The County of Yuba

BOARD OF SUPERVISORS

JUNE 25, 2019

Call to order 9:00 a.m. with Supervisors Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, and Supervisor Randy Fletcher. 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 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: Randy Fletcher SECOND: Andy Vasquez
AYES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES/ABSENT/ABSTAIN: None

306/2019 Treasurer and Tax Collector: Approve discharging the Treasurer-Tax Collector from accountability for the collection of taxes, penalties and interest on Unsecured Property Taxes. Approved

270/2019 Health and Human Services: Approve agreement with Children's Home Society for Provision of Emergency Child Care Services for foster children and authorize Chair to execute. (Human Services Committee Recommends Approval) Approved

319/2019 County Administrator: Approve Budget Adjustment in the total amount of $5920.00 from Acct. No. 101-1700-411-2300 (Professional services) to various line items for year-end clean-up. Authorized

318/2019 County Administrator: Approve County Administrator’s letter authorizing Regional Waste Management Authority (RWMA) to apply to California Department of Resources Recycling and Recovery (CalRecycle) on the County’s behalf for the Used Oil Payment Program for Fiscal Year 2019/20. Approved

333/2019 Community Development and Services: Approve plans, specifications, and estimate and authorization of advertisement of bids for the Highway Safety Improvement Program Cycle 8 Thermoplastic Striping Project on four County roads. Approved

335/2019 Sheriff-Coroner: Approve cooperative agreements with the U.S. Forest Service to provide law enforcement services to fight controlled substances on U.S. forestland and authorize Chair to execute. Approved
336/2019 Community Development and Services: Accept Riverside Meadows Village 1 as complete and authorize the Public Works Director to file a Notice of Completion. Approved

326/2019 Clerk-Recorder/Elections: Authorize Budget Transfer from Account No. 101-0800-415-6330 (Fixed Assets) in the total amount of $20,000 to various line items to cover year end clean up. Authorized

323/2019 Clerk of the Board of Supervisors: Authorize Budget Transfer from account 101-0100-363-7400 (Outside Agencies) in the total amount of $15,663 to cover salary increase that occurred after budget approval and yearend clean up. Authorized

233/2019 Human Resources: Approve contract with Sloan Sakai Yeung & Wong LLP for general legal counsel and authorize Chair to execute. Approved

337/2019 Sheriff-Coroner: Approve the reprogramming of various Sheriff's Department funds as outlined on the attached budget adjustment request forms for the Sheriff, Jail, and Bailiff budgets. Approved

338/2019 Community Development and Services: Adopt resolution approving the formation of County Service Area 72 and imposing an assessment. Adopted Resolution No. 2019-65

340/2019 Clerk of the Board of Supervisors: Approve Special Meeting minutes of May 21, 2019, and Regular Meeting minutes of May 28, 2019. Approved

PUBLIC COMMUNICATIONS

- Ms. Mary Battista – ongoing sewage issues in Mobile Home Park
- Mr. James Stone, Fishing Guide – expressed public safety concerns along the Yuba and Feather Rivers

COUNTY DEPARTMENTS

320/2019 Assessor: Adopt resolution authorizing Assessor to prorate taxes resulting from an escaped assessment between the current and prior owners of property pursuant to California Revenue and Taxation Code Section 531.2 (c). (Five minute estimate) Assessor Steve Duckles recapped process and responded to Board inquiries.

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

322/2019 County Administrator: Approve Amendment No. 1 to the Funding Agreement relating to Yuba Levee Financing Authority Bonds, and authorize Chair to execute. (Five minute estimate) Community Development and Services Director Kevin Mallen recapped debt service and payment responsibilities, and responded to Board inquiries.

County Administrator Robert Bendorf responded to inquiries related to potential shortfall.

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

06/25/2019
332/2019 County Administrator: Approve Public Defender Juvenile 602 Services Contract with Carl R. Lindmark, and authorize Chair to execute. (Five minute estimate) Management Analyst Jamme Yang provided a brief recap and recommended approval.

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

356/2019 County Administrator: Adopt resolution approving one-time funding of $25,000 to the City of Marysville to help offset costs of providing numerous annual community events hosted in the City of Marysville; and make a finding of public benefit/purpose that by providing the funding to the City of Marysville, it serves in the interest of all of the County’s residents. (Five minute estimate) County Administrator Robert Bendorf recapped funding to City of Marysville for community events.

Marysville Police Chief Sachs recapped events hosted by the City of Marysville, and commended the Board for their support.

