution number 2017-23 and approving an increase in cash contribution to fund Tri-County Juvenile Rehabilitation Facility and authorize Chair to execute. Adopted Resolution No. 2019-37

SPECIAL PRESENTATIONS

165/2019 Present Proclamation to Yuba County First Five Children and Families Commission honoring their 20th year anniversary celebration. (No background material) (Five minute estimate) Chair Leahy read and presented proclamation to First Five Yuba Director Ericka Summers.

103/2019 Present Yuba County Employees Service Awards. (No background material) (30 minute estimate). Human Resource Director Jill Abel and County Administrator Robert Bendorf presented employee service awards for 10, 15, 20, 25, 30, 35 and 45 years of service.

10 Years
Jill Abel
Cheryl Anderson
Steve Cameron
Stevan Campbell
Ignacio Diaz III
Dustin Escheman
Barbara Escovedo
Kimberly Heisch

Martha Hernandez
Jeff Lake
Christopher LaRue
Olibia Lopez
Dena Maez
Joshua McFarlane
Heidi Morgan
Mandeep Nagra

Angela Oliver
Todd Quist
Jarod Read
Christina Rhea
Andrew Thomas
Nuri Vargas
Ann Marie Watkins
Heather Wolfe

15 Years
Icela Belmonte
Philip Bronson
Shea Comerford
William Davis
Tabatha Edwards
Kimberly Flores
Robert Garramore
Patricia Hunt
Miranda Johnson

Cathy Jordan
Nancy Lacey
Monica Lara
Melinda Mangum
Delaine Mendez
Mindy Murphey
Jason Otero
Tamara Pecsi
Matthew Ricardy

Alejandro Rodriguez
Carlos Romero
Celica Schmidt
Kathy Scriven
Carl Skinner
Stephanie Smith
Barbara Walker
Robert Washburn

20 Years
Wendell Anderson
Kevin Bisby
George Breton
Calvin Broussard
James Davis
Jane Ingram
Stephanie Johnson

Kevin Mallen
Benjamin Martin
Lori McDaniel
Gale Nickson
Daniel Nunez
Joseph Oates
Kari Renne Peters

Michelle Ridgeway
Elizabeth Rodriguez
Donna Stottlemeyer
Mechele Wilson
Billy Yang
25 Years
Rodney Hemp
Traci Roussan
Margie Uralowich

30 Years
Van Boeck
Damon Gil
Shaun Smith
Kathy Brown
John Jacenich
Patrick Thomas
Michele Clark
Pamela Morasch
Robyn Timoszyk
Rachel Ferris
Joelyne Sciscient

35 Years
Ronald Johnson
45 Years
Dianne Tubandt

PUBLIC COMMUNICATIONS

Ms. Karen Liggett - cannabis related crimes

COUNTY DEPARTMENTS

118/2019 Victim Services: Adopt resolution declaring April 07 – April 13, 2019 Crime Victims’ Rights Week and allow the Probation Department’s Victim Services unit to honor local law enforcement, District Attorney staff, community partner agencies and community members for outstanding service to crime victims of Yuba County. Commemorate 34 years of Victim Services in Yuba County through the Probation Department and reaffirm the Board’s recommendation for Probation to operate Victim Services. (30 minute estimate) Program Manager Jason Roper recapped National Crime Victims’ Rights Week, and presented special recognition to the following individuals:

- Victim Advocates Shelly Gage and Danielle Montgomery
- Child and Adult Protective Services Social Worker John Crocker
- Yuba County Sheriff’s Deputy Rosa Gonzales
- District Attorney Investigator Ashley Tuft
- Marysville Police Officer Zach Lamire
- Yuba County Probation Officer Heather Wolfe
- Brownsville Lutheran Church
- Emergency Operations Manager Scott Bryan
- Emergency Operations Planner Briana Schuette

County Administrator Robert Bendorf commended Mr. Roper and staff.

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

 Adopted Resolution No. 2019-38

177/2019 Emergency Services: The Board of Supervisors receive a presentation on the newly developed PG&E Wildfire Mitigation Plan and Community Wildfire Safety Program. (Ten minute estimate) Emergency Services Manager Scott Bryan recapped Pacific Gas and Electric (PG&E) Wildfire Safety Program and provided a PowerPoint presentation including the following:

04/09/2019
• Real time monitoring including 24 hours staffing during high fire probability
• Adding new weather stations and camera monitoring stations
• Re-evaluating how trees are pruned under and around power lines
• Safety Inspections of equipment: Trees, poles, and lines
• Public Safety Power Shutoff
• Disabling circuits and lines in high fire risk areas during fire season
• PG&E is working on Standard Operating Procedures for shut off
• Potential impacted areas would be determined by California Public Utilities Commission based on elevated and extreme fire danger
• When possible advanced notice of shut down would be provided in increments of: 48 hours, 24 hours and just before shut down

Mr. Bryan expressed concerns related to additional emergency notifications after the power has been shut down.

