BOARD OF SUPERVISORS

Summary of Proceedings

Meetings are located at:
Yuba County Government Center
Board Chambers, 915 Eighth Street
Marysville, California

Agenda materials are available at the Yuba County Government Center, 915 8th Street, Marysville and www.co.yuba.ca.us. Any disclosable public record related to an open session item and distributed to all or a majority of the Board less than 72 hours prior to the meeting is available for public inspection at Suite 109 of the Government Center during normal business hours.

Tuesday, September 24, 2024
9:00 A.M.

PLEDGE OF ALLEGIANCE – led by Supervisor Messick

ROLL CALL - Supervisors Vasquez, Blaser, Fuhrer, Bradford, Messick – Supervisor Bradford was absent

CONSENT AGENDA

MOTION: Move to approve
MOVED: Andy Vasquez SECOND: Jon Messick
AYES: Andy Vasquez, Don Blaser, Seth Fuhrer, Jon Messick
NOES: None
ABSENT: Gary Bradford
ABSTAIN: None

Approved via unanimous Vote

541/2024 County Administrator: Adopt resolution appointing Doug Lofton to Three Rivers Levee Improvement Authority Board of Directors as an At-Large Director. Adopted Resolution No. 2024-087

545/2024 Board of Supervisors: Approve reappointment of David Read to the Historic Resources Commission as an At-Large Representative to a term ending October 9, 2028. Approved

556/2024 Human Resources: Adopt resolution adopting Department Position Allocation Schedule (DPA) in its entirety for Fiscal Year 2024-2025, effective July 1, 2024. Adopted Resolution No. 2024-088

510/2024 County Administrator: Approve memorandum of understanding with Sutter-Yuba Behavioral Health for conservatorship services, for the term of July 1, 2024, through June 30, 2026, and authorize Chair to execute. Approved

546/2024 Administrative Services: Approve amendment No. 1 to the agreement with Sierra Excavating extending the term end from July 31, 2024 to July 31, 2025, and increasing the contract amount from $49,500.00 to $88,606.91, and authorize Chair to execute. Approved

550/2024 Administrative Services: Approve amendment No. 1 to memorandum of understanding with Yuba County Superior Courts, for security guard services at the Yuba County Courthouse, and authorize Chair to execute. Approved

551/2024 Administrative Services: Approve agreement with Interwest Consulting Group, Inc. for plan reviews, building inspections, building officials, and permit technicians, and authorize Chair to execute. Approved

557/2024 Administrative Services: Approve professional services agreement with Insta Concession, LLC. for vending machine services, and authorize Chair to execute. Approved

542/2024 Health and Human Services: Approve sole source agreement with The Salvation Army to operate the 14Forward temporary shelter facility, for the term of July 1, 2024 through June 30, 2025, and authorize Chair to execute. Approved

SPECIAL PRESENTATIONS

553/2024 Receive presentation from Rural County Representatives of California (RCRC) regarding RCRC's strategic plan. (No background information) (15 minute estimate) Senior Vice President Craig Ferguson provided a PowerPoint presentation depicting the following, and responded to Board inquiries:

- RCRC organizational structure
- Strategic Plan
  - Equitable Access
  - Impactful Advocacy
  - Healthy Communities
  - Operational Excellence
- State and Federal Advocacy focuses
- Affiliate Entities
  - Golden State Finance Authority (GSFA)
  - National Homebuyers Fund (NHF)
  - Golden State Connect Authority
  - Golden State Natural Resources
  - Environmental Services Joint Powers Authority (ESJPA)
  - Rural Advancement Institute (RAI)

The following individual spoke:

- Tom McWhorter

482/2024 Receive Fiscal Year 2023-24 Annual Report from Measure K Citizens' Oversight Committee. (15 minute estimate) Chair Fred Morawcznski provided a brief recap of the following, and responded to Board inquiries:

- Current members of Measure K Oversight Committee
- History of revenue collected
- Prioritization of funds for public safety
  - 80% to Yuba County
  - 20% to 9 fire districts
- Fiscal Year 2023-2024 expenditures

The following individual spoke:

- Tom McWhorter

Auditor-Controller Rich Eberle provided clarification of the Measure K tax allocations.

