BOARD OF SUPERVISORS

AGENDA

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.

DECEMBER 9, 2014

8:30 A.M. **YUBA COUNTY WATER AGENCY**

9:30 A.M. **YUBA COUNTY BOARD OF SUPERVISORS - Welcome to the Yuba County Board of Supervisors meeting. As a courtesy to others, please turn off cell phones, pagers, or other electronic devices, which might disrupt the meeting. All items on the agenda other than Correspondence and Board and Staff Members Reports are considered items for which the Board may take action. The public will be given opportunity to comment on action items on the agenda when the item is heard.**

I. **PLEDGE OF ALLEGIANCE** - Led by Supervisor Stocker

II. **ROLL CALL** - Supervisors Vasquez, Nicoletti, Griego, Abe, Stocker

III. **CONSENT AGENDA: All matters listed under the Consent Agenda are considered to be routine and can be enacted in one motion.**

A. Board of Supervisors

1. (531-14) Appoint V. Sue Shaffer to the Commission on Aging as the District Two Representative for a term ending December 31, 2016.

B. Clerk of the Board of Supervisors

1. (532-14) Approve Conflict of Interest Codes for Wheatland Cemetery District; District 10-Hallwood Community Services District; Linda Fire Protection District; and Browns Valley Irrigation District.

2. (533-14) Approve minutes from the meeting of November 18, 2014.

C. Clerk-Recorder/Elections

1. (534-14) Accept certification of statement of vote for the November 4, 2014 General Election.

D. Treasurer-Tax Collector

1. (535-14) Adopt resolution delegating investment authority to County Treasurer for year 2015.

IV. **PUBLIC COMMUNICATIONS: Any person may speak about any subject of concern provided it is within the jurisdiction of the Board of Supervisors and is not already on today's agenda. The total amount of time allotted for receiving such public communication shall be limited to a total of 15 minutes and each individual or group will be limited to no more than 5 minutes. Prior to this time speakers are requested to fill out a "Request to Speak" card and submit it to the Clerk of the Board of Supervisors. Please note: No Board action can be taken on comments made under this heading.**

V. **COUNTY DEPARTMENTS**

A. Administrative Services

1. (536-14) Adopt resolution supporting new Tri-County Juvenile Rehabilitation Facility in Marysville and authorizing Chair to execute grant funding application for Round Two SB 81 Local Youthful Offender Rehabilitation Facilities Construction funds. (Ten minute estimate)

B. Community Development and Services

1. (537-14) Adopt Program for Public Information for County floodplain management activities and a component of the Community Rating System. (Ten minute estimate)

VI. **ORDINANCES AND PUBLIC HEARINGS: If you challenge in court the action or decision of the Yuba County Board of Supervisors regarding a zoning, planning, land use or environmental protection matter made at any public hearing described in this notice, you may be limited to raising only those issues you or someone else raised at such public hearing, or in written correspondence delivered to the Yuba County Board of Supervisors at, or prior to, such public hearing and such public comments will be limited to three minutes per individual or group.**

A. (538-14) Public Hearing - Hold public hearing to receive comment regarding Final Grantee Performance Report for closeout of Community/Economic Development Block Grant 10-EDEF-7271. (Ten minute estimate)

B. (539-14) Ordinance - Hold public hearing, waive reading, and introduce ordinance amending Chapter 7.50 of Title VII of the Yuba County Ordinance Code relating to Stormwater Quality. (First reading) (Land Use and Public Works recommends approval) (Ten minute estimate)

C. (524-14) Ordinance - Hold public hearing, waive reading, and adopt ordinance repealing and re-enacting Chapter 10.30 regarding requirements of the National Flood Insurance Program and Community Rating System. (Second reading. Continued from November 18, 2014) (Ten minute estimate)

D. (540-14) Administrative Appeal Hearing - Hold hearing for imposition of administrative penalty regarding Assessor's Parcel Number 019-200-088, Olivehurst, owned by Mohammad A. Khan and Lucy Salva, in lien amount of $13,213.82. (Twenty minute estimate)

VII. **CORRESPONDENCE: The Board may direct any item of informational correspondence to a department head for appropriate action.**

A. (541-14) Letter from Nevada Joint Union High School District regarding increase of development fees and certification before issuance of building permits.

B. (542-14) Minutes from the California Wildlife Conservation Board meeting of August 28, 2014 which are on file in the Board office.

C. (543-14) News Release from United States Fish and Wildlife Services announcing public hearing for proposal to designate critical habitat for western yellow-billed cuckoo.

VIII. **BOARD AND STAFF MEMBERS' REPORTS: This time is provided to allow Board and staff members to report on activities or to raise issues for placement on future agendas.**

IX. **CLOSED SESSION**

A. Personnel pursuant to Government Code §54957.6(a) - Labor Negotiations - DDAA

X. **RECESS TO 1:30 P.M.**

A. (544-14) Receive presentation from State Water Resources Control Board regarding cannabis cultivation enforcement initiative. (Christian Carrigan, Director, Office of Enforcement) (Ten minute estimate)

B. (545-14) Conduct workshop on updating Marijuana Cultivation Ordinance and provide staff direction. (Community Development and Services/County Counsel) (60 minute estimate)

XI. **RECESS TO 6:00 P.M.**

A. Community Development and Services

1. (546-14) Direct staff to initiate Proposition 218 process to propose increases to water and sewer rates for River Highlands - Gold Village. (Land Use and Public Works Committee recommends approval) (Fifteen minute estimate)

XII. **ADJOURN**

11:00 A.M. **Finance and Administration Committee** - (Supervisors Nicoletti and Griego - Alternate Supervisor Abe)

A. (547-14) Consider resolution repealing and enacting certain section of the Yuba County Administrative Policy and Procedures Manual - County Administrator (Ten minute estimate)

Land Use and Public Works Committee - (Supervisors Abe and Vasquez - Alternate Supervisor Nicoletti)

A. (548-14) Consider Sycamore Ranch Educational Area lease with Tsi Akim Maidu Tribe and provide direction as appropriate - Community Development and Services - (Ten minute estimate)

5:00 P.M. **Wheatland City/County Liaison Committee CANCELLED**
Wheatland City Hall
111 C Street
Wheatland, California

12/10/2014 - 5:00 P.M. **Linda Liaison Committee CANCELLED**
Linda Fire Protection District
1286 Scales Avenue
Marysville, California

12/12/2014 - 11:00 A.M. **Olivehurst Public Utility District/County Liaison Committee CANCELLED**
OPUD Board Room
1970 9th Avenue
Olivehurst, California 95961

In compliance with the Americans with Disabilities Act, the meeting room is wheelchair accessible and disabled parking is available. If you have a disability and need disability-related modifications or accommodations to participate in this meeting, please contact the Clerk of the Board's office at (530) 749-7510 or (530) 749-7353 (fax). Requests must be made two full business days before the start of the meeting. To place an item on the agenda, contact the office of the Clerk of the Board of Supervisors at (530) 749-7510.

THIS PAGE INTENTIONALLY LEFT BLANK



CONSENT

AGENDA

THIS PAGE INTENTIONALLY LEFT BLANK

531-14

The County of Yuba

Office of Clerk of the Board of Supervisors

To: Board of Supervisors

From: Donna Stottlemeyer, Clerk of the Board

Subject: **Commission on Aging – District Two Representative**

Date: December 9, 2014

Recommendation

Appoint V. Sue Shaffer to the Commission on Aging as the District Two Representative for a term ending December 31, 2016.

Background and Discussion

The Local Appointment List of all Boards/Commissions/Committees is continually posted indicating vacancies, appointees, terms of office, qualifications and meeting information. This is an unscheduled vacancy which occurred in August 2014. Ms. Shaffer's application is attached. Supervisor Nicoletti recommends appointment.

In light of the expressed interest, it would be appropriate to appoint at this time.

Fiscal Impact

None

Committee Action

None

attachments

Application for Board/Commission/Committee
Appointed by the Board of Supervisors

RECEIVED
NOV 04 2014
Clerk/Board of Supervisors

RETURN APPLICATION WITH ORIGINAL SIGNATURE TO:

CLERK OF THE BOARD OF SUPERVISORS
YUBA COUNTY GOVERNMENT CENTER
915 EIGHTH STREET, SUITE 109
MARYSVILLE, CA 95901
(530) 749-7510

BOARD/COMMISSION/COMMITTEE ON WHICH YOU WOULD LIKE TO SERVE: Yuba Co Commission on Aging

APPLICANT NAME: V. Sue Shaffer

MAILING ADDRESS - (Street/P.O. Box, City, Zip): [redacted]

PHYSICAL ADDRESS (Street, City, Zip):

TELEPHONE: HOME: [redacted] WORK: e

EMAIL ADDRESS: [redacted]

OCCUPATION/PROFESSION: Retired (28 yrs. of service @ Sutter Yuba Mental Health Services)

SUPERVISOR/ DISTRICT NUMBER: John Nicoletti 2

REASONS YOU WISH TO SERVE ON THIS BODY: I am interested in understanding and assessing ways meeting the needs + services of Older Adults in Yuba County

QUALIFICATIONS: 28 yrs of services at Sutter Yuba Mental Health, Chairman of the committee for Older Adults when SYMH developed their Mental Health Services Act

LIST PAST AND CURRENT PUBLIC POSITIONS HELD: Yuba Library Commission
Sutter Co employee 28 yrs - Santa Cruz Co employee 9 yrs

DO YOU HAVE ANY CRIMINAL CONVICTION THAT MAY BE CONSIDERED A CONFLICT OF INTEREST WITH THE COMMITTEE YOU WISH TO SERVE UPON? ☐ YES ☒ NO
IF YES, PLEASE EXPLAIN. NOTE: THAT A FELONY CONVICTION SHALL PRECLUDE YOU FROM SERVICE.

I UNDERSTAND THAT IF APPOINTED TO A BOARD/COMMISSION/COMMITTEE AND WHAT MAY BE CONSIDERED A CONFLICT OF INTEREST ARISES, THAT I HAVE A DUTY TO GIVE WRITTEN NOTICE OF SUCH TO THE COUNTY.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

V Sue Shaffer
SIGNATURE

Nov 4, 2014
DATE

THIS SECTION FOR OFFICE USE ONLY

☐ NO VACANCY CURRENTLY EXISTS ON ABOVE-MENTIONED BODY. APPLICANT NOTIFIED.

☐ APPLICANT APPOINTED: _____

☐ OTHER: _____

Rev 07/12

11-4-2014 cc: John Nicoletti - Dist 2

The County of Yuba

Clerk of the Board of Supervisors

December 9, 2014

TO: Board of Supervisors

FROM: Donna Stottlemeyer, Clerk of the Board of Supervisors

SUBJECT: Conflict of Interest Code Approval for: Wheatland Cemetery District; District 10-Hallwood Community Services District; Linda Fire Protection District; and Browns Valley Irrigation District

Recommendation

Approve updated Conflict of Interest Codes for Wheatland Cemetery District; District 10-Hallwood Community Services District; Linda Fire Protection District; and Browns Valley Irrigation District.

Background and Discussion

Every two years special districts and local agencies within the County are required to review their conflict of interest code pursuant to Government Code §87300 and update if necessary. Our office has received updated codes from Wheatland Cemetery District, District 10-Hallwood Community Services District, Linda Fire Protection District, and Browns Valley Irrigation District which have been reviewed by Counsel for legal sufficiency and are submitted for your approval. An agency code is not valid until approval of the code review body which is the Board of Supervisors for agencies with boundaries solely in Yuba County.

Committee Action

This matter is brought directly to the Board for approval as it is routine recurring every two years as mandated by the State.

Fiscal Impact

There is no fiscal impact.

Attachments

WHEATLAND CEMETERY DISTRICT

P. O. Box 281
Wheatland, CA 95692
Telephone: (530) 633-2964

July 28, 2014

Donna Stottlemeyer
Clerk of the Board of Supervisors
Yuba County Board of Supervisors
Government Center
915 8th Street, Suite 109
Marysville, CA 95901-5273

RECEIVED
JUL 30
Clerk/Board of Supervisors

RE: Local Government Agency Submission of Proposed Conflict of Interest Code

Dear Ms. Stottlemeyer:

This agency has reviewed its' proposed Conflict of Interest Code and has determined that:

— The agency's code accurately designates all positions which make or participate in the making of governmental decisions; that the disclosure assigned those positions accurately requires the disclosure of all investments, business positions, interests in real property and sources of income which may foreseeably be affected materially by the decision made by those designated positions; and further that the code includes all the provisions required by Government Code § 87302; or

XX The agency requests its Conflict of Interest Code be approved by the Yuba County Board of Supervisors:

- XX New positions which must be designated were included;
- XX Changes were made to the reportable sources of income, investments, business positions or real property;
- XX Changes or added provisions required by Government Code § 87302;
- — Adoption of Standard Conflict of Interest Code;
- XX Attached hereto is a copy of the Agency's proposed Conflict of Interest Code for approval by the Yuba County Board of Supervisors as code reviewing body.

Should you have any questions or concerns, please feel free to contact our Manager and the Secretary to the Board of Directors, Holly Welch at the number listed above.

Sincerely yours,

Robert C. Bradshaw

Robert C. Bradshaw, Chairman of the Board
WHEATLAND CEMETERY DISTRICT

WHEATLAND CEMETERY DISTRICT

P. O. Box 281
Wheatland, CA 95692
Telephone: (530) 633-2964

CONFLICT OF INTEREST CODE
FOR THE WHEATLAND CEMETERY DISTRICT
COUNTY OF YUBA

(A) The Political Reform Act of 1974, Government Code § 81000, et seq., requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation, 2 California Code of Regulations § 18730, which contains the terms of a standard model Conflict of Interest Code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. Therefore, the terms of 2 California Code of Regulations § 18730 and any amendments to it duly adopted by the Fair Political Practices Commission, along with the attached Appendix in which officials and employees are designated and disclosure categories are set forth are hereby incorporated by reference and constitute the Conflict of Interest Code of the WHEATLAND CEMETERY DISTRICT.