PG&E Customer Affairs Representative Brandon Saunders recapped steps to restore power, including visual inspections of equipment, poles, and lines prior to reenergizing. This process could take up to 48 hours for more remote locations.

Mr. Bryan and Mr. Saunders responded to Board inquiries.

131/2019 Administrative Services: Approve Project Delivery and Construction Agreement (PDCA) for Tri-County Juvenile Rehabilitation Facility Joint Exercise of Powers Agreement. (Five minute estimate) Director Tim McCoy recapped approval of amended and restated JPA, and requested the Board take the following action.

Approve the total cash match for payment of costs related to or necessary for the project as reflected in attachment 1 to the agreement to be amended to state that Yuba and Sutter County’s hard match shall be $1,237,122 each, and Colusa County’s hard match shall be $618,561

That the total In-kind match for payment of costs related to or necessary for the project as reflected in Exhibit E-2 of the agreement be amended to state that Yuba and Sutter County’s hard match shall be $281,200 each, and Colusa County’s hard match shall be $140,600.

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

164/2019 Community Development and Services: Approve professional services agreement with Library Systems and Services, LLC for Library Assessment and Strategic Plan of the Yuba County Library. (Five minute estimate) Director Kevin Mallen briefly recapped and responded to Board inquiries.

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

176/2019 Community Development and Services: Initiate Proposition 218 process and set date for public hearing to consider assessment increase for County Service Area 11. (Five minute estimate) Deputy Director Perminder Bains recapped request and timelines, and responded to Board inquiries.
MOTION: Move to approve
MOVED: Doug Lofton SECOND: Gary Bradfoud
AYES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradfoud
NOES: None ABSENT: Randy Fletcher ABSTAIN: None

171/2019 Sheriff-Coroner: Recommend approval of the Sheriff's Department Lateral Incentive Program to assist the Sheriff with hiring additional deputies at a lateral level to support critical County public safety operations in the immediate future. (Ten minute estimate) Sheriff Anderson recapped request and responded to Board inquiries.

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

180/2019 Sheriff-Coroner: Authorize Sheriff-Coroner to hire Nick Morawczynski for the position of Undersheriff at the advanced index rate of 1.15 and approve a one-time signing bonus of $10,000. Sheriff Anderson recapped request to hire an undersheriff at an advanced step and introduced Mr. Nick Morawczynski.

Mr. Morawczynski recapped his experience, and the many leadership roles he has held both professionally and personally.

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

169/2019 County Administrator: Approve Memorandum of Agreement with Yuba-Sutter Economic Development Corporation for 2020 Census marketing and outreach services, and authorize Chair to execute. (Five minute estimate) Management Analyst Jamme Yang recapped sublease contract for 2020 Census to Economic Development Corp and advised there would be no general funds costs. Ms. Yang responded to Board inquiries.

Economic Development President/Chief Operating Officer Brynda Stranix advised her staff would manage the planning phase and would contract for additional staff as needed.

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

173/2019 County Administrator: Adopt resolution approving the form and authorizing the execution of certain lease financing documents in connection with the financing of various public infrastructure improvements on real property within the boundaries of the county and authorizing and directing certain actions with respect thereto. (Ten minute estimate)

County Administrator Robert Bendorf recapped recent passages of legislation that allows for advanced funding of numerous transportation projects, proposed financing advance of $9 million from the Yuba Water Agency to be paid back over 10 years at the rate of 2.25 per annum; and recapped the following benefits:
- Costs savings from doing one or two large contracts versus multiple smaller ones
- Cost savings from inflationary adjustments and escalating construction costs

04/09/2019
• Costs savings from maintenance costs
• Immediate large scale benefits from SB1 funding
• Additional cost avoidance for drivers who will realize less car maintenance resulting from improved road conditions

Jeff Small, Capitol PFG, recapped laws and rules related to the borrowing and repayment method.

Public Works Director Mike Lee recapped project that consists of two contracts geographically split between the foothills and the valley; and provided a time line for update of bid packages, formal approval from Yuba Water Agency, and one bid period. Mr. Lee advised contracts could be awarded end of May with work to start in June 2019.