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

334/2019 County Administrator: Cast ballots for Reclamation District 784 (RD 784) Proposed Annual Assessment and authorize Chairman to execute same. (Five minute estimate) Management Analyst Jamme Yang recapped proposed assessment indicating it would appear on the tax statements this fall.

County Administrator Robert Bendorf and Community Development and Services Director Kevin Mallen recapped impacts and costs to the County.

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

Approved via unanimous Roll Call Vote

327/2019 County Administrator: 1. Adopt a resolution establishing an Internal Revenue Code Section 115 Trust with Public Agency Retirement Services; 2. Adopt a resolution allowing the Auditor-Controller to transfer funds from the Pension UAL Trust fund in the County Treasury as authorized by the Treasurer Tax Collector; 3. Authorize the Treasurer Tax Collector to execute all necessary documents to establish and maintain the Trust; and 4. Authorize the Auditor-Controller to transfer $200,000 in funds from the Pension UAL Trust fund within the County Treasury into the Section 115 Trust on or before June 30, 2019 with the approval of the Treasurer Tax Collector. (Ten minute estimate) Deputy County Administrator Leann Link provided brief recap.

Mr. Mitch Barker, provided a Power Point presentation outlining history of PARS, client base, services, and access to funds.
Treasurer Tax Collector Dan Mierzwa spoke in support and responded to inquiries.

MOTION: Move to adopt resolution establishing an Internal Revenue Code Section 115 Trust with Public Agency Retirement Services
MOVED: Randy Fletcher SECOND: Andy Vasquez
AYES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES/ABSTAIN/ABSENT: None

Adopted Resolution No. 2019-68

MOTION: Move to adopt resolution allowing the Auditor-Controller to transfer funds from the Pension UAL Trust fund in the County Treasury as authorized by the Treasurer Tax Collector
MOVED: Randy Fletcher SECOND: Doug Lofton
AYES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES/ABSTAIN/ABSENT: None

Adopted Resolution No. 2019-69

MOTION: Move to Authorize Treasurer Tax Collector to execute all necessary documents to establish and maintain the Trust
MOVED: Doug Lofton SECOND: Andy Vasquez
AYES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES/ABSTAIN/ABSENT: None

MOTION: Move to authorize Auditor-Controller to transfer $200,000 in funds from the Pension UAL Trust fund within the County Treasury into the Section 115 Trust on or before June 30, 2019 with the approval of the Treasurer Tax Collector
MOVED: Doug Lofton SECOND: Andy Vasquez
AYES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES/ABSTAIN/ABSENT: None

Chair Leahy recognized Mr. Dustin Daundivier and members of the 530 Recovery Clean-up for cleaning up abandoned vehicles in the river bottoms at Shad Pad. Mr. Daundivier introduced the members of his administrative team and commended the Board for their support.

ORDINANCES AND PUBLIC HEARINGS – the clerk read the disclaimer.

308/2019 Community Development and Services: Ordinance - Hold public hearing, waive second reading, and introduce Ordinance amending Chapter 9.25 of Title IX of the Yuba County Ordinance Code regarding the repeal of vehicle weight limits on Mathews Lane, Ramirez Road, and Woodruff Lane. (Five minute estimate) Public Works Director Mike Lee recapped road repairs and reestablishing the weight limit, and responded to Board inquiries.

Chair Leahy opened the public hearing. The following individuals spoke:

- Mr. Charley Mathews
- Ms. Mimi Mathews
MOTION: Move to close the public hearing and adopt
MOVED: Andy Vasquez SECOND: Doug Lofton
AYES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES/ABSENT/ABSTAIN: None

Adopted Ordinance No. 1584

329/2019 Community Development and Services: Hold public hearing and adopt resolution adopting budget for Gledhill Landscaping and Lighting District. (Five minute estimate)

Chair Leahy opened the public hearing.

Public Works Director Mike Lee recapped.

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

Adopted Resolution No. 2019-70

331/2019 Community Development and Services: Hold Public Hearing and approve County Service Area Assessment Summary for Fiscal Year 2019/2020. (Five minute estimate)

Chair Leahy opened the public hearing. No one came forward.

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

330/2019 Community Development and Services: Hold public hearing and adopt resolution adopting the budget for Linda Street Lighting Maintenance District. (Five minute estimate)

Chair Leahy opened the public hearing.

Public Works Director Mike Lee recapped.

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

Adopted Resolution No. 2019-71

CORRESPONDENCE – The Board received the following correspondence.

324/2019 Notice from California Fish and Game Commission regarding Notice of Proposed Emergency Action.