(B) Pursuant to Government Code § 81008 and 2 California Code of Regulations § 18730(b)(4), all designated employees shall file Statements of Economic Interests (FPPC form 700) with the WHEATLAND CEMETERY DISTRICT. Statements for all designated employees shall be retained by the agency, which shall make the statements available for public inspection and reproduction.

(C) Designated employees are set forth in Appendix A, attached hereto and incorporated herein by reference. Disclosure categories are set forth in Appendix B, attached hereto and incorporated herein by this reference.

APPENDIX A: DESIGNATED POSITIONS

List of Designated Positions	Assigned Disclosure Categories
Trustees - 5	1
Consultants - 0	1
Secretary/Manager - 1	1
Administrative Assistant - 1	EXEMPT
Gatekeepers - 2	EXEMPT

1. For purposes of this Code, a "consultant" is any natural person who provides, under contract, information, advice, recommendation or counsel to the WHEATLAND CEMETERY DISTRICT, provided however, that "consultant" shall not include a person who:

(a) Conducts research and arrives at conclusions with respect to his or her rendition of information, advice, recommendation or counsel independent of the control and direction of the agency or of any agency official, other than normal contract monitoring; and

(b) Possesses no authority with respect to any agency decision beyond the rendition of information, advice, recommendation or counsel

Consultants to the WHEATLAND CEMETERY DISTRICT shall be subjected to disclosure under Category 1, subject to the following limitation:

The Board of Trustees may determine in writing that a particular consultant, although a "Designated Employee", is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements of Category 1. In such cases, the Board of Trustees may designate a different disclosure requirement. Such designation must be made in writing and based upon that description, a statement to the extent of the consultant's disclosure requirements. The Board of Trustees designation must be filed in advance of the disclosure by the consultant, with the WHEATLAND CEMETERY DISTRICT's Conflict of Interest Code and also filed with the code reviewing body and must be delivered to the consultant along with a copy of the Conflict of Interest Code and the manual and forms for disclosure (FPPC Form 730).

EXHIBIT B:DISCLOSURE CATEGORIES

Disclosure Category 1:

A member, officer, consultant or employee holding a position assigned in Disclosure Category 1 shall report:

All investments and business positions in business entities and sources of income in the jurisdiction;

When a member, officer or employee who holds a designated position is required to disclose investments and sources of income, he or she shall disclose investments in business entities and sources of income which do business in the jurisdiction, or have done business in the jurisdiction within the past two (2) years. In addition to the other activities, a business entity is doing business within the jurisdiction if it owns real property with the jurisdiction.

All interest in real property in the jurisdiction, which was acquired by, leased or otherwise used by the WHEATLAND CEMETERY DISTRICT:

When a member, officer or employee who holds a designated position is required to disclose interests in real property, he or she shall disclose the type of real property described below, if it is located in whole or in part within, or not more than two (2) miles outside the boundaries of the jurisdiction, or within two (2) miles of any land owned or used by the WHEATLAND CEMETERY DISTRICT.

His or her status as director, officer, partner, trustee, employee or holder of a management position in any business entity in the jurisdiction.

When a member, officer or employee who holds a designated position is required to disclose business position, he or she shall disclose positions in business entities that do business in the jurisdiction, plan to do business in the jurisdiction or have done business in the jurisdiction within the past two (2) years.

Dated: 28 Jan 14

Robert C. Bradshaw, Chairman
Board of Trustees
Wheatland Cemetery District

APPROVED AS TO FORM
ANGIL P. MORRIS-JONES
COUNTY COUNSEL
BY:

RECEIVED

OCT 21 2014

Clerk/Board of Supervisors

CONFLICT OF INTEREST
OF THE
DISTRICT 10-HALLWOOD COMMUNITY SERVICES DISTRICT
COUNTY OF YUBA

(a) The Political Reform Act of 1974, Government Code sections 81000, et seq., requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regs. Section 18730, which contains the terms of a standard model Conflict of Interest Code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. Therefore, the terms of 2 Cal. Code of Regs. Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission, along with the attached Appendix in which officials and employees are designated and disclosure categories are set forth are hereby incorporated by reference and constitute the Conflict of Interest Code of the District 10-Hallwood C.S.D.

(b) Pursuant to Government Code section 81008 and 2 Cal. Code of Regs. Section 18730 (b) (4), all designated employees shall file statements of economic interests with the agency. Statements shall be retained by the agency, which shall make the statements available for public inspection and reproduction.

(c) APPENDIX

EXHIBIT A: Designated Positions

List of Designated Positions	Assigned Disclosure Categories
* Board Members:	
Chris Haile, Board Chairman	1
Terry Dennis, Board Vice-Chairman	1
Stephen Roper, Board Treasurer	1
Leotta Martin, Board Member	1
Josh Baggett, Board Member	1
** Consultants:	
Mary L. Hall - Provides Secretarial Services	1
Louise Smith - Provides Bookkeeping Services	1

EXHIBIT B: Disclosure Categories

General Provisions

When a member, officer, or employee who holds a designated position is required to disclose investments and sources of income, he or she shall disclose investments in business entities and sources of income which do business in the jurisdiction, plan to do business in the jurisdiction or have done business in the jurisdiction within the past two years. In addition to other activities, a business entity is doing business within the jurisdiction if it owns real property within the jurisdiction.

When a designated member, officer, or employee who holds a designated position is required to disclose sources of income, he or she shall disclose gifts received from donors located inside as well as outside the jurisdiction.

When a designated member, officer, or employee who holds a designated position is required to disclose interests in real property, he or she shall disclose the type of real property described below, if it is located in whole or in part within, or not more than two miles outside the boundaries of the jurisdiction, or within two miles of any land owned or used by the District 10-Hallwood C.S.D.

When a designated member, officer, or employee who holds a designated position is required to disclose business position, he or she shall disclose positions in business entities that do business in the jurisdiction, plan to do business in the jurisdiction, or have done business in the jurisdiction within the past two years.

For purposed of this Conflict of Interest Code, the jurisdiction of the District 10-Hallwood C.S.D. is the District Boundaries.

Disclosure - Category 1:

A member, officer or employee holding a position assigned to Disclosure Category 1 shall, in the manner described above, report:

All investments and business positions in business entities and sources of income in the jurisdiction:

Interests in real property in the jurisdiction which were acquired by, leased, or otherwise used by the District 10-Hallwood Community Services District.

His or her status as director, officer, partner, trustee, employee or holder of a management position in any business entity in the jurisdiction.

*/ No disclosure obligations are established by this Code for the Board Members, who is required to file economic disclosure statements as provided in Government Sections 87200, et seq. Such officer is covered by this Code for disqualification purposes only. See, 2 Cal Code of Regs. Section 18730 (b) (3).

**/ For purposes of this Code, a "consultant" is any natural person who provides under contract, information, advice, recommendation, or counsel to the District 10-Hallwood C.S.D., provided however, that "consultant" shall not include a person who:

(a) Conducts research and arrives at conclusions with respect to his or her rendition of information, advice, recommendation, or counsel independent of the control and direction of the agency or of any agency official, other than normal contract monitoring; and

(b) Possesses no authority with respect to any agency decision beyond the rendition of information, advice, recommendation, or counsel.

Consultants to the District 10-Hallwood C.S.D. shall be subject to disclosure under Category 1, subject to the following limitation:

The District 10-Hallwood C.S.D. may determine in writing that a particular consultant, although a "Designated Employee," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements if Category 1. In such cases, the District 10-Hallwood C.S.D. may designate a different disclosure requirement. Such designation must be made in writing and shall include a description of the consultant's duties and shall include a description of the consultant's duties and based upon that description, a statement of the extent of the consultant's disclosure requirements. The consultant's designation must be filed, in advance of disclosure by the consultant, with the Agency's Conflict of Interest Code and also filed with the Code reviewing body and must be delivered to the consultant along with a copy of the conflict of interest code and the manual and forms for disclosure (FPPC Form 730).

Adopted: October 19, 1994
Amended: October 18, 2006
Amended: April 21, 2010
Amended: May 25, 2011
Amended: April 18, 2012
Amended: Oct. 17, 2012
Amended: July 16, 2014

CONFLICT OF INTEREST CODE OF THE
DISTRICT 10-HALLWOOD COMMUNITY SERVICES DISTRICT

LOCAL GOVERNMENT AGENCY BIENNIAL REPORT

This agency has reviewed its conflict of interest code and has determined that:

____ This agency's code accurately designates all positions which make or participate in the making of governmental decisions; that the disclosure assigned those positions accurately requires the disclosure of all investments, business positions, interests in real property and sources of income which may foreseeably be affected materially by the decision made by those designated positions; and further that the code includes all other provisions required by Government Code Section 87302; or

__X__ The agency revised its conflict of interest code on July 16, 2014. The following amendments were made (check applicable items):

____ New positions which must be designated were included

_____ Changes were made to the reportable sources of income, investments, business positions, or real property

_____ Changed or added provisions required by Government Code Section 87302

__X__ Adoption of standard conflict of interest code

Attached hereto is a copy of the agency's adopted conflict of interest code for approval by the Yuba County Board of Supervisors as code reviewing body.

Contact Person: Chris Haile
Name of Agency: District 10-Hallwood Community Services District
Mailing Address: 107 Ninth St., Marysville, CA. 95901
Phone Number: 530-743-2490

Dated: July 16, 2014

Signature of Chief Executive Officer

Chief
Richard Webb

ORDINANCE NO. 2014-2

**AN ORDINACE OF
THE LINDA FIRE PROTECTION DISTRICT
ADOPTING A CONFLICT OF INTEREST CODE**

The Board of Directors (the Board) of the Linda Fire Protection District (the "District") ordains as follows:

SECTION 1: Conflict of Interest Code – Statement of Intent.

The Political Reform Act, (Government Code Section 81000 *et seq.*, "PRA") requires every state and local government agency, including the District, to adopt and promulgate a conflict of interest code. The Fair Political Practices Commission ("FPPC") has promulgated a regulation (2 California Code of Regulations section 18730), which contains the terms of a standard PRA-compliant conflict of interest code. As a result, the District can by "incorporation by reference," adopt the provisions of the regulation as its conflict of interest code. The regulation also provides that if a District incorporates its provisions by reference as the District's conflict of interest code, any applicable changes to the PRA or to its implementing regulations will automatically be incorporated into the District's conflict of interest code.

Therefore, the provisions of section 18730 of Title 2 of the California Code of Regulations and any amendments thereto adopted by the FPPC are incorporated by reference into this Conflict of Interest Code. Those provisions, along with attached Appendix A, in which certain officials and employees of the District are "designated," and the attached Appendix B, in which "disclosure categories" are set forth, constitute the Conflict of Interest Code of the District.

This Conflict of Interest Code as adopted supersedes any Conflict of Interest Code the District previously adopted or in effect or claimed to be in effect.

SECTION 2: Statements of Economic Interest; Filing Officer.

Designated District employees shall file Statement of Economic Interests with the Administrative Assistant of the Linda Fire Protection District, who shall be and perform the duties of Filing Officer for the District.

SECTION 3: Notice.

This Ordinance was introduced following publication of the Board's intention to formally adopt a Conflict of Interest Code consistent with the provisions of Title 2 California Code of Regulations section 18730.

This ordinance was duly introduced on the 14th day of August, 2014 and following second reading was adopted on the 11th day of September 2014. This ordinance shall become effective from and after the 11th day of September, 2014 and after its adoption shall be published as provided for by law, by the following vote:

AYES: James Brannon, Robert Shinn, Glen Weldon

NOES: None

ABSTAIN: None

ABSENT: None

ATTEST:

Robert Shinn, Chairman
Board of Directors

Glen Weldon, Secretary/Clerk
Board of Directors

APPROVED AS TO FORM:

William D. Ross, District Counsel

APPENDIX A

LIST OF DESIGNATED EMPLOYEES

JOB TITLE	DISCLOSURE CATEGORY
Fire Chief	1
Assistant Fire Chief	1
Consultant*	1

* The Fire Chief may determine in writing that a particular consultant, although a "designated employee," has been retained to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements describe in this Appendix. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of the consultant's disclosure requirements. Any such determination by the Fire Chief is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

NOTE: The following elected and appointed positions are not included in the above-list of designated employees under this Code because the individuals occupying those positions (and candidates for such positions) must file disclosure statements pursuant to Government Code Section 87200 *et seq.*:

- Members of the District Board of Directors

APPENDIX B

LIST OF DISCLOSURE CATEGORIES

Disclosure Category

1	All reportable investments, business positions, income, and interests in real property.
2	Reportable investments in, business positions in, and income from entities providing supplies, services, or equipment of the type used by the designated employee's department, board, commission, or office.
3	Reportable investments, business positions, and income from sources located in or doing business in the territorial jurisdiction of the designated employee's board or commission.
4	Reportable interests in real property located within the territorial jurisdiction of the designated employee's board or commission.

BROWNS VALLEY IRRIGATION DISTRICT
CONFLICT OF INTEREST CODE

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation, Section 18730 of Title 2 of the California Code of Regulations, which contains the terms of a standard conflict of interest code, which can be incorporated by reference into any agency's code. After public notice and hearing, Section 18730 may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of Section 18730 of Title 2 of the California Code of Regulations and any amendments to it adopted by the Fair Political Practices Commission are hereby incorporated by reference and will be applied in accordance with the provisions existing on the date that any issue arising under this code must be addressed. This cover page, the referenced and incorporated regulation, and the attached appendixes designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the Browns Valley Irrigation District.