PUBLIC COMMUNICATIONS

The following individuals spoke:
- Toni Farley – thanked Yuba County Board and staff
- Renick House – fire concerns at 3353 Feather River Blvd., Olivehurst, CA

Code Enforcement Manager Jeremy Strang and Community Development and Services Assistant Director Kevin Perkins addressed the Board regarding fire concerns at 3353 Feather River Blvd., Olivehurst, CA.

The following individual spoke:
- Marie Vue – thanked Yuba County Supervisors Andy Vasquez and Seth Fuhrer for community support

COUNTY DEPARTMENTS

449/2024 Board of Supervisors: Appoint two representatives to the Measure K Citizen's Oversight Committee as Representatives, for a term ending September 24, 2026. Five applications have been received from Doug Lofton, Adam Smith, Norma Albertson, Pamela Warmack and Randy Mitchell. (Five minute estimate) County Administrator Kevin Mallen provided a brief history, and responded to Board inquiries.

The following individual spoke:
- Renick House

MOTION: Move to appoint Pamela Warmack
MOVED: Don Blaser SECOND: Andy Vasquez
YES: Andy Vasquez, Don Blaser
NOES: Seth Fuhrer, Jon Messick
ABSENT: Gary Bradford
ABSTAIN: None

Motion failed

MOTION: Move to appoint Randy Mitchell
MOVED: Jon Messick SECOND: Seth Fuhrer
YES: Seth Fuhrer, Jon Messick
NOES: Andy Vasquez, Don Blaser
ABSENT: Gary Bradford
ABSTAIN: None

Motion failed

MOTION: Move to appoint Norma Anderson
MOVED: Seth Fuhrer SECOND: Jon Messick
YES: Seth Fuhrer, Jon Messick
NOES: Andy Vasquez, Don Blaser
ABSENT: Gary Bradford
ABSTAIN: None

Motion failed

MOTION: Move to appoint Doug Lofton
MOVED: Andy Vasquez SECOND: Don Blaser
YES: Andy Vasquez, Don Blaser
NOES: Seth Fuhrer, Jon Messick
ABSENT: Gary Bradford
ABSTAIN: None

Motion failed

The following individual spoke:
- Randy Mitchell

MOTION: Move to appoint Randy Mitchell
MOVED: Seth Fuhrer SECOND: Jon Messick
YES: Seth Fuhrer, Jon Messick
NOES: Andy Vasquez, Don Blaser
ABSENT: Gary Bradford
ABSTAIN: None

Motion failed

Chair Blaser continued this item until October 8, 2024

ORDINANCES AND PUBLIC HEARINGS – the Clerk read the disclaimer

555/2024 Community Development and Services: Ordinance - Hold public hearing, waive first reading, and introduce ordinance amending sections 2.41.030 (c), 2.41.040, 2.41.040 (b), (c), (d), (e), and (f), 2.41.050 (a), 2.41.060, and 2.41.060 (a), (a) (2), (b), and (c) of Chapter 2.41, of Title II of the Yuba County Ordinance Code, relating to the Office of the County Hearing Officer. (Roll Call Vote) (10 minute estimate) Deputy Director of Building and Code Enforcement Jeremy Strang provided a brief recap of the changes.

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

Chair Blaser closed the Public Hearing.

MOTION: Move to waive first reading and introduce ordinance
MOVED: Andy Vasquez SECOND: Jon Messick
AYES: Andy Vasquez, Don Blaser, Seth Fuhrer, Jon Messick
NOES: None
ABSENT: Gary Bradford
ABSTAIN: None

Approved via unanimous Roll Call Vote

CORRESPONDENCE – the Board received the following correspondence

552/2024 Receive financial statements and independent auditor's report for Brophy Water District for calendar year ending December 31, 2023.

BOARD AND STAFF MEMBERS' REPORTS

Supervisor Vasquez:
- September 23, 2024 attended Marysville Joint Unified School District meeting
- September 12, 2024 attended Wheatland Union High School District meeting
- September 19, 2024 hosted town hall meeting in Linda, CA
- September 19-20, 2024 attended Prisoner of War/Missing in Action walk at Beale Air Force Base
- Thanked Health and Human Services Director Jennifer Vasquez for collaboration with Meals on Wheels
- Thanked Public Works for their hard work

Supervisor Fuhrer:
- September 20, 2024 attended Datang Chinese Association celebration in Sacramento, CA
- September 28, 2024 Hogs and Hulas presented by Kiwanis Club of Marysville, CA
- October 3, 2024 Yuba County Employee Appreciation BBQ
- October 7, 2024 Double Z's Custom Butcher Shop ribbon cutting in Marysville, CA

