

YOLO COUNTY BOARD OF SUPERVISORS

MINUTES & SUPPORTING MATERIALS

Pursuant to County Code Section 2-1.103

SEPTEMBER 14, 2021

This meeting began with the groundbreaking ceremony for the new Yolo Branch Library at 37750 Sacramento Street in Yolo, California.



COUNTY BOARD OF SUPERVISORS
CHAIR, JIM PROVENZA, DISTRICT 4
VICE-CHAIR, ANGEL BARAJAS, DISTRICT 5
OSCAR VILLEGAS, DISTRICT 1
DON SAYLOR, DISTRICT 2
GARY SANDY, DISTRICT 3

NOTE: This meeting was held via [teleconference](#), pursuant to the Governor's Executive Order N-29-20 (March 17, 2020), available at the following [link](#).

DANIEL KIM
INTERIM COUNTY ADMINISTRATOR

PHILIP J. POGLEDICH
COUNTY COUNSEL

Roll Call:
Barajas
Villegas
Saylor
Sandy
Provenza

Daniel Kim, Interim County Administrator
Philip J. Pogledich, County Counsel

9:00 A.M. CALL TO ORDER

Pledge of Allegiance.

Roll Call.

Approval of Agenda

1. Consider approval of agenda.

Minute Order No. 21-131: Approved agenda as submitted.

MOVED BY: Sandy / SECONDED BY: Barajas
AYES: Barajas, Villegas, Saylor, Sandy, Provenza.
NOES: None.
ABSTAIN: None.
ABSENT: None.

Public Comment

2. To be afforded a brief period of time to speak before the Board of Supervisors, please refer to further instructions at the end of the agenda on how to electronically participate and submit your public comments. Note: per the Ralph M. Brown Act, Board members may briefly respond to statements made or questions posed during the public comment period on items that are not on the agenda, but may not take action on such items. You may also share your thoughts with the Board of Supervisors by submitting a written statement via email to clerkoftheboard@yolocounty.org.

Nancy Lea, Robb Davis, Alisa Hort, Ryan, Hayle Cuevas, Lauren Ayers, Imelda Quezada, Daniel Denier, Julia, Eileen Samitz, Kenna J., Diana Jauregui, Crystal Jaime, Vereniz Cabrera, Lupita T., Victor Chaney and Jennifer Stone addressed the Board of Supervisors during public comment.

CONSENT AGENDA

Minute Order No. 21-132: Approved Consent Agenda Item Nos. 3-20, with Supervisor Villegas recusing himself on Agenda Item No. 9.

MOVED BY: Saylor / SECONDED BY: Villegas
AYES: Barajas, Villegas, Saylor, Sandy, Provenza.
NOES: None.
ABSTAIN: None.
ABSENT: None.

General Government

Clerk of the Board

3. Approve the minutes of the August 31, 2021 Board of Supervisors meeting.

Approved the minutes of the August 31, 2021 Board of Supervisors meeting on Consent.

4. Ratify the following:
 - A. Resolution No. 21-106 declaring September 2021 as National Recovery Month.
 - B. Resolution No. 21-107 declaring September 2021 as Suicide Prevention Month.
 - C. Resolution No. 21-108 designating September 2021 as Prostate Cancer Awareness Month.
 - D. Resolution No. 21-109 honoring Alan Flory.

Ratified **Resolution Nos. 21-106 thru 21-109** on Consent.

5. Accept resignations, consider appointments and reappointments.

Approved recommended action on Consent.

6. Correspondence.

Approved Correspondence on Consent.

7. Conferences, meetings and events the Board of Supervisors attended.

Approved recommended action on Consent.

County Administrator

8. Adopt ordinance adding Article 7 to Chapter 8 of Title 6 to the Yolo County Code to adopt a Water Conservation Program. (No general fund impact) (Pogledich/Hood)

Approved **Ordinance No. 1540** on Consent.

Financial Services

9. Adopt resolution authorizing certain actions in connection with the State Public Works Board (SPWB) issuance of bonds for the AB900 Monroe Jail Expansion project and provide general authorization to County officers to execute and deliver documents to complete the issuance and delivery of the SPWB financing. (No general fund impact) (Rinde)

Approved **Resolution No. 21-110 and Agreement No. 21-208** on Consent, with Supervisor Villegas recusing himself on this item.