Individuals holding designated positions shall file their statements of economic interests with the Browns Valley Irrigation District, which will make the statements available for public inspection and reproduction in accordance with Government Code Section 81008. Statements for all designated employees will be retained by the District Clerk.

APPENDIX A
DESIGNATED POSITIONS

Designated Positions. The officers and employees listed below are designated as persons within the Browns Valley Irrigation District who are deemed to make, or participate in the making of, decisions that may have a material effect on a financial interest. Persons holding designated positions listed below will disclose interests and investments in accordance with the corresponding disclosure categories as defined below.

Designated Position	Assigned Disclosure Categories
Assistant General Manager	1, 2
Operations Manager	3
Clerk	3
Legal Counsel	1, 2
Consultant	**

Consultants. "Consultant" means an individual who, pursuant to a contract with the Browns Valley Irrigation District, either: (A) Makes a governmental decision whether to: (1) approve a rate, rule, or regulation; (2) adopt or enforce a law; (3) issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement; (4) authorize the District to enter into, modify, or renew a contract provided it is the type of contract that requires District approval; (5) grant District approval to a contract that requires District approval and to which the District is a party, or to the specifications for such a contract; (6) grant District approval to a plan, design, report, study, or similar item; or (7) adopt or grant District approval of policies, standards, or guidelines for the District, or for any subdivision thereof; or (B) Serves in a staff capacity with the District and in that capacity participates in making a governmental decision as defined in California Code of Regulations, Title 2, section 18702.2 or performs the same or substantially all the same duties for the District that would otherwise be performed by an individual holding a position specified in the District's conflict of interest code under Government Code section 87302. (California Code of Regulations, Title 2, section 18701(a)(2).)[1]

** "Consultants" are included in the list of designated positions and must disclose interests and investments in accordance with the broadest disclosure category in the District's conflict of interest code, subject to the following limitation: The General Manager may determine in writing

[1] A consultant serves in a staff capacity only if he or she has an on-going relationship with the District. A consultant who works on one project or a limited range of projects for the District is not deemed a consultant subject to the reporting requirements of this code unless the project or projects extend over a substantial period of time, generally more than one year. (See *Smith* Advice Letter, FPPC No. I-99-316; *Travis* Advice Letter, FPPC No. A-96-053; *Randolph* Advice Letter, FPPC No. A-95-045.)

that a particular consultant, although a "consultant" in a "designated position," nevertheless is hired or retained to perform a range of duties that is limited in scope and therefore is not required to comply with all or some of the disclosure requirements described herein. The General Manager's written determination will include a description of the consultant's duties, and, based on that description, a statement of the extent of disclosure requirements. The written determination is a public record and will be retained for public inspection in the same manner and location as the District's conflict of interest code as required by Government Code section 81008.

Officials Who Manage Public Investments. Officials who manage public investments are deemed to be "statutory filers" within the meaning of Government Code section 87200 and California Code of Regulations, Title 2, section 18720 because they must file statements of economic interest (FPPC Form 700) pursuant to the state Political Reform Act instead of the District's conflict of interest code. As a result, such persons are not designated in this code and are listed here for information only. The District's statutory filers are:

Members of the Board of Directors
General Manager

An individual holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by Government Code section 87200.

New Position Added or New Consultant Hired Without Code Revision. If the District creates a new position that requires disclosure or hires a new consultant with reporting obligations without simultaneously amending this code, the employee appointed to fill such a position or the new consultant will file a Form 700 assuming office statement and thereafter file an annual Form 700 disclosure of economic interest statement using the broadest disclosure category until the District amends the code to designate the position. Alternatively, the General Manager may designate for any such position or consultant narrower disclosure obligations using a FPPC Form 804 or Form 805 as appropriate. (See 2 C.C.R. section 18734.)

APPENDIX B
DISCLOSURE CATEGORIES

Category 1: All investments and business positions in business entities and income, including receipt of gifts, loans, and travel payments, from sources that are engaged in the performance of work or services of the type utilized by the District, or that manufacture, sell or provide supplies, machinery, services or equipment of the type utilized by the District.

Category 2: Interests in real property located in whole or in part within the District's jurisdiction or within two miles of any property owned or used by the District.

Category 3: Investments, business positions in business entities, and sources of income, including receipt of gifts, loans and travel payments, from entities that provide services and supplies of the type utilized by the designated position's department.

RECEIVED
OCT 24 2014
Clerk/Board of Supervisors

RESOLUTION NO. 10-23-14-1

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BROWNS VALLEY IRRIGATION DISTRICT AMENDING THE DISTRICT CONFLICT OF INTEREST CODE

WHEREAS, Government Code section 87300 requires each local public agency to adopt and promulgate a conflict of interest code pursuant to the Political Reform Act for the purpose of ensuring that agency officials subject to the statute disclose economic interests that might be involved in the making or in the participation of making decisions that may foreseeably have a material effect on each official's financial interest;

WHEREAS, Government Code section 87307 authorizes a local public agency to amend its conflict of interest code at any time; and

WHEREAS, the District's existing conflict of interest code, as last amended by the Board in Resolution No. 9-14-06-1 adopted on September 14, 2006, requires updating to designate new staff positions subject to the code's reporting requirements and to change the code's format to reflect the current format recommended by the Fair Political Practices Commission.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Browns Valley Irrigation District as follows:

1. The District conflict of interest code adopted by this resolution supersedes the conflict of interest code adopted by District Resolution No. 9-14-06-1 and all other prior inconsistent resolutions.

2. The Cover Sheet, Appendix A, Designated Positions, and Appendix B, Disclosure Categories, are hereby adopted by the Board as the District's Conflict of Interest Code in the form attached hereto and incorporated herein as Exhibit A.

3. Designated employees and consultants shall file statements of economic interest on FPPC Form 700 with the District Clerk, who shall make the statements available for public inspection and copying upon request and, if required, file such statements with the designated official of Yuba County.

4. This conflict of interest code shall not take effect until the Yuba County Board of Supervisors approves it in its capacity as code reviewing body under the Political Reform Act. The District Clerk is hereby authorized and directed to submit a certified copy of this resolution with Exhibit A to the Board of Supervisors and request approval of the conflict of interest code.

5. After approval by the Yuba County Board of Supervisors, the Cover Sheet and Appendixes A and B shall constitute the Conflict of Interest Code of the Browns Valley Irrigation District in accordance with subdivision (a) of Section 18730 of Title 2 of the California Code of Regulations.

PASSED AND ADOPTED by the Board of Directors of the Browns Valley Irrigation District on October 23, 2014, by the following vote:

AYES: Winchester, Bordsen, Woods, Wheeler
NOES: None
ABSTAIN: None
ABSENT: Lowe

By: _____
Robert Bordsen
President, Board of Directors

Attest:

_____
Walter Cotter
Secretary, Board of Directors

The County of Yuba

BOARD OF SUPERVISORS

NOVEMBER 18, 2014

The Honorable Board of Supervisors of the County of Yuba met on the above date, commencing at 9:41 a.m., within the Government Center, Marysville, California, with a quorum being present as follows: Supervisors John Nicoletti, Mary Jane Griego, Roger Abe, and Hal Stocker. Supervisor Andy Vasquez was absent. Also present were County Administrator Robert Bendorf, County Counsel Angil Morris-Jones, and Clerk of the Board of Supervisors Donna Stottlemeyer. Chairman Nicoletti presided.

I. PLEDGE OF ALLEGIANCE - Following a moment of silence honoring American soldiers who lost their lives, the pledge was led by Ms. Shirley Henrikson.

II. ROLL CALL - Supervisors Vasquez, Nicoletti, Griego, Abe, Stocker - Supervisor Vasquez absent.

III. CONSENT AGENDA: All matters listed under the Consent Agenda are considered to be routine and can be enacted in one motion.

MOTION: Move to approve MOVED: Hal Stocker SECOND: Mary Jane Griego
AYES: Hal Stocker, Mary Jane Griego, John Nicoletti, Roger Abe
NOES: None ABSENT: Andy Vasquez ABSTAIN: None

A. Administrative Services

1. (504-14) Approve application to Feather River Air Quality Management District for an air-healthy mini-grant to replace bike racks at Yuba County Courthouse and Library. Approved.

2. (505-14) Approve agreement with Mead and Hunt for engineering services related to North Apron reconstruction and authorize Chair to execute. Approved.

3. (506-14) Approve airport lease agreement with Greg Foster, Foster Ranch Limited Partnership, for corporate hanger lease site 11, and authorize Chair to execute. Approved.

4. (507-14) Authorize Budget Transfer in the amount of $50,000 from Account No. 126-0000-371-93.00 (Enterprise Zone) to Account No. 126-9504-419-23.00 (Professional Services) for reimbursement of management services provided to the Yuba Sutter Enterprise Zone. Approved.

B. Assessor

1. (508-14) Authorize Budget Transfer in the amount of $6,101 from AB 818 Loan Trust to various line items for the purchase of computer and AutoCAD software for cadastral drafting purposes. Approved.

C. Clerk of the Board of Supervisors

1. (509-14) Approve minutes of the meetings of October 21, 22, and 28, 2014. Approved, as written.

D. Community Development and Services

1. (510-14) Adopt resolution regarding financial assurance for post closure maintenance and corrective action of the Ponderosa Landfill; approve pledge of revenue agreement with California Resources and Recycling and Recovery and authorize Chair to execute. (Public Works and Land Use Committee recommend approval) Adopted Resolution No. 2014-106, which is on file in Yuba County Resolution Book No. 45.

2. (511-14) Authorize Director to hire Administration and Accounting Supervisor at Step 5 (1.20 percent) Index. Approved.

E. County Counsel

1. (512-14) Adopt resolution rescinding County actions approving Environmental Impact Report and related permits associated with SR20/Kibbe Road intersection improvements and private haul road project. Adopted Resolution No. 2014-107, which is on file in Yuba County Resolution Book No. 45.

F. Emergency Services

1. (513-14) Adopt resolution proclaiming existence of ongoing local drought emergency in the County of Yuba. Adopted Resolution No. 2014-108, which is on file in Yuba County Resolution Book No. 45.

G. Health and Human Services

1. (514-14) Adopt resolution authorizing acceptance of Maternal, Child and Adolescent Health grant funds for the period of July 1, 2014 through June 20, 2015 and authorizing Chair to execute agreement and other pertinent documents. Adopted Resolution No. 2014-109, which is on file in Yuba County Resolution Book No. 45.

2. (515-14) Adopt resolution authorizing the Director or his/her designee to execute California Work Opportunity and Responsibility to Kids (CalWORKs) Subsidized Employment Work Site Agreements. Adopted Resolution No. 2014-110, which is on file in Yuba County Resolution Book No. 45.

H. Sheriff-Coroner

1. (516-14) Adopt resolution authorizing Chairman to execute contract with California Department of Parks and Recreation for purchase of two personal watercrafts and trailer with federal funds administered by the state. Adopted Resolution No. 2014-111, which is on file in Yuba County Resolution Book No. 45.

2. (517-14) Adopt resolutions amending the Position Allocation and Basic Salary Schedules as they relate to the Detention Services Clerk and Deputy Sheriff/Deputy Sheriff Trainee effective November 1, 2014. Adopted Resolution Nos. 2014-112 and 2014-113, which are on file in Yuba County Resolution Book No. 45.

IV. PUBLIC COMMUNICATIONS:

The following individuals spoke:

- Mr. Richard Boyd - definition of health and completion of road work
- Mr. Doug McCoy - collection of used paint at Airport on December 6, 2014
- Ms. Wendy Hartman - Code Development update workshop November 19, 2014
- Mr. Buck Weckman - marijuana cultivation ordinance

- Mr. Calvin Ivie - Camptonville area and grow issues
- Mr. Rick Reiss - marijuana cultivation abuse
- Ms. Mary Salvato - marijuana
- Ms. Shirley Henrikson - persons seeking to purchase land within county for marijuana cultivation
- Ms. Carolyn Tindel - marijuana use by youth
- Ms. Diana Ceballos - support no marijuana cultivation
- Mr. Chris Ashe - cultivation in Rackerby
- Mr. Frank Cecil - effect of cannabis use on youth
- Ms. Cynthia Rose - guard dogs for protection of grows
- Ms. Coleen Weckman - sale of three surrounding properties for grow sites

County Counsel Angil Morris-Jones responded to Board inquiries regarding ordinance alternatives.

Following Board discussion, Board direction was provided to bring back alternative ordinances for consideration and direction on December 9, 2014.

Sheriff Durfor expressed desire to be involved in process of ordinance modifications, concurred with public comments on state of marijuana within county, stated the magnitude of problem require more resources than available to combat, and the enforcement component of the ordinance must be bolstered for accountability.

V. COUNTY DEPARTMENTS

A. Board of Supervisors

1. (521-14) Receive report from Yuba County Economic Development Advisory Committee on activities. (No background material) (Ten minute estimate) Committee Chair Natt Pomeroy and Vice-Chair Sean Andersen provided a recap of meetings, economic presentations received, and plans for 2015.

   Supervisor Stocker left the meeting at 10:56 a.m. and returned at 11:02 a.m.

B. Administrative Services

1. (518-14) Receive progress update on the Tri-County Juvenile Rehabilitation Facility Project and provide staff direction as appropriate. (Ten minute estimate) Director Doug McCoy provided information on grant funding, construction costs of $18.3 million, additional application for grant funding through Board of State and Community Corrections, and responded to Board inquiries.