06/25/2019
339/2019 Receive notice of retirement from Janine Hasey University of California Cooperative Extension Tree Crops Farm Advisor.

BOARD AND STAFF MEMBERS’ REPORTS

Supervisor Vasquez: Association of Defense Communities Summit, Washington DC June 9 – 12, 2019

Supervisor Lofton: Forum on Homeless issue

Supervisor Bradford:
○ Association of Defense Communities Summit, Washington DC June 9 – 12, 2019
○ Forum on Homeless issues

Supervisor Fletcher:
○ RCRC meeting held June 19
○ LAFCO meeting held June 20
○ Forest Management Task Force meeting held June 21
○ USDA workshop held June 24
○ Memorial Adjournment: Ms. Lorrie Landes

Supervisor Leahy: Decrease in homelessness

CLOSED SESSION: The Board retired into closed session at 10:16 a.m. and returned at 10:33 a.m. with all members present as indicated above. County Counsel Mike Ciccozzi announced there was no reportable action.

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

325/2019 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION pursuant to Government Code section 54956.9(d)(1) - Worker's Compensation Claim Nos YCWC-554905, 20152001972, 20152001935, 20182000366 - Phillip Spadini

10:30 A.M. Receive Proposed Budget

328/2019 County Administrator: Receive Proposed Budget for Fiscal Year 2019-2020. (30 minute estimate) (4/5 vote required) County Administrator Robert Bendorf presented a PowerPoint presentation outlining the proposed budget including the following:
- All Operating Funds $200,134,960
- General Fund Discretionary Revenues $36,499,876
  ○ Secured Property tax $13,450,000
  ○ Tipping Fees 3,800,000
  ○ Motor Vehicle In-Lieu $9,580,000
  ○ Sales Tax $3,850,000
  ○ Franchise Fees $1,580,000
- General Fund Revenue
  ○ Public Protection $26,738,404
  ○ General Government $7,15,028
  ○ Land Use $416,186

06/25/2019 MINUTE BOOK NO. 76 PAGE 76
• Health Services $187,701
• Social Services $477,557
• Contingencies $960,000
• General Fund Reserves $2,100,000

Significant Cost Increases
• Health Insurance
• PERS Pension
• Workers Compensation

MOTION: Move to accept the Proposed Budget for Fiscal Year 2019/2020 and direct staff to make available copies for public review
MOVED: Gary Bradford SECOND: Doug Lofton
AYES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES/ABSENT/ABSTAIN: None

Approved via unanimous Roll Call Vote

MOTION: Move to adopt Proposed Budget for Fiscal Year 2019/2020 as the County’s interim spending plan, including position changes, pending formal adoption of the Final Budget
MOVED: Andy Vasquez SECOND: Gary Bradford
AYES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES/ABSENT/ABSTAIN: None

Approved via unanimous Roll Call Vote

MOTION: Move to set dates for Fiscal Year 2019/2020 Budget Workshops of August 13th and 14th and set Final Budget hearings to commence September 10th
MOVED: Andy Vasquez SECOND: Doug Lofton
AYES: Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, Randy Fletcher
NOES/ABSENT/ABSTAIN: None

Approved via unanimous Roll Call Vote

CLOSED SESSION: The Board retired into closed session at 11:34 a.m. and returned at 11:52 a.m. with all members present as indicated above.

341/2019 CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION pursuant to Government Code section 54956.9(d)(4): Number of Cases: (1) - By unanimous vote the Board approved and ratified the signature of the Chair on the Plan Support Agreement entered into between the County of Yuba and PG&E whereby PG&E agreed to pay the County of Yuba 12.5 million dollars in exchange for a release of all claims by Yuba County for damages suffered by Yuba County as the result of the 2018 Camp Fire and Yuba County’s support of PG&E’s Plan of Reorganization to be submitted for approval to the Bankruptcy Court. The above payment will be incorporated into the Plan of Reorganization which will be subject to the confirmation by the Bankruptcy Court.

343/2019 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION pursuant to Government Code section 54956.9(d)(1) - Blackshire vs. County of Yuba et al. Yuba County Superior Court case number CVCV19-00718. By unanimous vote the Board authorized the defense of the County and County employees in the matter of Blackshire v. County of Yuba et al Yuba County Superior Court Case number CVCV19-00718 and the retention of the firm of Porter & Scott to provide the defense in that matter.

06/25/2019
ADJOURN: 11:54 a.m. in memory of Ms. Lorrie Landes.

ATTEST: RACHEL FERRIS
CLERK OF THE BOARD OF SUPERVISORS

Chair

Approved: July 23, 2019