10. Approve continued participation in the State of California's Travel Payment System and authorize the County's Purchasing Agent to sign an amendment with Citibank, N.A., to extend the County's participation through October 31, 2023. (No general fund impact) (Rinde/Pistochini)

Approved **Agreement No. 21-209** on Consent.

Innovation and Technology Services

11. Approve Assignment and Assumption Agreement letter with Astound Broadband, LLC, doing business as Wave. (No general fund impact) (Gerney/Bates)

Approved **Agreement No. 21-210** on Consent.

Health & Human Services

Adult & Aging

12. Approve third amendment to Agreement No. PO 3646 with Vista Pacifica Enterprises, Inc. to reduce funding for 2021-22 and 2022-23 by \$195,000 per fiscal year for a revised maximum payment obligation of \$1,170,000 for the period of July 1, 2020, through June 30, 2023, for the provision of providing 24-hour supervised clinical care to adults with severe mental illness. (No general fund impact) (Larsen)

Approved **Agreement No. 21-211** on Consent.

13. Approve Memorandum of Understanding with Mercy Housing Management Group to coordinate services for individuals living at the 1801 West Capitol permanent supportive housing project in West Sacramento, with a zero-dollar amount for the period from September 1, 2021, through September 1, 2041. (No general fund impact) (Larsen)

Approved **Agreement No. 21-212** on Consent.

14. Approve agreement with Friends of the Mission in the amount of \$312,700 for the period of December 22, 2020, through July 30, 2022, for the provision of Emergency Shelter-Capital as a subrecipient of the Emergency Solutions Grant-Coronavirus Round 2. (No general fund impact) (Larsen)

Approved **Agreement No. 21-213** on Consent.

15. Approve eighth amendment to Agreement No. 17-29 with North Valley Behavioral Health, LLC, to add funding in the amount of \$29,420 for 2020-21, for a new contract maximum of \$6,851,150, for the provision of psychiatric health facility services, for the period of February 1, 2017, through June 30, 2021. (No general fund impact) (Larsen)

Approved **Agreement No. 21-214** on Consent.

16. Approve agreement with CommuniCare Health Centers, Inc. in the amount of \$14,227.86 for the period of September 1, 2021, through September 30, 2021, for the provision of project room key services. (No general fund impact) (Larsen)

Approved **Agreement No. 21-215** on Consent.

Child, Youth & Family

17. Approve agreement with Yolo County Children's Alliance in the amount of \$45,000 for the period of July 1, 2021 through June 30, 2022 for the provision of Child Abuse Prevention Program. (No general fund impact) (Larsen)

Approved **Agreement No. 21-216** on Consent.

Service Centers

18. Approve first amendment to Agreement No. PO 3833 with Downtown Streets Team for the provision of providing West Sacramento Residents experiencing homelessness or at risk of homelessness with Employment and Training services to extend the term of the agreement through June 30, 2022; and add funding in the amount of \$110,682 through the CalFresh Employment and Training Program for 2021-22 for a new contract maximum of \$221,364.50, and add a scope of work, and clarify language in the agreement; and revise the performance measures. (No general fund impact) (Larsen)

Approved **Agreement No. 21-217** on Consent.

Community Services

Community Services

19. Adopt plans and specifications for the construction of the Waste Management Unit H Aeration System. (No general fund impact) (Echiburu/Kieffer)

Approved recommended action on Consent.

20. Approve first amendment to Agreement No. 21-12 with Fremouw Environmental Services for liquid waste disposal at the landfill. (No general fund impact) (Echiburu/Kieffer)

Approved **Agreement No. 21-218** on Consent.

HONORARY RESOLUTIONS

Honorary Resolutions

21. Acknowledge Honorary Resolutions.

- A. Resolution declaring September 2021 as National Recovery Month. (Supervisor Saylor)
- B. Resolution declaring September 2021 as Suicide Prevention Month. (Supervisor Provenza)
- C. Resolution designating September 2021 as Prostate Cancer Awareness Month. (Supervisor Sandy)
- D. Resolution honoring Alan Flory. (Supervisor Sandy)

Resolutions were presented.