   County Administrator Robert Bendorf responded to Board inquiries.

   Following Board discussion, Board consensus was to move forward with grant application.

2. (519-14) Approve agreement with Vanir Construction Management Inc. for Phase 1 Construction Management services for the Tri-County Juvenile Rehabilitation Project and authorize Chair to execute. (Five minute estimate) Purchasing and Contract Administrator Andrea Armstrong recapped the agreement and responded to inquiries.

   MOTION: Move to approve MOVED: Roger Abe SECOND: Hal Stocker
   AYES: Roger Abe, Hal Stocker, John Nicoletti, Mary Jane Griego
   NOES: None ABSENT: Andy Vasquez ABSTAIN: None

3. (520-14) Approve agreement with Vanir Construction Management Inc. for Phase 1 Construction Management services for the new Sheriff's facility tenant improvement project and authorize Chair to execute. (Five minute estimate) Purchasing and Contract Administrator Andrea Armstrong recapped the agreement and responded to inquiries.

   MOTION: Move to approve MOVED: Roger Abe SECOND: Hal Stocker
   AYES: Roger Abe, Hal Stocker, John Nicoletti, Mary Jane Griego
   NOES: None ABSENT: Andy Vasquez ABSTAIN: None

C. County Administrator

1. (522-14) Adopt resolution approving a preliminary official statement and Bond Purchase agreement related to the offering and sale of special tax bonds of the County for Community Facilities District 2005-1 (Orchard Montrose Public Improvements) related to Improvement Area C of district and approving other related documents and actions. (Fifteen minute estimate) County Administrator Robert Bendorf recapped the effect of adoption of resolution and responded to Board inquiries.

   MOTION: Move to adopt MOVED: Mary Jane Griego SECOND: Hal Stocker
   AYES: Mary Jane Griego, Hal Stocker, John Nicoletti NOES: Roger Abe
   NOES: None ABSENT: Andy Vasquez ABSTAIN: None

   Adopted Resolution No. 2014-114, which is on file in Yuba County Resolution Book No. 45.

D. Probation

1. (523-14) Adopt resolutions amending the Departmental Position Allocation and Basic Salary Schedules as it relates to Probation Department/Juvenile Facility class series effective November 1, 2014. (Ten minute estimate) Chief Probation Officer Jim Arnold recapped the changes in classification for the department and responded to Board inquiries.

   MOTION: Move to adopt MOVED: Mary Jane Griego SECOND: Roger Abe
   AYES: Mary Jane Griego, Roger Abe, John Nicoletti, Hal Stocker
   NOES: None ABSENT: Andy Vasquez ABSTAIN: None

   Adopted Resolution Nos. 2014-115 and 116, which are on file in Yuba County Resolution Book No. 45.

VI. ORDINANCES AND PUBLIC HEARINGS: The clerk read the disclaimer.

A. (524-14) Ordinance - Hold public hearing, waive reading, and introduce ordinance repealing and re-enacting Chapter 10.30 regarding requirements of the National Flood Insurance Program and Community Rating System. (First Reading) (Land Use and Public Works Committee recommend approval) (Ten minute estimate) Principal Engineer Daniel Peterson recapped the need for updating, major changes within ordinance, and responded to Board inquiries.

   Community Development and Services Director Kevin Mallen responded to Board inquiries regarding FEMA insurance rates and a study for flood elevations within District 10.

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

MOTION: Move to close public hearing, waive reading, and introduce ordinance.
MOVED: Mary Jane Griego SECOND: Roger Abe
AYES: Mary Jane Griego, Roger Abe, John Nicoletti, Hal Stocker
NOES: None ABSENT: Andy Vasquez ABSTAIN: None

VII. CORRESPONDENCE: The Board may direct any item of informational correspondence to a department head for appropriate action.

A. (525-14) State of Schools Report from Office of Education pursuant to Williams Uniform Complaints Act. Received.

B. (526-14) Three notices from the State of California Fish and Game Commission regarding the tricolored blackbird, the grey wolf, and regulatory actions. Received.

C. (527-14) Letter from Senator Hannah-Beth Jackson urging a county ordinance for Safe Drug Disposal. Received.

D. (528-14) Notice from Sate of California Department of Fish and Wildlife regarding impacts to hunting from the state-wide ban on lead ammunition for hunting purposes. Received.

VIII. BOARD AND STAFF MEMBERS' REPORTS

Supervisor Griego:
- Memorial Adjournment - Mr. David Haggard
- SACOG meetings held during October

Supervisor Abe:
- Commended staff for Oakley and Dairy Road projects
- Veterans Day Parade

Supervisor Stocker:
- Striping on Hammonton-Smartsville Road
- Correspondence to PG&E regarding fuel reduction projects

Supervisor Griego left the meeting at 11:38 a.m. and returned at 11:45 a.m.

County Administrator Robert Bendorf:
- Regional Fire Study cost reimbursement
- Business incentive study for large-size employers
- Financing for new Sheriff's facility improvements

Supervisor Nicoletti:
- Memorial Adjournment - Sedona Nicoletti
- Governor Brown's recognition of Mr. Didar Singh Bains
- Habitat for Humanity Annual Dinner
- Veterans Day Parade
- Peach Tree Health Care activities

IX. CLOSED SESSION: The Board retired into closed session at 11:50 a.m. and returned at 12:57 p.m. with all present as indicated above.

A. Conference with Real Property Negotiator pursuant to Government Code §54956.8 - APN 019-270-047 (Brolliar, Milton M. and Sandra K.) Negotiating Parties: Michael Lee Negotiation: Authorization to make offer By unanimous vote authorized to pursue negotiations.

B. Conference with Real Property Negotiator pursuant to Government Code §54956.8 - APN 005-270-037/005-370-001(County) Negotiating Parties: Browns Valley Irrigation District/County/Michael Lee Negotiation: Price and Terms By unanimous vote authorized to pursue negotiations.

C. Personnel pursuant to Government Code §54957(b)(1) - Public Appointment Health Officer Direction provided.

D. Pending litigation pursuant to Government Code §54956.9(e)(3) - Two Claims/School and Leonard Denied claims by unanimous vote.

E. Conference with legal counsel pursuant to Government Code §54956.9 - Claim/Potential Settlement Direction provided.

F. Personnel pursuant to Government Code §54957.6(a) - Labor Negotiations – DDAA No report.

X. ADJOURN: 1:00 p.m. in memory of Mr. David Haggard.

_____
Chair

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

_____ Approved: _____

The County of Yuba

CLERK RECORDER – REGISTRAR OF VOTERS

Ms. Terry A. Hansen

915 8th Street, Suite 107
Marysville, CA 95901-5273

• Elections (530) 749-7855
• Recorder (530) 749-7850
• Clerk (530) 749-7851
• Fax (530) 749-7854

To: Board of Supervisors
From: Terry Hansen, Clerk/Recorder – Registrar of Voters
Subject: **Statement of Vote – November 4, 2014 General Election**
Date: December 9, 2014

Recommendation:

Accept Certification of Vote for the November 4, 2014 General Election and declare winners for each office, the results of measures under your jurisdiction, and appoint members to particular district offices pursuant to Elections Code §15400, if appropriate.

Background and Discussion

In accordance with Elections Code §15372, I am submitting a certified copy of the Statement of Vote to your Board. Pursuant to Elections Code §15374 the Statement of Vote shows:

- The total number of ballots cast;
- The number of votes cast at each precinct for each candidate and for and against each measure;
- The total number of votes cast for each candidate and for and against each measure.

It is therefore recommended your Board accept the Statement of Vote for the November 4, 2014 General Election; a copy of which is on file with the Clerk of the Board. Additionally, the entire statement may be viewed on the County website at: http://www.yubaelections.org.

Impact:

None. Administrative action only.

Committee Action:

None. This request is made directly to the Board of Supervisors.

Attachment:
Statement of Vote

The County of Yuba

CLERK RECORDER – REGISTRAR OF VOTERS

Ms. Terry A. Hansen

915 8th Street, Suite 107
Marysville, CA 95901-5273

• Elections (530) 749-7855
• Recorder (530) 749-7850
• Clerk (530) 749-7851
• Fax (530) 749-7854

HELP AMERICAN VOTE ACT OF 2002
CERTIFICATION OF ELECTIONS OFFICIAL

STATE OF CALIFORNIA }
COUNTY OF YUBA } SS.

Pursuant to the statewide voter registration list requirements set forth in the Help America Vote Act of 2002 (HAVA) (Pub. L. No. 107-252 (2002) 116 Stat. 1666, 42 U.S.C. § 15483),

I, Terry A. Hansen, Registrar of Voters for the County of Yuba, State of California, hereby certify that I complied with all provisions of Chapter 2 of Division 7 of Title 2 of the California Code of Regulations for the Federal election held on the 4th day of November 2014 in the County of Yuba, State of California, and all elections consolidated therewith.

I hereby set my hand and official seal this 14th day of November 2014 at the County of Yuba.

Terry A. Hansen, Registrar of Voters
County of Yuba, State of California

The County of Yuba

CLERK RECORDER – REGISTRAR OF VOTERS — ***Ms. Terry A. Hansen***

915 8th Street, Suite 107
Marysville, CA 95901-5273

• Elections (530) 749-7855
• Recorder (530) 749-7850
• Clerk (530) 749-7851
• Fax (530) 749-7854

CERTIFICATION OF COUNTY CLERK/REGISTRAR OF VOTERS TO THE RESULTS OF THE CANVASS OF THE NOVEMBER 4, 2014 GENERAL ELECTION

STATE OF CALIFORNIA }
COUNTY OF YUBA } SS.

I, Terry A. Hansen, County Clerk / Registrar of Voters of said county, do hereby certify that, in pursuance to the provisions of Elections Code Section 15300, et seq., I did canvass the results of the votes cast in the General Election held in said County on November 4, 2014 for measures and contests that were submitted to the vote of the voters, and that the Statement of Votes Cast to which this certificate is attached, is full, true and correct.

I hereby set my hand and official seal this 14th day of November 2014 at the County of Yuba.

Terry A. Hansen, Registrar of Voters
County of Yuba, State of California

YUBA COUNTY Statement of Vote
YUB_20141104_E

100003	CALIFORNIA														
	Registration	Ballots Cast	Turnout (%)	GOVERNOR EDMUND G. "JERRY" BROWN	NEEL KASHKARI	LIEUTENANT GOVERNOR RON NEHRING	GAVIN NEWSOM	SECRETARY OF STATE ALEX PADILLA	PETE PETERSON	STATE CONTROLLER ASHLEY SWEARENGIN	BETTY T. YEE				
New Life 1001	695	83	11.94	44	36	46	34	39	43	44	38				
New Life - Vote by Mail	695	149	21.44	78	65	71	71	64	77	76	67				
Edgewater A 1002	603	86	14.26	46	38	48	35	37	48	46	36				
Edgewater A - Vote by Mail	603	169	28.03	76	90	89	76	69	92	93	69				
FRC A 1003	412	51	12.38	27	24	28	22	22	29	30	21				
FRC A - Vote by Mail	412	63	15.29	28	34	36	26	25	36	37	23				
FRC B 1004	773	84	10.87	43	39	41	40	41	40	43	39				
FRC B - Vote by Mail	773	178	23.03	73	105	112	60	64	111	107	69				
FRC C 1005	352	41	11.65	12	29	30	9	14	25	29	11				
FRC C - Vote by Mail	352	80	22.73	37	43	38	42	38	42	35	44				
FRC D 1006	542	69	12.73	34	33	37	30	30	37	34	33				
FRC D - Vote by Mail	542	168	31.00	91	76	85	79	73	88	87	75				
Edgewater B 1007	801	133	16.60	54	77	81	50	43	85	85	44				
Edgewater B - Vote by Mail	801	230	28.71	99	131	132	97	86	143	146	80				
Word of Life A 2001	639	136	21.28	48	86	86	47	48	85	88	45				
Word of Life A - Vote by Mail	639	203	31.77	96	105	118	80	71	127	124	74				
First Pres 2002	756	145	19.18	51	90	89	54	42	93	93	47				
First Pres - Vote by Mail	756	261	34.52	121	138	156	99	85	164	157	95				
Word of Life B 2003	767	92	11.99	36	56	57	33	31	59	62	28				
Word of Life B - Vote by Mail	767	252	32.86	115	133	132	117	101	145	139	106				
Govt Ctr A 2004	744	116	15.59	49	65	66	48	43	68	65	46				
Govt Ctr A - Vote by Mail	744	228	30.65	95	129	137	84	72	149	145	70				
Govt Ctr B 2005	740	120	16.22	58	61	69	48	43	73	72	44				
Govt Ctr B - Vote by Mail	740	184	24.86	102	72	75	101	94	83	79	93				
Cedar Lane 2006	679	64	9.43	29	33	32	31	32	30	31	30				
Cedar Lane - Vote by Mail	679	128	18.85	57	68	80	45	47	78	75	52				
Govt Ctr C 2007	643	102	15.86	54	48	49	51	48	52	51	50				
Govt Ctr C - Vote by Mail	643	195	30.33	102	88	99	89	77	109	101	86				
OPUD 3001	705	112	15.89	49	58	54	55	48	61	66	43				
OPUD - Vote by Mail	705	110	15.60	52	57	60	49	44	63	60	47				
Olivehurst Com Ctr 3002	639	93	14.55	49	42	49	42	40	48	45	45				
Olivehurst Com Ctr - Vote by Mail	639	105	16.43	55	46	56	48	46	58	56	48				
Johnson Park Schl 3003	774	139	17.96	58	75	81	54	52	82	78	58				
Johnson Park Schl - Vote by Mail	774	190	24.55	81	103	115	68	62	120	109	71				
Airport 3004	821	115	14.01	58	51	56	56	46	65	67	44				
Airport - Vote by Mail	821	154	18.76	71	79	87	64	62	86	92	59				
Dan Ave A 3005	889	121	13.61	44	77	81	40	36	85	80	41				
Dan Ave A - Vote by Mail	889	221	24.86	93	119	126	87	83	135	139	78				
Dan Ave B 3006	345	49	14.20	23	25	26	23	20	26	27	19				
Dan Ave B - Vote by Mail	345	108	31.30	33	73	81	27	25	81	78	27				
Rosser 3007	74	0	0.00	0	0	0	0	0	0	0	0				
Rosser - Vote by Mail	74	39	52.70	11	28	29	9	7	31	29	7				
Arboga Schl 3008	466	67	14.38	24	42	47	20	19	47	46	20				
Arboga Schl - Vote by Mail	466	128	27.47	49	76	83	42	41	83	83	41				
Cobblestone Schol 4001	831	120	14.44	53	66	73	42	46	67	69	42				
Cobblestone Schol - Vote by Mail	831	202	24.31	96	103	110	86	82	114	104	93				
RDO Schl A 4002	816	100	12.25	39	58	65	34	31	67	68	31				
RDO Schl A - Vote by Mail	816	226	27.70	87	134	144	77	65	151	149	66				
RDO Schl B 4003	725	81	11.17	29	51	52	28	27	53	54	24				
RDO Schl B - Vote by Mail	725	252	34.76	105	144	159	91	95	155	158	91				
Smartsville 4004	146	0	0.00	0	0	0	0	0	0	0	0				
Smartsville - Vote by Mail	146	68	46.58	12	55	54	14	11	54	49	16				
Beale AFB 4005	104	0	0.00	0	0	0	0	0	0	0	0				
Beale AFB - Vote by Mail	104	20	19.23	10	9	10	9	9	10	11	9				
Wheatland A 4006	768	146	19.01	49	93	96	46	41	99	102	37				
Wheatland A - Vote by Mail	768	228	29.69	84	140	146	73	63	154	157	64				
Wheatland B 4007	710	134	18.87	56	73	86	43	38	89	83	43				
Wheatland B - Vote by Mail	710	233	32.82	97	125	139	87	78	147	129	92				
Wheatland C 4008	717	150	20.92	38	109	105	41	31	113	108	35				
Wheatland C - Vote by Mail	717	235	32.78	72	151	168	58	52	169	162	59				
Riverside Meadows Schl 4009	477	85	17.82	39	44	52	31	35	50	58	26				

