MAY 12, 2020

Call to order 9:00 a.m. with Supervisors Andy Vasquez, Mike Leahy, Doug Lofton, Gary Bradford, and Randy Fletcher. Also present were County Administrator Robert Bendorf, County Counsel Mike Ciccozzi and Board Clerk Mary Pasillas.

ADDENDUM TO AGENDA: ADDED TO CLOSED SESSION AGENDA ITEM 226-2020

County Counsel Mike Ciccozzi added item 234-2020 to County Departments pursuant to Government Code Section 54954.2(b)(2).

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

Added to agenda via unanimous Roll Call Vote

PLEDGE OF ALLEGIANCE – Led by Supervisor Lofton

ROLL CALL - Supervisors Vasquez, Leahy, Lofton, Bradford, Fletcher – All present

CONSENT AGENDA

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

Approved via unanimous Roll Call Vote

172/2020 Board of Supervisors: Adopt resolution continuing a local emergency regarding the proliferation of illegal cannabis cultivation. Adopted Resolution No. 2020-45

182/2020 Emergency Services: Adopt resolution proclaiming the existence of an ongoing local emergency in the County of Yuba due to Tree Mortality. Adopted Resolution No. 2020-46

183/2020 Emergency Services: Adopt resolution proclaiming the existence of an ongoing local emergency in the County of Yuba due to Historic Rainfall. Adopted Resolution No 2020-47
184/2020 Emergency Services: Adopt resolution to approve ongoing local emergency proclamation due to Flood Waters. Adopted Resolution No. 2020-48

203/2020 Clerk of the Board of Supervisors: Approve meeting minutes of April 14 and April 28, 2020. Approved as written

206/2020 Board of Supervisors: Approve request to order consolidation of general election for City of Marysville with General Election to be held on November 3, 2020. Approved

208/2020 Administrative Services: Approve professional services agreement between Yuba County and R.B. Spencer, Inc. for HVAC installation at 720 Yuba Street. Approved

196/2020 Community Development and Services: Approve Contract Change Order No. 3, accept Contract No. 2016-2235 Intersection Improvements at Olivehurst Ave and Powerline Rd as complete; Authorize Public Works Director to execute Contract Change Order, and sign and record Notice of Completion. Approved

212/2020 Community Development and Services: Approve Amendment No. 1 to the professional services agreement with WSP USA, Inc. for the Rice's Crossing Road over Oregon Creek Bridge Replacement project, and authorize Chair to execute. Approved

223/2020 County Counsel: Approve and ratify first amended and restated agreement among Yuba County, Sutter County, and Yuba City Unified School District establishing Low Acuity Alternate Care Sites. Approved

220/2020 Emergency Services: Adopt resolution proclaiming a local emergency due to ongoing extreme fire risk. Adopted Resolution No. 2020-49

PUBLIC COMMUNICATIONS

• Mr. Jason Scalese – US Tennis Association, Northern CA Section, requesting sport of tennis allowed in full, in Yuba County.

COUNTY DEPARTMENTS

197/2020 Administrative Services: Approve Budget Transfer in the amount of $196,500 from Account No. 101-0900-363-94.04 Outside Agencies. to Account No. 101-0900-417-1803 Maintenance and Building Improvement; and approve Memorandum of Understanding between County of Yuba and Judicial Council of California (JCC) for security and ADA upgrades Phase I, and authorize Chair to execute. (Five minute estimate) Director Perminder Bains recapped the following projects; and responded to Board inquires.

• Relocate door at Family Services Department
• Feasibility Study on Court Room No. 6
• Turnstiles at main entrance

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

Approved via unanimous Roll Call Vote
05/12/2020
207/2020 Human Resources: Approve amendment to the August 1, 2018 - June 30, 2020 Memorandum of Understanding between the County of Yuba & the Deputy District Attorneys' Association for a one year extension of the agreement through June 30, 2021, and authorize Chair to execute. (Five minute estimate) Director Jill Abel provided a brief recap of the amendments to the contract and responded to Board inquiries.

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

Approved via unanimous Roll Call Vote

ORDINANCES AND PUBLIC HEARINGS – The clerk read the disclaimer.

194/2020 Community Development and Services: Hold Public Hearing and adopt resolution confirming the diagram and assessments within the Gledhill Landscaping and Lighting District. (Five minute estimate) Public Works Director Mike Lee provided a brief recap and responded to Board inquiries.

Chair Lofton opened the Public Hearing. No one came forward.

Chair Lofton Closed the Public Hearing.