TIME SET AGENDA

9:00 a.m. Probation

- 22. Receive update on evaluation of current use of the Juvenile Detention Facility and receive Board direction on future use. (No general fund impact)
(Fruchtenicht/Tranfaglia)

CJ and Lupita T. addressed the Board of Supervisors on this item. Additionally, comments from Elaine Roberts Musser were read into the record.

Minute Order No. 21-133: Approved recommending the Chief Probation Officer to initiate a contract with other counties for detention services and that remaining funds would be used to address youth criminogenic needs and prevention activities. The Board further directed the Chief to return to the Board with options for re-purposing the facility as well as with any contract negotiated with another county.

MOVED BY: Villegas / SECONDED BY: Saylor
AYES: Barajas, Villegas, Saylor, Sandy, Provenza.

NOES: None.
ABSTAIN: None.
ABSENT: None.

9:00 a.m. Community Services

23. Hold a public hearing to consider adoption of the Cannabis Land Use Ordinance (CLUO) and take final action on related matters, including a General Plan amendment, ordinances amending County subdivision and zoning regulations, and certification of an Environmental Impact Report. (No general fund impact) (Echiburu/Lindbo)

Omar Carrillo, Lauren Ayers, Rayna Person, Eileen Samitz, Matt Adams, Susan Pelican, Roamie Horn, Alan Pryor, Gian Paolo, Trini Campbell, Michael Hicks, Edward Walker, Kind Farms and Pam Welch (Capay Valley resident) addressed the Board of Supervisors on this item.

Minute Order No. 21-134: Held a public hearing and approved the following recommended actions:

1. Adopted **Resolution No. 21-111** certifying the Cannabis Land Use Ordinance (CLUO) Final Environmental Impact Report (EIR) as complete and adequate under the California Environmental Quality Act (CEQA), which will allow for potential future CEQA streamlining by cannabis use permit applicants. (Attachments B and C including errata identified by staff)
2. Adopted **Resolution No. 21-112**:
 - a. Amending the General Plan to revise the text of Policy LU-1.1 and Table LU-4, modify Policies LU-2.3 and AG-1.3, and add new Policies LU-1.4 and AG-3.21; and
 - b. Adopting the CLUO EIR Mitigation Monitoring and Reporting Program (MMRP). (Attachments D and E including errata identified by staff)
3. Adopted **Ordinance No. 1541** approving the final CLUO by amending the County Code to add Article 14 (Cannabis Land Use Ordinance) to Chapter 2, Zoning Regulations, of Title 8. (Attachments F and G including errata identified by staff and any additional changes to CLUO Section 8-2.1404 directed by the Board)
4. Adopted **Ordinance No. 1542** amending the Subdivision Regulations in Section 8-1.802 (Streets) of the County Code to comport to CLUO Section 8-2.1408(K) (Driveway Access) to include standards related to access for new private driveways and encroachments. (Attachment H)
5. Adopted **Ordinance No. 1543** making two additional amendments to the County Zoning Regulations to comport to the CLUO by:
 - a. Eliminating Section 8-2.116 which prohibits medical marijuana dispensaries; and

b. Amending Section 8-2.217 (Use Permits) to clarify and expand the process for revocation or modification of a use permit. (Attachments I and J)

6. Directed staff to file a CEQA Notice of Determination.
7. Directed staff to prepare for future consideration certain amendments to:
 - a. The County Marijuana Cultivation Ordinance, Chapter 20 of Title 5 to comport to the final CLUO; and
 - b. The County Zoning Regulations, to add allowed cannabis use types to each zone district table of permit and development requirements.
8. Directed staff to immediately begin implementation of the CLUO

Additionally, the Board approved the following modifications:

1. Change to the definition of Existing Licensee (Section 8-2.1403(N)) to include license applications received as of June 29, 2021. This would give this applicant all the same rights as an Existing Licenses (allowed to cultivate in 2022 with a valid license, ability to utilize buffer regulations applicable to Existing Licenses (allowed to cultivate in 2022 with a valid license, ability to utilize buffer regulations applicable to Existing Licensees, ability to apply for a CUP in January 2022, and the over-concentration threshold would not apply):
N. Existing Licensees – Holders of a validly issued license on June 29, 2021, and license applications received as of June 29, 2021 for which all fees have been paid.
2. Change to 1406(G), found on page 6 of Attachment G, under Item G, under Limitations on Licenses and Permits, 5th line down, from "The Director may also establish a procedure for allocation....." to "The Board will select a procedure for allocation of Use Permits and/or licenses in instances where demand does or is expected to exceed the available number of permits/licenses." the 6th line down from "The Director may utilize various methods....." to "Various methods may be used to allocate limited permits and/or licenses to otherwise compliant applicants."; and lastly, delete the 9th line, "The Director will specify the applicable process administratively."