YUBA COUNTY Statement of Vote
YUB_20141104_E

100003	CALIFORNIA														
	Registration	Ballots Cast	Turnout (%)		GOVERNOR EDMUND G. "JERRY" BROWN	NEEL KASHKARI		LIEUTENANT GOVERNOR RON NEHRING	GAVIN NEWSOM		SECRETARY OF STATE ALEX PADILLA	PETE PETERSON		STATE CONTROLLER ASHLEY SWEARENGIN	BETTY T. YEE	
Riverside Meadows Schl - Vote by	477	153	32.08		54	97		99	50		42	106		100	45	
D-OH A 5001	443	109	24.60		38	65		64	37		38	63		64	37	
D-OH A - Vote by Mail	443	175	39.50		74	96		95	74		68	97		95	69	
Challenge 5002	187	0	0.00		0	0		0	0		0	0		0	0	
Challenge - Vote by Mail	187	104	55.61		37	62		67	35		31	69		66	34	
Rackerby 5003	220	0	0.00		0	0		0	0		0	0		0	0	
Rackerby - Vote by Mail	220	115	52.27		44	70		75	35		34	76		77	32	
D-OH B 5004	837	247	29.51		160	77		78	147		139	86		86	136	
D-OH B - Vote by Mail	837	324	38.71		198	109		114	187		172	123		114	179	
Yuba Feather 5005	733	160	21.83		50	106		107	46		47	107		101	51	
Yuba Feather - Vote by Mail	733	331	45.16		135	186		215	110		98	224		209	109	
Johl Station 5006	636	91	14.31		29	61		68	20		18	70		63	25	
Johl Station - Vote by Mail	636	281	44.18		90	183		189	79		77	196		205	66	
Loma Rica A 5007	621	145	23.35		47	95		113	30		28	114		111	30	
Loma Rica A - Vote by Mail	621	225	36.23		64	152		171	51		50	168		167	51	
Loma Rica B 5008	713	170	23.84		43	120		114	52		40	125		116	46	
Loma Rica B - Vote by Mail	713	258	36.19		70	185		186	67		50	201		194	55	
Hallwood 5009	581	132	22.72		19	111		117	13		12	119		115	15	
Hallwood - Vote by Mail	581	209	35.97		53	150		166	41		32	174		171	32	
Calvary A 5010	844	188	22.27		58	126		128	54		41	138		132	45	
Calvary A - Vote by Mail	844	341	40.40		103	237		239	91		80	253		241	85	
Calvary B 5011	805	156	19.38		43	109		111	44		39	111		108	44	
Calvary B - Vote by Mail	805	362	44.97		125	232		239	118		99	257		246	108	
Bible Baptist 5012	588	102	17.35		22	76		83	17		10	90		85	14	
Bible Baptist - Vote by Mail	588	188	31.97		75	99		100	81		60	123		120	63	
Goldfields 5013	179	0	0.00		0	0		0	0		0	0		0	0	
Goldfields - Vote by Mail	179	103	57.54		39	60		59	40		35	64		62	37	
Camptonville 5014	378	44	11.64		30	14		16	27		25	18		15	27	
Camptonville - Vote by Mail	378	167	44.18		95	69		70	88		81	72		69	85	
Precinct Totals	26918	4378	16.26		1732	2539		2681	1574		1460	2760		2720	1490	
Vote by Mail Totals	26918	8343	30.99		3434	4706		5011	3102		2800	5258		5102	2921	
Grand Totals	26918	12721	47.26		5166	7245		7692	4676		4260	8018		7822	4411	
3RD CONGRESSIONAL	26918	12721	47.26		5166	7245		7692	4676		4260	8018		7822	4411	
4TH SENATE	26918	12721	47.26		5166	7245		7692	4676		4260	8018		7822	4411	
3RD ASSEMBLY	26918	12721	47.26		5166	7245		7692	4676		4260	8018		7822	4411	
1ST EQUALIZATION	26918	12721	47.26		5166	7245		7692	4676		4260	8018		7822	4411	
SUPERVISOR - 1ST	4178	1584	37.91		742	820		874	671		645	896		892	649	
SUPERVISOR - 2ND	4968	2226	44.81		1013	1172		1245	927		834	1315		1282	866	
SUPERVISOR - 3RD	4713	1751	37.15		750	951		1031	684		631	1071		1055	648	
SUPERVISOR - 4TH	5294	2433	45.96		920	1452		1558	810		746	1598		1561	773	
SUPERVISOR - 5TH	7765	4727	60.88		1741	2850		2984	1584		1404	3138		3032	1475	
YUBA COUNTY	26918	12721	47.26		5166	7245		7692	4676		4260	8018		7822	4411	
CITY OF MARYSVILLE	4289	2034	47.42		927	1071		1133	851		755	1207		1176	784	
CITY OF WHEATLAND	1478	741	50.14		286	431		467	249		220	489		471	236	
UNINCORPORATED	21151	9946	47.02		3953	5743		6092	3576		3285	6322		6175	3391	
MARYSVILLE LEVEE COMMISSI	4289	2034	47.42		927	1071		1133	851		755	1207		1176	784	

YUBA COUNTY Statement of Vote
YUB_20141104_E

100007	CALIFORNIA														
	Registration	Ballots Cast	Turnout (%)	STATE TREASURER JOHN CHIANG	GREG CONLON	ATTORNEY GENERAL KAMALA D. HARRIS	RONALD GOLD	INSURANCE COMMISSIONER DAVE JONES	TED GAINES						
New Life 1001	695	83	11.94	40	41	36	45	38	44						
New Life - Vote by Mail	695	149	21.44	74	69	70	75	77	66						
Edgewater A 1002	603	86	14.26	40	43	34	48	36	46						
Edgewater A - Vote by Mail	603	169	28.03	79	82	72	89	72	88						
FRC A 1003	412	51	12.38	23	27	23	27	22	29						
FRC A - Vote by Mail	412	63	15.29	29	34	23	39	27	33						
FRC B 1004	773	84	10.87	41	41	40	42	42	39						
FRC B - Vote by Mail	773	178	23.03	78	98	70	106	71	103						
FRC C 1005	352	41	11.65	14	26	12	28	12	27						
FRC C - Vote by Mail	352	80	22.73	44	35	46	34	36	43						
FRC D 1006	542	69	12.73	37	27	34	32	36	33						
FRC D - Vote by Mail	542	168	31.00	83	80	69	93	75	87						
Edgewater B 1007	801	133	16.60	46	81	40	88	49	80						
Edgewater B - Vote by Mail	801	230	28.71	102	125	92	137	88	140						
Word of Life A 2001	639	136	21.28	46	87	42	91	37	95						
Word of Life A - Vote by Mail	639	203	31.77	86	112	83	115	81	113						
First Pres 2002	756	145	19.18	56	86	50	91	41	97						
First Pres - Vote by Mail	756	261	34.52	117	136	102	153	96	155						
Word of Life B 2003	767	92	11.99	36	54	34	56	35	55						
Word of Life B - Vote by Mail	767	252	32.86	114	133	102	141	102	140						
Govt Ctr A 2004	744	116	15.59	50	62	48	66	47	66						
Govt Ctr A - Vote by Mail	744	228	30.65	91	130	80	140	71	142						
Govt Ctr B 2005	740	120	16.22	54	63	42	74	46	70						
Govt Ctr B - Vote by Mail	740	184	24.86	101	76	97	80	96	77						
Cedar Lane 2006	679	64	9.43	29	32	33	29	32	29						
Cedar Lane - Vote by Mail	679	128	18.85	59	64	46	78	49	76						
Govt Ctr C 2007	643	102	15.86	52	48	53	46	49	47						
Govt Ctr C - Vote by Mail	643	195	30.33	99	88	86	98	85	101						
OPUD 3001	705	112	15.89	54	53	45	65	50	59						
OPUD - Vote by Mail	705	110	15.60	48	61	49	60	48	59						
Olivehurst Com Ctr 3002	639	93	14.55	43	45	42	46	45	46						
Olivehurst Com Ctr - Vote by Mail	639	105	16.43	59	45	53	51	57	47						
Johnson Park Schl 3003	774	139	17.96	59	76	57	78	56	78						
Johnson Park Schl - Vote by Mail	774	190	24.55	77	106	64	121	70	113						
Airport 3004	821	115	14.01	46	66	47	65	46	66						
Airport - Vote by Mail	821	154	18.76	66	83	63	88	60	88						
Dan Ave A 3005	889	121	13.61	44	75	36	84	41	79						
Dan Ave A - Vote by Mail	889	221	24.86	91	127	81	137	76	138						
Dan Ave B 3006	345	49	14.20	24	23	21	26	19	28						
Dan Ave B - Vote by Mail	345	108	31.30	32	74	21	85	24	80						
Rosser 3007	74	0	0.00	0	0	0	0	0	0						
Rosser - Vote by Mail	74	39	52.70	12	26	6	30	6	29						
Arboga Schl 3008	466	67	14.38	21	45	19	47	20	45						
Arboga Schl - Vote by Mail	466	128	27.47	43	82	46	79	43	80						
Cobblestone Schol 4001	831	120	14.44	52	61	42	70	46	65						
Cobblestone Schol - Vote by Mail	831	202	24.31	100	98	89	110	102	96						
RDO Schl A 4002	816	100	12.25	36	63	31	68	31	65						
RDO Schl A - Vote by Mail	816	226	27.70	85	131	67	148	72	144						
RDO Schl B 4003	725	81	11.17	26	51	27	52	23	56						
RDO Schl B - Vote by Mail	725	252	34.76	108	142	92	156	101	148						
Smartsville 4004	146	0	0.00	0	0	0	0	0	0						
Smartsville - Vote by Mail	146	68	46.58	16	49	13	53	13	53						
Beale AFB 4005	104	0	0.00	0	0	0	0	0	0						
Beale AFB - Vote by Mail	104	20	19.23	11	9	9	10	11	9						
Wheatland A 4006	768	146	19.01	46	95	38	102	41	98						
Wheatland A - Vote by Mail	768	228	29.69	73	146	74	147	67	153						
Wheatland B 4007	710	134	18.87	49	80	45	81	42	84						
Wheatland B - Vote by Mail	710	233	32.82	102	123	93	132	90	133						
Wheatland C 4008	717	150	20.92	43	100	34	110	36	106						
Wheatland C - Vote by Mail	717	235	32.78	63	160	60	163	56	167						
Riverside Meadows Schl 4009	477	85	17.82	39	45	30	55	31	54						