Supervisor Messick:
- September 18-20, 2024 attended Rural County Representatives of California Annual Conference in Rohnert Park, CA
- September 28, 2024 Loma Rica Foothill Lions Car Show
- September 28-29, 2024 Yuba Foothills Food and Water festival in Oregon House, CA
- September 28, 2024 Yuba County Airport 75th Anniversary Fly-In in Olivehurst, CA
- September 28, 2024 Hogs and Hulas presented by Kiwanis Club of Marysville, CA

Chair Blaser:
- September 28, 2024 National Pumpkin Weigh Off at Bishop's Pumpkin Farm in Wheatland, CA
- September 11, 2024 attended Cotton Rosser bronze statue unveiling in Washington Square Park in Marysville, CA
- Memorial Adjournment for Mr. Kelly Bumpus

County Administrator Kevin Mallen:
- October 3, 2024 Yuba County Employee Appreciation BBQ

CLOSED SESSION – the Board retired into closed session at 10:35 am and returned at 11:08 am with all members being present as indicated above. County Counsel Janet Bender reported the following:

563/2024 Conference with Legal Counsel-Existing Litigation (§54956.9) Yuba County Superior Court #CVPO24-01213, Riddle v. Yuba County Sheriff's Dept., et al. Authority given to defend the County and to refer to Porter Scott.

564/2024 CONFERENCE WITH LEGAL COUNSEL – Existing Litigation (§ 54956.9) Dara Zinskind Claim #20222000029. Authority given to settle by stipulation in the amount of $5,220.00 and future medical.

573/2024 Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2). No. of cases: One. Authority given to defend the County against the claim by Michael Ryan Edward and to refer to Porter Scott.

11:09 A.M. The Board recessed and returned at 1:30 P.M.

1:30 P.M. COST ACCOUNT HEARING – the Clerk read the disclaimer

543/2024 Community Development and Services: Public Hearing - Cost Accounting Hearing to determine enforcement costs to be assessed against property located at 5893 Fruitland Road, Marysville, CA 95901, APN 040-330-014, and to authorize a special tax assessment and abatement lien. (Roll Call Vote) (15 minute estimate) Code Enforcement Supervisor Anthony Santillan provided a PowerPoint presentation recapping the discretionary factors and timeline of abatement process.

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

Chair Blaser closed the Public Hearing.

MOTION: Move to adopt findings of facts, conclusions and orders, confirm cost accounting is accurate and reasonable; order the costs in the amount of $6,000.10 be placed as a special tax assessment on the property tax roll; and order that the enforcement costs in the amount of $6,000.10 be recorded as an Abatement Lien with the County Recorder.
MOVED: Andy Vasquez SECOND: Jon Messick
AYES: Andy Vasquez, Don Blaser, Seth Fuhrer, Jon Messick
NOES: None
ABSENT: Gary Bradford
ABSTAIN: None

Approved via unanimous Roll Call Vote

544/2024 Community Development and Services: Public Hearing - Cost Accounting Hearing to determine enforcement costs to be assessed against property located at 5672 Tomahawk Trail, Browns Valley, CA 95918, APN 005-270-058, and to authorize a special tax assessment and abatement lien. (Roll Call Vote) (15 minute estimate) Code Enforcement Supervisor Anthony Santillan provided a PowerPoint presentation recapping the discretionary factors and timeline of abatement process, and responded to Board inquiries.

Chair Blaser opened the Public Hearing.

Property owner Zishan Huang spoke and responded to Board inquiries.

Supervisor Vasquez left the meeting at 2:11 pm

Chair Blaser closed the Public Hearing.

MOTION: Move to modify findings of facts, conclusions, and orders pursuant to Ordinance Code Section §7.36.770; confirm cost accounting penalties reduced by $13,657.86 are accurate and reasonable; order that a special tax assessment not be assessed against the property or placed on the property tax roll; and order that the enforcement costs and penalties in the amount of $40,000.00 be recorded as an Abatement Lien with the County Recorder.
MOVED: Don Blaser SECOND: Jon Messick
AYES: Don Blaser, Seth Fuhrer, Jon Messick
NOES: None
ABSENT: Andy Vasquez, Gary Bradford
ABSTAIN: None

Approved via unanimous Roll Call Vote

ADJOURN at 2:21 pm in memory of Mr. Kelly Bumpus