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

Adopted Resolution No. 2020-50 via unanimous Roll Call Vote

195/2020 Community Development and Services: Adopt resolution determining and imposing assessments within Linda Lighting and Maintenance District. (Five minute estimate) Public Works Director Mike Lee advised assessments were unchanged from previous years, and responded to Board inquiries.

Chair Lofton opened the Public Hearing. No one came forward.

Chair Lofton Closed the Public Hearing.

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

Adopted Resolution No. 2020-51 via unanimous Roll Call Vote

CORRESPONDENCE – The Board received the following correspondence.

198/2020 Notices from California State Water Resources Control Board and MBK Engineers regarding South Sutter Water District petition for change involving water transfer under License 11118 (Application 14804).

199/2020 Letter requesting support for $100 Billion in funding to hospitals and Health Systems as part of Coronavirus spending package.

200/2020 Letter requesting support for Federal Emergency Management Administration (FEMA) - Medical Stations.

201/2020 Letter requesting support for Proposition 172 Funding - COVID-19 Impacts.


204/2020 Notice from Kinder Morgan with a reminder to call 811 or the local One-Call Center for review and marking of underground utilities prior to any excavation type activities.


218/2020 Letter from Ms. Janet Saunders relating to Immigration and Customs Enforcement detainees at the Yuba County Jail.

221/2020 Notice from California Fish and Game Commission regarding notice of receipt and two notice of findings to be published in the California Regulatory Notice Register on May 1, 2020.

BOARD AND STAFF MEMBERS’ REPORTS

Supervisor Vasquez: Commended Dr. Luu and staff, and concerns to County Counsel on getting a Greenriver ordinance in place

Supervisor Leahy: Commended Dr. Luu and staff

Supervisor Bradford: Commended Dr Luu and staff

Supervisor Fletcher: Commends staff for the pressure that they are faced with.

County Administrator Robert Bendorf: Commended and thanked Dr. Sonia Angell for her constructive comments

Supervisor Lofton: Commended staff for a valiant efforts, and read email recieve from Terry Dusaint

COUNTY DEPARTMENTS

234-2020 County Administrator: Recommend Board approve a Letter of Support for Yuba and Sutter Counties’ CDPH COVID-19 County Variance Attestation Form as amended. Dr. Phoung Luu recapped amendments and responded to Board inquiries.

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

05/12/2020
Approved via unanimous Roll Call Vote

CLOSED SESSION – The Board retired into closed session at 9:38 a.m. and returned at 10:40 a.m. with all members being present as indicated above.

187/2020 THREAT TO PUBLIC SERVICES OR FACILITIES pursuant to Government Code section 54957(a) - Consultation with Director and Deputy Director of Emergency Services and Public Health Officer. No reportable action

192/2020 CONFERENCE WITH LABOR NEGOTIATORS pursuant to Government Code §54957.6 – Agency designated representatives: Robert Bendorf, Grace Mull, Jill Abel, and Don Turko; Employee Organizations: YCEA and DDAA. No reportable Action

213/2020 CONFERENCE WITH LEGAL COUNSEL - Existing Litigation pursuant to Government Code section 54956.9(d)(1) - Green v. Yuba County et al. United States District Court for the Eastern District of California, Case number 2: 18-cv- 02234. No reportable action

214/2020 CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION pursuant to Government Code Section 54956.9(d)(4): Number of cases: One (1). No reportable action

215/2020 CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION pursuant to Government Code Section 54956.9(d)(4): Number of cases: One (1). No reportable action

216/2020 CONFERENCE WITH LEGAL COUNSEL - Existing Litigation pursuant to Government Code section 54956.9(d)(1) - Stradiota v. County of Yuba et. al., United States District Court for the Eastern District of California, Case number 2:20-CV-00576. By unanimous vote the Board authorized defense of litigation and retention of outside counsel.

10:31 a.m. Supervisor Fletcher recused himself from item 226-2020 and left Closed Session

226/2020 CONFERENCE WITH LEGAL COUNSEL - Existing Litigation pursuant to Government Code section 54956.9(d)(1) – Sharp v. North Yuba Water District et al. Yuba County Superior Court Case number CVPT20-00386. The Board authorized defense of the action by a 4/0 vote.

ADJOURN: 10:40 a.m.

\[Signature\]
Chair

ATTEST: RACHEL FERRIS
CLERK OF THE BOARD OF SUPERVISORS

By Mary Pasillas, Board Clerk

Approved: May 26, 2020

05/12/2020