YUBA COUNTY Statement of Vote
YUB_20141104_E

100007	CALIFORNIA															
	Registration	Ballots Cast	Turnout (%)		STATE TREASURER JOHN CHIANG	GREG CONLON		ATTORNEY GENERAL KAMALA D. HARRIS	RONALD GOLD		INSURANCE COMMISSIONER DAVE JONES	TED GAINES				
Riverside Meadows Schl - Vote by	477	153	32.08		54	93		47	99		46	101				
D-OH A 5001	443	109	24.60		39	60		37	63		36	64				
D-OH A - Vote by Mail	443	175	39.50		74	92		76	90		70	94				
Challenge 5002	187	0	0.00		0	0		0	0		0	0				
Challenge - Vote by Mail	187	104	55.61		35	65		33	67		36	64				
Rackerby 5003	220	0	0.00		0	0		0	0		0	0				
Rackerby - Vote by Mail	220	115	52.27		40	69		35	73		34	73				
D-OH B 5004	837	247	29.51		153	68		141	78		142	77				
D-OH B - Vote by Mail	837	324	38.71		185	109		180	112		174	116				
Yuba Feather 5005	733	160	21.83		66	87		52	97		55	99				
Yuba Feather - Vote by Mail	733	331	45.16		117	202		107	211		105	213				
Johl Station 5006	636	91	14.31		26	62		24	65		22	65				
Johl Station - Vote by Mail	636	281	44.18		96	173		79	191		74	191				
Loma Rica A 5007	621	145	23.35		43	99		31	110		35	105				
Loma Rica A - Vote by Mail	621	225	36.23		65	154		55	164		51	169				
Loma Rica B 5008	713	170	23.84		55	113		43	120		42	121				
Loma Rica B - Vote by Mail	713	258	36.19		91	163		63	189		64	186				
Hallwood 5009	581	132	22.72		24	107		14	116		14	117				
Hallwood - Vote by Mail	581	209	35.97		46	157		40	164		35	171				
Calvary A 5010	844	188	22.27		59	121		48	132		52	129				
Calvary A - Vote by Mail	844	341	40.40		115	218		88	241		82	249				
Calvary B 501'	805	156	19.38		51	100		42	109		46	105				
Calvary B - Vote by Mail	805	362	44.97		127	226		105	247		104	245				
Bible Baptist 5012	588	102	17.35		27	70		17	81		15	85				
Bible Baptist - Vote by Mail	588	188	31.97		74	104		59	118		65	116				
Goldfields 5013	179	0	0.00		0	0		0	0		0	0				
Goldfields - Vote by Mail	179	103	57.54		47	52		36	63		37	59				
Camptonville 5014	378	44	11.64		29	14		25	16		25	16				
Camptonville - Vote by Mail	378	167	44.18		94	66		90	70		88	68				
Precinct Totals	26918	4378	16.26		1718	2497		1509	2701		1533	2669				
Vote by Mail Totals	26918	8343	30.99		3402	4667		3011	5047		2987	5016				
Grand Totals	26918	12721	47.26		5120	7164		4520	7748		4520	7685				
3RD CONGRESSIONAL	26918	12721	47.26		5120	7164		4520	7748		4520	7685				
4TH SENATE	26918	12721	47.26		5120	7164		4520	7748		4520	7685				
3RD ASSEMBLY	26918	12721	47.26		5120	7164		4520	7748		4520	7685				
1ST EQUALIZATION	26918	12721	47.26		5120	7164		4520	7748		4520	7685				
SUPERVISOR - 1ST	4178	1584	37.91		730	809		661	883		681	858				
SUPERVISOR - 2ND	4968	2226	44.81		990	1171		898	1260		867	1263				
SUPERVISOR - 3RD	4713	1751	37.15		719	987		650	1062		661	1035				
SUPERVISOR - 4TH	5294	2433	45.96		903	1446		791	1556		808	1532				
SUPERVISOR - 5TH	7765	4727	60.88		1778	2751		1520	2987		1503	2997				
YUBA COUNTY	26918	12721	47.26		5120	7164		4520	7748		4520	7685				
CITY OF MARYSVILLE	4289	2034	47.42		902	1075		819	1153		786	1158				
CITY OF WHEATLAND	1478	741	50.14		270	444		250	462		240	468				
UNINCORPORATED	21151	9946	47.02		3948	5645		3451	6133		3494	6059				
MARYSVILLE LEVEE COMMISSI	4289	2034	47.42		902	1075		819	1153		786	1158				

YUBA COUNTY Statement of Vote
YUB_20141104_E

100010	NON-PARTISAN BOARD OF EQUALIZATION 1ST DISTRICT															
	Registration	Ballots Cast	Turnout (%)		GEORGE RUNNER	CHRIS PARKER										
New Life 1001	695	83	11.94		46	35										
New Life - Vote by Mail	695	149	21.44		82	61										
Edgewater A 1002	603	86	14.26		47	34										
Edgewater A - Vote by Mail	603	169	28.03		100	60										
FRC A 1003	412	51	12.38		26	24										
FRC A - Vote by Mail	412	63	15.29		37	22										
FRC B 1004	773	84	10.87		40	41										
FRC B - Vote by Mail	773	178	23.03		107	68										
FRC C 1005	352	41	11.65		23	15										
FRC C - Vote by Mail	352	80	22.73		39	40										
FRC D 1006	542	69	12.73		37	30										
FRC D - Vote by Mail	542	168	31.00		93	65										
Edgewater B 1007	801	133	16.60		86	43										
Edgewater B - Vote by Mail	801	230	28.71		141	82										
Word of Life A 2001	639	136	21.28		88	44										
Word of Life A - Vote by Mail	639	203	31.77		121	72										
First Pres 2002	756	145	19.18		92	44										
First Pres - Vote by Mail	756	261	34.52		157	91										
Word of Life B 2003	767	92	11.99		59	30										
Word of Life B - Vote by Mail	767	252	32.86		143	96										
Govt Ctr A 2004	744	116	15.59		65	46										
Govt Ctr A - Vote by Mail	744	228	30.65		135	71										
Govt Ctr B 2005	740	120	16.22		74	41										
Govt Ctr B - Vote by Mail	740	184	24.86		77	93										
Cedar Lane 2006	679	64	9.43		30	30										
Cedar Lane - Vote by Mail	679	128	18.85		82	42										
Govt Ctr C 2007	643	102	15.86		47	48										
Govt Ctr C - Vote by Mail	643	195	30.33		101	82										
OPUD 3001	705	112	15.89		65	43										
OPUD - Vote by Mail	705	110	15.60		62	44										
Olivehurst Com Ctr 3002	639	93	14.55		48	43										
Olivehurst Com Ctr - Vote by Mail	639	105	16.43		51	52										
Johnson Park Schl 3003	774	139	17.96		77	53										
Johnson Park Schl - Vote by Mail	774	190	24.55		112	68										
Airport 3004	821	115	14.01		58	53										
Airport - Vote by Mail	821	154	18.76		92	55										
Dan Ave A 3005	889	121	13.61		76	44										
Dan Ave A - Vote by Mail	889	221	24.86		133	79										
Dan Ave B 3006	345	49	14.20		28	17										
Dan Ave B - Vote by Mail	345	108	31.30		79	24										
Rosser 3007	74	0	0.00		0	0										
Rosser - Vote by Mail	74	39	52.70		27	7										
Arboga Schl 3008	466	67	14.38		49	15										
Arboga Schl - Vote by Mail	466	128	27.47		82	39										
Cobblestone Schol 4001	831	120	14.44		68	41										
Cobblestone Schol - Vote by Mail	831	202	24.31		112	84										
RDO Schl A 4002	816	100	12.25		65	31										
RDO Schl A - Vote by Mail	816	226	27.70		138	72										
RDO Schl B 4003	725	81	11.17		55	24										
RDO Schl B - Vote by Mail	725	252	34.76		161	84										
Smartsville 4004	146	0	0.00		0	0										
Smartsville - Vote by Mail	146	68	46.58		54	11										
Beale AFB 4005	104	0	0.00		0	0										
Beale AFB - Vote by Mail	104	20	19.23		12	8										
Wheatland A 4006	768	146	19.01		101	38										
Wheatland A - Vote by Mail	768	228	29.69		156	59										
Wheatland B 4007	710	134	18.87		90	32										
Wheatland B - Vote by Mail	710	233	32.82		144	80										
Wheatland C 4008	717	150	20.92		107	35										
Wheatland C - Vote by Mail	717	235	32.78		164	53										
Riverside Meadows Schl 4009	477	85	17.82		56	29										

YUBA COUNTY Statement of Vote
YUB_20141104_E

100010	NON-PARTISAN BOARD OF EQUALIZATION 1ST DISTRICT															
	Registration	Ballots Cast	Turnout (%)		GEORGE RUNNER	CHRIS PARKER										
Riverside Meadows Schl - Vote by	477	153	32.08		102	41										
D-OH A 5001	443	109	24.60		65	36										
D-OH A - Vote by Mail	443	175	39.50		92	72										
Challenge 5002	187	0	0.00		0	0										
Challenge - Vote by Mail	187	104	55.61		68	31										
Rackerby 5003	220	0	0.00		0	0										
Rackerby - Vote by Mail	220	115	52.27		73	32										
D-OH B 5004	837	247	29.51		77	136										
D-OH B - Vote by Mail	837	324	38.71		113	172										
Yuba Feather 5005	733	160	21.83		103	49										
Yuba Feather - Vote by Mail	733	331	45.16		213	98										
Johl Station 5006	636	91	14.31		65	23										
Johl Station - Vote by Mail	636	281	44.18		190	70										
Loma Rica A 5007	621	145	23.35		106	30										
Loma Rica A - Vote by Mail	621	225	36.23		173	43										
Loma Rica B 5008	713	170	23.84		122	39										
Loma Rica B - Vote by Mail	713	258	36.19		184	66										
Hallwood 5009	581	132	22.72		110	19										
Hallwood - Vote by Mail	581	209	35.97		161	40										
Calvary A 5010	844	188	22.27		130	48										
Calvary A - Vote by Mail	844	341	40.40		252	76										
Calvary B 5011	805	156	19.38		108	41										
Calvary B - Vote by Mail	805	362	44.97		245	101										
Bible Baptist 5012	588	102	17.35		87	13										
Bible Baptist - Vote by Mail	588	188	31.97		113	64										
Goldfields 5013	179	0	0.00		0	0										
Goldfields - Vote by Mail	179	103	57.54		60	35										
Camptonville 5014	378	44	11.64		13	27										
Camptonville - Vote by Mail	378	167	44.18		73	81										
Precinct Totals	26918	4378	16.26		2689	1464										
Vote by Mail Totals	26918	8343	30.99		5106	2786										
Grand Totals	26918	12721	47.26		7795	4250										
3RD CONGRESSIONAL	26918	12721	47.26		7795	4250										
4TH SENATE	26918	12721	47.26		7795	4250										
3RD ASSEMBLY	26918	12721	47.26		7795	4250										
1ST EQUALIZATION	26918	12721	47.26		7795	4250										
SUPERVISOR - 1ST	4178	1584	37.91		904	620										
SUPERVISOR - 2ND	4968	2226	44.81		1271	830										
SUPERVISOR - 3RD	4713	1751	37.15		1039	636										
SUPERVISOR - 4TH	5294	2433	45.96		1585	722										
SUPERVISOR - 5TH	7765	4727	60.88		2996	1442										
YUBA COUNTY	26918	12721	47.26		7795	4250										
CITY OF MARYSVILLE	4289	2034	47.42		1159	758										
CITY OF WHEATLAND	1478	741	50.14		491	209										
UNINCORPORATED	21151	9946	47.02		6145	3283										
MARYSVILLE LEVEE COMMISSI	4289	2034	47.42		1159	758										

YUBA COUNTY Statement of Vote
YUB_20141104_E

100011	NON-PARTISAN CONGRESS 3RD DISTRICT																
	Registration	Ballots Cast	Turnout (%)		DAN LOGUE	JOHN GARAMENDI											
New Life 1001	695	83	11.94		48	34											
New Life - Vote by Mail	695	149	21.44		78	68											
Edgewater A 1002	603	86	14.26		45	39											
Edgewater A - Vote by Mail	603	169	28.03		88	74											
FRC A 1003	412	51	12.38		28	23											
FRC A - Vote by Mail	412	63	15.29		33	27											
FRC B 1004	773	84	10.87		45	37											
FRC B - Vote by Mail	773	178	23.03		105	71											
FRC C 1005	352	41	11.65		27	13											
FRC C - Vote by Mail	352	80	22.73		38	42											
FRC D 1006	542	69	12.73		37	32											
FRC D - Vote by Mail	542	168	31.00		87	77											
Edgewater B 1007	801	133	16.60		83	49											
Edgewater B - Vote by Mail	801	230	28.71		141	85											
Word of Life A 2001	639	136	21.28		89	46											
Word of Life A - Vote by Mail	639	203	31.77		124	73											
First Pres 2002	756	145	19.18		101	44											
First Pres - Vote by Mail	756	261	34.52		150	107											
Word of Life B 2003	767	92	11.99		59	32											
Word of Life B - Vote by Mail	767	252	32.86		137	109											
Govt Ctr A 2004	744	116	15.59		65	51											
Govt Ctr A - Vote by Mail	744	228	30.65		144	82											
Govt Ctr B 2005	740	120	16.22		69	51											
Govt Ctr B - Vote by Mail	740	184	24.86		84	92											
Cedar Lane 2006	679	64	9.43		37	26											
Cedar Lane - Vote by Mail	679	128	18.85		77	49											
Govt Ctr C 2007	643	102	15.86		47	51											
Govt Ctr C - Vote by Mail	643	195	30.33		105	84											
OPUD 3001	705	112	15.89		55	56											
OPUD - Vote by Mail	705	110	15.60		59	51											
Olivehurst Com Ctr 3002	639	93	14.55		53	40											
Olivehurst Com Ctr - Vote by Mail	639	105	16.43		53	51											
Johnson Park Schl 3003	774	139	17.96		86	49											
Johnson Park Schl - Vote by Mail	774	190	24.55		119	67											
Airport 3004	821	115	14.01		67	46											
Airport - Vote by Mail	821	154	18.76		86	65											
Dan Ave A 3005	889	121	13.61		79	41											
Dan Ave A - Vote by Mail	889	221	24.86		134	85											
Dan Ave B 3006	345	49	14.20		30	19											
Dan Ave B - Vote by Mail	345	108	31.30		77	28											
Rosser 3007	74	0	0.00		0	0											
Rosser - Vote by Mail	74	39	52.70		28	11											
Arboga Schl 3008	466	67	14.38		46	19											
Arboga Schl - Vote by Mail	466	128	27.47		79	46											
Cobblestone Schol 4001	831	120	14.44		68	49											
Cobblestone Schol - Vote by Mail	831	202	24.31		99	99											
RDO Schl A 4002	816	100	12.25		66	31											
RDO Schl A - Vote by Mail	816	226	27.70		150	69											
RDO Schl B 4003	725	81	11.17		52	29											
RDO Schl B - Vote by Mail	725	252	34.76		156	94											
Smartsville 4004	146	0	0.00		0	0											
Smartsville - Vote by Mail	146	68	46.58		53	13											
Beale AFB 4005	104	0	0.00		0	0											
Beale AFB - Vote by Mail	104	20	19.23		10	10											
Wheatland A 4006	768	146	19.01		99	41											
Wheatland A - Vote by Mail	768	228	29.69		152	70											
Wheatland B 4007	710	134	18.87		84	45											
Wheatland B - Vote by Mail	710	233	32.82		133	94											
Wheatland C 4008	717	150	20.92		113	34											
Wheatland C - Vote by Mail	717	235	32.78		164	65											
Riverside Meadows Schl 4009	477	85	17.82		56	29											