Motion passed by a 5:0 vote.

MOVED BY: Barajas / SECONDED BY: Saylor
AYES: Barajas, Villegas, Saylor, Sandy, Provenza
NOES: None.
ABSTAIN: None.
ABSENT: None.

1:00 p.m. County Administrator

24. Hold a public hearing to receive an update on 2021 redistricting and receive public comment related to communities of interest and the drafting of district maps. (No general fund impact) (Kim/Tengolics)

Trini Campbell, Kate Laddish, Lauren Ayers, Sheila Allen and Jesse Ortiz addressed the Board of Supervisors on this item.

Held a public hearing to receive an update on 2021 redistricting and received public comment related to communities of interest and the drafting of district maps.

REGULAR AGENDA

(NOTE: Items below may be heard at any time during the meeting)

General Government

Board of Supervisors

25. Action items and reports from members of the Board of Supervisors, including announcements, questions to be referred to staff and reports on various 2x2s and meetings with other agencies. (Board of Supervisors)

A. Budget Ad Hoc Subcommittee update. (Supervisors Provenza and Barajas)

Received Board reports.

26. Long Range Planning Calendar - recurring opportunity for Board members to discuss and as needed, direct staff regarding future Board agenda items. (Board of Supervisors)

County Administrator

27. Action items and reports from the Interim County Administrator. (Kim)

Received Interim County Administrator's report.

Health & Human Services

Adult & Aging

28. Receive presentation on Crisis Now. (No general fund impact) (Larsen)

Connor Gorman addressed the Board of Supervisors on this item.

Received presentation on Crisis Now.

General Government

County Administrator

29. Receive update and consider any actions needed to support the COVID-19, a virus in the Coronavirus family, response and recovery strategies. (No general fund impact) (Kim/Sisson)

Nikki Ochoa, Sarah Paschke, Matt Caldwell, Stacy Johns, Amanda Young, Connor Gorman, Isaac Davis and Ashley Moore addressed the Board of Supervisors on this item.

Received update and considered any actions needed to support the COVID-19, a virus in the Coronavirus family, response and recovery strategies.

30. Receive informational update on staff recommendation and continue discussion on the County of Yolo American Rescue expenditure plan. (No general fund impact) (Kim/Rinde)

Received informational update on staff recommendation and continued discussion on the County of Yolo American Rescue expenditure plan.

Agriculture

31. Receive and file the 2020 Yolo County Agricultural Crop Report and general update on Agriculture. (No general fund impact) (Izquierdo)

Received and filed the 2020 Yolo County Agricultural Crop Report and general update on Agriculture.

CLOSED SESSION

Closed Session

32. Conference with Legal Counsel – Anticipated Litigation
Pursuant to Government Code Section 54956.9(d)(4)
Initiation of litigation: 2 case(s)
33. Conference with Legal Counsel – Existing Litigation
Pursuant to Government Code Section 54956.9(d)(1)
Name of case: Wolstoncroft v. County of Yolo, Court of Appeal Case No. CO91399,
Yolo Superior Court Case No. CVPT181854
34. Conference with Legal Counsel – Existing Litigation
Pursuant to Government Code Section 54956.9(d)(1)
Name of case: National Prescription Opiate Litigation, Case No. 17-md-02804, MDL
No. 2804; In re Mallinckrodt plc, et al., Case No. 20-12522 (JTD) (Bankr. D. Del.)
35. Public Employment, Employee Appointment or Evaluation
Pursuant to Government Code Section 54957
Position title: County Administrator
36. Public Report of action taken in Closed Session.

ADJOURNMENT

Next meeting scheduled for: September 28, 2021