Community Development and Services Director Kevin Mallen advised road repair selection was based on the Five Year Transportation Master Plan and would account for 50 to 70 miles of road repair.

Mr. Mallen and Mr. Lee responded to Board inquiries.

The following individual spoke: Yuba Water Agency Terri Daily

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

Adopted Resolution No. 2019-39

The Board recessed at 11:35 a.m. and reconvened at 11:40 a.m.

COUNTY DEPARTMENTS Continued

161/2019 Community Development and Services: Approve plans, specifications, and estimate, and authorization of advertisement of bids for the 2019 Overlay Phase I (Valley) Project and 2019 Overlay Phase II (Hills) project. (Five minute estimate) Director Mike Lee recapped two contracts for approval defined by geographical area of the valley and foothills, scope of projects including alternate roads, 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

ORDINANCES AND PUBLIC HEARINGS – The clerk read the disclaimer

139/2019 County Administrator: Hold public hearing to adopt resolution approving amendment to the Recology Yuba-Sutter Collection Service agreement approving several section amendments and a new rate for bulky item and illegal dumping collection in non-program areas; to be effective upon adoption by the Board of Supervisors and all councils and boards of the five participating member jurisdictions. (Ten minute estimate)

Chair Leahy opened the public hearing.

County Administrator Robert Bendorf recapped amended agreement and responded to Board inquiries.

04/09/2019
MOTION: Move to close the public hearing and adopt
MOVED: Andy Vasquez SECOND: Gary Bradford
AYES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford
NOES: None ABSENT: Randy Fletcher ABSTAIN: None

Adopted Resolution No. 2019-40

158/2019 Human Resources: Hold public hearing, adopt Resolution of Intention to amend CalPERS contract to provide employee share of cost per Government Code Section 20516; waive 1st reading, and introduce Ordinance to amend Chapter 3.40.010 and add Chapter 3.40.046 CalPERS Retirement System Board of Administration contract and authorize Clerk of the Board of Supervisors to complete required Certifications of Compliance with Government Code 7507 and Governing Body’s Action.

Chair Leahy opened the public hearing.

Assistant Director Karen Fassler provided a brief recap.

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

Adopted Resolution No. 2019-41

CORRESPONDENCE – the Board received the following correspondence

178/2019 Notice from California Fish and Game Commission relating to Mammal Hunting regulations and review of CEQA documents for bighorn sheep and elk.

168/2019 Two notices from State of California Central Valley Flood Protection Board, and US Army Corps of Engineers regarding a public meeting regarding Notice of Intent to Adopt a Mitigated Negative Declaration on Marysville Ring Levee on April 10, 2019 from 4:00 pm to 7:00 pm at Yuba County Government Center.

179/2019 Receive report from Commercial Cannabis Advisory Committee.

BOARD AND STAFF MEMBERS’ REPORTS

Supervisor Vasquez: Central Valley tour of the water conveyance system

Supervisor Bradford:
  ◦ Central Valley tour of the water conveyance system
  ◦ Commercial Cannabis Committee report

County Administrator Robert Bendorf:
  ◦ Commended staff and Yuba Water Agency for coordination on financial agreement for transportation project
  ◦ April 25 Joint meeting with Yuba Water Agency – speaker Chris Thornburg
  ◦ April 26 Perspectives Lunch, Peach Tree Gold and Country Club

Communications Coordinator Russ Brown: Emergency Code Red test scheduled April 10 at 10:45 a.m.
04/09/2019
Code Enforcement Manager Jeremy Strang: Response to code violations reported during Public Comments on March 26, 2019

Supervisor Leahy:
- Greater Sacramento Economic Counsel - national business scout group
- Certified Champions program for economic development May 21, at 10:00 a.m. in the Government Center
- On behalf of Supervisor Fletcher: Memorial Adjournment – Mr. Daniel Laird

CLOSED SESSION – the Board retired into closed session at 12:03 p.m. and returned at 12:33 with all members present as indicated above.

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 - No reportable action

167/2019 CONFERENCE WITH LEGAL COUNSEL - Initiation of Litigation pursuant to Government Code section 54956.9(d)(4) - County of Yuba v. Sackler - USDC Case No.:1:19-cv-002421 -
By unanimous vote the Board ratified the initiation of litigation

ADJOURN: at 12:34 p.m. in memory of Mr. Daniel Laird.

ATTEST: RACHEL FERRIS
CLERK OF THE BOARD OF SUPERVISORS

Chair

Approved: May 14, 2019

04/09/2019

MINUTE BOOK NO. 76 PAGE 43