YUBA COUNTY Statement of Vote
YUB_20141104_E

100011	NON-PARTISAN CONGRESS 3RD DISTRICT															
	Registration	Ballots Cast	Turnout (%)		DAN LOGUE	JOHN GARAMENDI										
Riverside Meadows Schl - Vote by	477	153	32.08		96	52										
D-OH A 5001	443	109	24.60		66	37										
D-OH A - Vote by Mail	443	175	39.50		90	77										
Challenge 5002	187	0	0.00		0	0										
Challenge - Vote by Mail	187	104	55.61		63	38										
Rackerby 5003	220	0	0.00		0	0										
Rackerby - Vote by Mail	220	115	52.27		71	38										
D-OH B 5004	837	247	29.51		82	146										
D-OH B - Vote by Mail	837	324	38.71		120	186										
Yuba Feather 5005	733	160	21.83		100	56										
Yuba Feather - Vote by Mail	733	331	45.16		215	103										
Johl Station 5006	636	91	14.31		66	25										
Johl Station - Vote by Mail	636	281	44.18		178	96										
Loma Rica A 5007	621	145	23.35		113	30										
Loma Rica A - Vote by Mail	621	225	36.23		168	52										
Loma Rica B 5008	713	170	23.84		123	44										
Loma Rica B - Vote by Mail	713	258	36.19		189	67										
Hallwood 5009	581	132	22.72		117	15										
Hallwood - Vote by Mail	581	209	35.97		167	37										
Calvary A 5010	844	188	22.27		141	44										
Calvary A - Vote by Mail	844	341	40.40		246	88										
Calvary B 5011	805	156	19.38		111	43										
Calvary B - Vote by Mail	805	362	44.97		257	97										
Bible Baptist 5012	588	102	17.35		84	14										
Bible Baptist - Vote by Mail	588	188	31.97		113	71										
Goldfields 5013	179	0	0.00		0	0										
Goldfields - Vote by Mail	179	103	57.54		61	36										
Camptonville 5014	378	44	11.64		14	27										
Camptonville - Vote by Mail	378	167	44.18		73	88										
Precinct Totals	26918	4378	16.26		2751	1537										
Vote by Mail Totals	26918	8343	30.99		5050	3084										
Grand Totals	26918	12721	47.26		7801	4621										
3RD CONGRESSIONAL	26918	12721	47.26		7801	4621										
4TH SENATE	26918	12721	47.26		7801	4621										
3RD ASSEMBLY	26918	12721	47.26		7801	4621										
1ST EQUALIZATION	26918	12721	47.26		7801	4621										
SUPERVISOR - 1ST	4178	1584	37.91		883	671										
SUPERVISOR - 2ND	4968	2226	44.81		1288	897										
SUPERVISOR - 3RD	4713	1751	37.15		1051	674										
SUPERVISOR - 4TH	5294	2433	45.96		1551	824										
SUPERVISOR - 5TH	7765	4727	60.88		3028	1555										
YUBA COUNTY	26918	12721	47.26		7801	4621										
CITY OF MARYSVILLE	4289	2034	47.42		1174	822										
CITY OF WHEATLAND	1478	741	50.14		468	250										
UNINCORPORATED	21151	9946	47.02		6159	3549										
MARYSVILLE LEVEE COMMISSI	4289	2034	47.42		1174	822										

YUBA COUNTY Statement of Vote
YUB_20141104_E

100012	NON-PARTISAN STATE SENATOR 4TH DISTRICT															
	Registration	Ballots Cast	Turnout (%)		JIM NIELSEN	CJ JAWAHAR										
New Life 1001	695	83	11.94		51	30										
New Life - Vote by Mail	695	149	21.44		91	49										
Edgewater A 1002	603	86	14.26		52	29										
Edgewater A - Vote by Mail	603	169	28.03		106	56										
FRC A 1003	412	51	12.38		34	17										
FRC A - Vote by Mail	412	63	15.29		43	17										
FRC B 1004	773	84	10.87		47	35										
FRC B - Vote by Mail	773	178	23.03		129	45										
FRC C 1005	352	41	11.65		28	12										
FRC C - Vote by Mail	352	80	22.73		49	29										
FRC D 1006	542	69	12.73		42	25										
FRC D - Vote by Mail	542	168	31.00		111	52										
Edgewater B 1007	801	133	16.60		90	39										
Edgewater B - Vote by Mail	801	230	28.71		159	64										
Word of Life A 2001	639	136	21.28		96	38										
Word of Life A - Vote by Mail	639	203	31.77		136	59										
First Pres 2002	756	145	19.18		104	34										
First Pres - Vote by Mail	756	261	34.52		186	66										
Word of Life B 2003	767	92	11.99		64	26										
Word of Life B Vote by Mail	767	252	32.86		161	81										
Govt Ctr A 2004	744	116	15.59		74	37										
Govt Ctr A - Vote by Mail	744	228	30.65		160	56										
Govt Ctr B 2005	740	120	16.22		78	37										
Govt Ctr B - Vote by Mail	740	184	24.86		96	82										
Cedar Lane 2006	679	64	9.43		36	24										
Cedar Lane - Vote by Mail	679	128	18.85		89	37										
Govt Ctr C 2007	643	102	15.86		59	39										
Govt Ctr C - Vote by Mail	643	195	30.33		115	68										
OPUD 3001	705	112	15.89		72	38										
OPUD - Vote by Mail	705	110	15.60		72	35										
Olivehurst Com Ctr 3002	639	93	14.55		53	39										
Olivehurst Com Ctr - Vote by Mail	639	105	16.43		59	45										
Johnson Park Schl 3003	774	139	17.96		90	44										
Johnson Park Schl - Vote by Mail	774	190	24.55		131	53										
Airport 3004	821	115	14.01		74	37										
Airport - Vote by Mail	821	154	18.76		102	46										
Dan Ave A 3005	889	121	13.61		88	33										
Dan Ave A - Vote by Mail	889	221	24.86		155	61										
Dan Ave B 3006	345	49	14.20		35	13										
Dan Ave B - Vote by Mail	345	108	31.30		83	22										
Rosser 3007	74	0	0.00		0	0										
Rosser - Vote by Mail	74	39	52.70		35	4										
Arboga Schl 3008	466	67	14.38		51	14										
Arboga Schl - Vote by Mail	466	128	27.47		90	35										
Cobblestone Schol 4001	831	120	14.44		72	39										
Cobblestone Schol - Vote by Mail	831	202	24.31		116	80										
RDO Schl A 4002	816	100	12.25		72	26										
RDO Schl A - Vote by Mail	816	226	27.70		164	52										
RDO Schl B 4003	725	81	11.17		57	20										
RDO Schl B - Vote by Mail	725	252	34.76		169	77										
Smartsville 4004	146	0	0.00		0	0										
Smartsville - Vote by Mail	146	68	46.58		58	10										
Beale AFB 4005	104	0	0.00		0	0										
Beale AFB - Vote by Mail	104	20	19.23		12	7										
Wheatland A 4006	768	146	19.01		109	30										
Wheatland A - Vote by Mail	768	228	29.69		172	47										
Wheatland B 4007	710	134	18.87		93	33										
Wheatland B - Vote by Mail	710	233	32.82		155	70										
Wheatland C 4008	717	150	20.92		119	29										
Wheatland C - Vote by Mail	717	235	32.78		180	41										
Riverside Meadows Schl 4009	477	85	17.82		58	27										

YUBA COUNTY Statement of Vote
YUB_20141104_E

100012	NON-PARTISAN STATE SENATOR 4TH DISTRICT															
	Registration	Ballots Cast	Turnout (%)		JIM NIELSEN	CJ JAWAHAR										
Riverside Meadows Schl - Vote by	477	153	32.08		110	37										
D-OH A 5001	443	109	24.60		69	32										
D-OH A - Vote by Mail	443	175	39.50		103	61										
Challenge 5002	187	0	0.00		0	0										
Challenge - Vote by Mail	187	104	55.61		71	28										
Rackerby 5003	220	0	0.00		0	0										
Rackerby - Vote by Mail	220	115	52.27		79	29										
D-OH B 5004	837	247	29.51		90	130										
D-OH B - Vote by Mail	837	324	38.71		121	166										
Yuba Feather 5005	733	160	21.83		110	44										
Yuba Feather - Vote by Mail	733	331	45.16		228	86										
Johl Station 5006	636	91	14.31		69	19										
Johl Station - Vote by Mail	636	281	44.18		217	48										
Loma Rica A 5007	621	145	23.35		119	23										
Loma Rica A - Vote by Mail	621	225	36.23		187	34										
Loma Rica B 5008	713	170	23.84		129	35										
Loma Rica B - Vote by Mail	713	258	36.19		209	40										
Hallwood 5009	581	132	22.72		120	11										
Hallwood - Vote by Mail	581	209	35.97		181	22										
Calvary A 5010	844	188	22.27		141	41										
Calvary A - Vote by Mail	844	341	40.40		266	69										
Calvary B 5011	805	156	19.38		117	32										
Calvary B - Vote by Mail	805	362	44.97		270	83										
Bible Baptist 5012	588	102	17.35		88	12										
Bible Baptist - Vote by Mail	588	188	31.97		131	51										
Goldfields 5013	179	0	0.00		0	0										
Goldfields - Vote by Mail	179	103	57.54		70	28										
Camptonville 5014	378	44	11.64		14	26										
Camptonville - Vote by Mail	378	167	44.18		75	76										
Precinct Totals	26918	4378	16.26		2964	1249										
Vote by Mail Totals	26918	8343	30.99		5702	2304										
Grand Totals	26918	12721	47.26		8666	3553										
3RD CONGRESSIONAL	26918	12721	47.26		8666	3553										
4TH SENATE	26918	12721	47.26		8666	3553										
3RD ASSEMBLY	26918	12721	47.26		8666	3553										
1ST EQUALIZATION	26918	12721	47.26		8666	3553										
SUPERVISOR - 1ST	4178	1584	37.91		1032	499										
SUPERVISOR - 2ND	4968	2226	44.81		1454	684										
SUPERVISOR - 3RD	4713	1751	37.15		1190	519										
SUPERVISOR - 4TH	5294	2433	45.96		1716	625										
SUPERVISOR - 5TH	7765	4727	60.88		3274	1226										
YUBA COUNTY	26918	12721	47.26		8666	3553										
CITY OF MARYSVILLE	4289	2034	47.42		1329	623										
CITY OF WHEATLAND	1478	741	50.14		529	180										
UNINCORPORATED	21151	9946	47.02		6808	2750										
MARYSVILLE LEVEE COMMISSI	4289	2034	47.42		1329	623										

YUBA COUNTY Statement of Vote
YUB_20141104_E

100013	NON-PARTISAN STATE ASSEMBLY 3RD DISTRICT																
	Registration	Ballots Cast	Turnout (%)		JIM REED	JAMES GALLAGHER											
New Life 1001	695	83	11.94		36	46											
New Life - Vote by Mail	695	149	21.44		60	84											
Edgewater A 1002	603	86	14.26		35	48											
Edgewater A - Vote by Mail	603	169	28.03		58	102											
FRC A 1003	412	51	12.38		22	29											
FRC A - Vote by Mail	412	63	15.29		21	38											
FRC B 1004	773	84	10.87		38	42											
FRC B - Vote by Mail	773	178	23.03		56	118											
FRC C 1005	352	41	11.65		9	30											
FRC C - Vote by Mail	352	80	22.73		35	44											
FRC D 1006	542	69	12.73		27	38											
FRC D - Vote by Mail	542	168	31.00		64	98											
Edgewater B 1007	801	133	16.60		44	85											
Edgewater B - Vote by Mail	801	230	28.71		72	154											
Word of Life A 2001	639	136	21.28		44	87											
Word of Life A - Vote by Mail	639	203	31.77		63	134											
First Pres 2002	756	145	19.18		43	98											
First Pres - Vote by Mail	756	261	34.52		88	165											
Word of Life B 2003	767	92	11.99		33	58											
Word of Life B - Vote by Mail	767	252	32.86		93	154											
Govt Ctr A 2004	744	116	15.59		47	69											
Govt Ctr A - Vote by Mail	744	228	30.65		63	156											
Govt Ctr B 2005	740	120	16.22		41	75											
Govt Ctr B - Vote by Mail	740	184	24.86		91	87											
Cedar Lane 2006	679	64	9.43		24	38											
Cedar Lane - Vote by Mail	679	128	18.85		44	81											
Govt Ctr C 2007	643	102	15.86		46	51											
Govt Ctr C - Vote by Mail	643	195	30.33		72	116											
OPUD 3001	705	112	15.89		40	71											
OPUD - Vote by Mail	705	110	15.60		43	66											
Olivehurst Com Ctr 3002	639	93	14.55		44	47											
Olivehurst Com Ctr - Vote by Mail	639	105	16.43		47	58											
Johnson Park Schl 3003	774	139	17.96		48	85											
Johnson Park Schl - Vote by Mail	774	190	24.55		65	122											
Airport 3004	821	115	14.01		40	71											
Airport - Vote by Mail	821	154	18.76		58	93											
Dan Ave A 3005	889	121	13.61		38	82											
Dan Ave A - Vote by Mail	889	221	24.86		68	149											
Dan Ave B 3006	345	49	14.20		13	32											
Dan Ave B - Vote by Mail	345	108	31.30		24	82											
Rosser 3007	74	0	0.00		0	0											
Rosser - Vote by Mail	74	39	52.70		5	33											
Arboga Schl 3008	466	67	14.38		14	52											
Arboga Schl - Vote by Mail	466	128	27.47		37	90											
Cobblestone Schol 4001	831	120	14.44		41	75											
Cobblestone Schol - Vote by Mail	831	202	24.31		90	108											
RDO Schl A 4002	816	100	12.25		30	67											
RDO Schl A - Vote by Mail	816	226	27.70		61	157											
RDO Schl B 4003	725	81	11.17		20	59											
RDO Schl B - Vote by Mail	725	252	34.76		82	168											
Smartsville 4004	146	0	0.00		0	0											
Smartsville - Vote by Mail	146	68	46.58		11	54											
Beale AFB 4005	104	0	0.00		0	0											
Beale AFB - Vote by Mail	104	20	19.23		8	12											
Wheatland A 4006	768	146	19.01		32	109											
Wheatland A - Vote by Mail	768	228	29.69		49	173											
Wheatland B 4007	710	134	18.87		33	96											
Wheatland B - Vote by Mail	710	233	32.82		73	154											
Wheatland C 4008	717	150	20.92		28	120											
Wheatland C - Vote by Mail	717	235	32.78		45	181											
Riverside Meadows Schl 4009	477	85	17.82		28	57											

YUBA COUNTY Statement of Vote
YUB_20141104_E

100013	NON-PARTISAN STATE ASSEMBLY 3RD DISTRICT															
	Registration	Ballots Cast	Turnout (%)		JIM REED	JAMES GALLAGHER										
Riverside Meadows Schl - Vote by	477	153	32.08		43	104										
D-OH A 5001	443	109	24.60		33	68										
D-OH A - Vote by Mail	443	175	39.50		65	98										
Challenge 5002	187	0	0.00		0	0										
Challenge - Vote by Mail	187	104	55.61		35	66										
Rackerby 5003	220	0	0.00		0	0										
Rackerby - Vote by Mail	220	115	52.27		34	75										
D-OH B 5004	837	247	29.51		140	85										
D-OH B - Vote by Mail	837	324	38.71		178	118										
Yuba Feather 5005	733	160	21.83		43	110										
Yuba Feather - Vote by Mail	733	331	45.16		92	226										
Johl Station 5006	636	91	14.31		20	68										
Johl Station - Vote by Mail	636	281	44.18		58	211										
Loma Rica A 5007	621	145	23.35		31	112										
Loma Rica A - Vote by Mail	621	225	36.23		40	181										
Loma Rica B 5008	713	170	23.84		43	122										
Loma Rica B - Vote by Mail	713	258	36.19		56	195										
Hallwood 5009	581	132	22.72		11	118										
Hallwood - Vote by Mail	581	209	35.97		34	168										
Calvary A 5010	844	188	22.27		48	134										
Calvary A - Vote by Mail	844	341	40.40		72	258										
Calvary B 5011	805	156	19.38		36	112										
Calvary B - Vote by Mail	805	362	44.97		102	250										
Bible Baptist 5012	588	102	17.35		11	89										
Bible Baptist - Vote by Mail	588	188	31.97		55	127										
Goldfields 5013	179	0	0.00		0	0										
Goldfields - Vote by Mail	179	103	57.54		34	63										
Camptonville 5014	378	44	11.64		25	15										
Camptonville - Vote by Mail	378	167	44.18		82	73										
Precinct Totals	26918	4378	16.26		1379	2850										
Vote by Mail Totals	26918	8343	30.99		2626	5444										
Grand Totals	26918	12721	47.26		4005	8294										
3RD CONGRESSIONAL	26918	12721	47.26		4005	8294										
4TH SENATE	26918	12721	47.26		4005	8294										
3RD ASSEMBLY	26918	12721	47.26		4005	8294										
1ST EQUALIZATION	26918	12721	47.26		4005	8294										
SUPERVISOR - 1ST	4178	1584	37.91		577	956										
SUPERVISOR - 2ND	4968	2226	44.81		792	1369										
SUPERVISOR - 3RD	4713	1751	37.15		584	1133										
SUPERVISOR - 4TH	5294	2433	45.96		674	1694										
SUPERVISOR - 5TH	7765	4727	60.88		1378	3142										
YUBA COUNTY	26918	12721	47.26		4005	8294										
CITY OF MARYSVILLE	4289	2034	47.42		724	1250										
CITY OF WHEATLAND	1478	741	50.14		187	532										
UNINCORPORATED	21151	9946	47.02		3094	6512										
MARYSVILLE LEVEE COMMISSI	4289	2034	47.42		724	1250										

YUBA COUNTY Statement of Vote
YUB_20141104_E

140014	CALIFORNIA															
	Registration	Ballots Cast	Turnout (%)		SUPREME COURT - LIU YES	NO		SUPREME COURT - CUÉLLAR YES	NO		SUPREME COURT - WERDEGAR YES	NO				
New Life 1001	695	83	11.94		42	29		37	37		40	34				
New Life - Vote by Mail	695	149	21.44		77	52		69	59		83	42				
Edgewater A 1002	603	86	14.26		45	28		47	26		45	25				
Edgewater A - Vote by Mail	603	169	28.03		86	48		85	51		95	39				
FRC A 1003	412	51	12.38		25	18		26	18		29	15				
FRC A - Vote by Mail	412	63	15.29		30	23		30	24		34	20				
FRC B 1004	773	84	10.87		37	35		50	27		53	22				
FRC B - Vote by Mail	773	178	23.03		96	57		92	65		109	45				
FRC C 1005	352	41	11.65		23	12		14	21		23	14				
FRC C - Vote by Mail	352	80	22.73		41	24		40	28		43	24				
FRC D 1006	542	69	12.73		41	19		35	24		43	14				
FRC D - Vote by Mail	542	168	31.00		90	52		88	57		101	41				
Edgewater B 1007	801	133	16.60		52	53		55	53		60	43				
Edgewater B - Vote by Mail	801	230	28.71		99	79		104	86		126	56				
Word of Life A 2001	639	136	21.28		59	52		49	61		65	44				
Word of Life A - Vote by Mail	639	203	31.77		96	66		84	82		106	57				
First Pres 2002	756	145	19.18		59	58		67	53		71	44				
First Pres - Vote by Mail	756	261	34.52		142	46		129	61		148	37				
Word of Life B 2003	767	92	11.99		42	38		49	35		53	29				
Word of Life B - Vote by Mail	767	252	32.86		114	80		108	87		131	63				
Govt Ctr A 2004	744	116	15.59		56	38		50	43		61	31				
Govt Ctr A - Vote by Mail	744	228	30.65		86	80		80	90		109	61				
Govt Ctr B 2005	740	120	16.22		49	46		55	43		63	33				
Govt Ctr B - Vote by Mail	740	184	24.86		95	40		94	44		103	32				
Cedar Lane 2006	679	64	9.43		34	19		33	20		32	20				
Cedar Lane - Vote by Mail	679	128	18.85		59	48		57	53		76	30				
Govt Ctr C 2007	643	102	15.86		54	32		51	37		55	31				
Govt Ctr C - Vote by Mail	643	195	30.33		91	48		85	60		108	30				
OPUD 3001	705	112	15.89		55	38		51	42		59	35				
OPUD - Vote by Mail	705	110	15.60		57	37		53	42		69	29				
Olivehurst Com Ctr 3002	639	93	14.55		43	31		38	37		47	24				
Olivehurst Com Ctr - Vote by Mail	639	105	16.43		58	33		57	40		59	32				
Johnson Park Schl 3003	774	139	17.96		61	59		59	61		66	51				
Johnson Park Schl - Vote by Mail	774	190	24.55		95	67		96	68		121	43				
Airport 3004	821	115	14.01		57	46		52	54		58	48				
Airport - Vote by Mail	821	154	18.76		62	59		65	58		76	46				
Dan Ave A 3005	889	121	13.61		51	54		58	49		62	43				
Dan Ave A - Vote by Mail	889	221	24.86		97	79		91	87		107	66				
Dan Ave B 3006	345	49	14.20		23	18		25	17		25	17				
Dan Ave B - Vote by Mail	345	108	31.30		34	48		35	55		53	35				
Rosser 3007	74	0	0.00		0	0		0	0		0	0				
Rosser - Vote by Mail	74	39	52.70		10	14		8	16		13	9				
Arboga Schl 3008	466	67	14.38		24	34		30	32		37	24				
Arboga Schl - Vote by Mail	466	128	27.47		59	44		63	43		66	37				
Cobblestone Schol 4001	831	120	14.44		65	23		60	27		67	20				
Cobblestone Schol - Vote by Mail	831	202	24.31		80	62		93	56		99	45				
RDO Schl A 4002	816	100	12.25		52	34		54	30		62	21				
RDO Schl A - Vote by Mail	816	226	27.70		74	81		81	79		94	62				
RDO Schl B 4003	725	81	11.17		37	26		34	28		37	23				
RDO Schl B - Vote by Mail	725	252	34.76		114	90		112	96		129	79				
Smartsville 4004	146	0	0.00		0	0		0	0		0	0				
Smartsville - Vote by Mail	146	68	46.58		27	24		21	30		25	26				
Beale AFB 4005	104	0	0.00		0	0		0	0		0	0				
Beale AFB - Vote by Mail	104	20	19.23		11	5		12	5		13	3				
Wheatland A 4006	768	146	19.01		75	44		68	50		77	35				
Wheatland A - Vote by Mail	768	228	29.69		98	88		98	92		121	65				
Wheatland B 4007	710	134	18.87		66	39		59	50		68	40				
Wheatland B - Vote by Mail	710	233	32.82		123	60		107	76		129	52				
Wheatland C 4008	717	150	20.92		53	58		48	64		56	56				
Wheatland C - Vote by Mail	717	235	32.78		90	84		83	91		112	59				
Riverside Meadows Schl 4009	477	85	17.82		48	21		48	22		53	16				

YUBA COUNTY Statement of Vote
YUB_20141104_E

140014	CALIFORNIA															
	Registration	Ballots Cast	Turnout (%)		SUPREME COURT - LIU YES	NO		SUPREME COURT - CUÉLLAR YES	NO		SUPREME COURT - WERDEGAR YES	NO				
Riverside Meadows Schl - Vote by	477	153	32.08		67	57		76	52		81	43				
D-OH A 5001	443	109	24.60		38	41		30	47		40	36				
D-OH A - Vote by Mail	443	175	39.50		79	54		74	61		97	36				
Challenge 5002	187	0	0.00		0	0		0	0		0	0				
Challenge - Vote by Mail	187	104	55.61		28	45		27	50		35	42				
Rackerby 5003	220	0	0.00		0	0		0	0		0	0				
Rackerby - Vote by Mail	220	115	52.27		42	39		45	42		53	31				
D-OH B 5004	837	247	29.51		112	37		120	30		109	35				
D-OH B - Vote by Mail	837	324	38.71		139	65		132	79		150	55				
Yuba Feather 5005	733	160	21.83		69	62		65	64		71	55				
Yuba Feather - Vote by Mail	733	331	45.16		130	115		119	128		164	77				
Johl Station 5006	636	91	14.31		38	31		38	31		44	24				
Johl Station - Vote by Mail	636	281	44.18		101	88		99	95		116	71				
Loma Rica A 5007	621	145	23.35		61	52		52	58		64	42				
Loma Rica A - Vote by Mail	621	225	36.23		69	98		69	104		96	71				
Loma Rica B 5008	713	170	23.84		74	58		66	72		80	52				
Loma Rica B - Vote by Mail	713	258	36.19		93	99		84	107		114	70				
Hallwood 5009	581	132	22.72		39	67		34	71		48	56				
Hallwood - Vote by Mail	581	209	35.97		56	96		53	102		80	74				
Calvary A 5010	844	188	22.27		65	75		63	80		77	64				
Calvary A - Vote by Mail	844	341	40.40		113	125		104	145		150	92				
Calvary B 5011	805	156	19.38		62	50		57	58		70	43				
Calvary B - Vote by Mail	805	362	44.97		105	141		105	147		141	107				
Bible Baptist 5012	588	102	17.35		44	47		44	49		57	36				
Bible Baptist - Vote by Mail	588	188	31.97		69	77		73	77		90	56				
Goldfields 5013	179	0	0.00		0	0		0	0		0	0				
Goldfields - Vote by Mail	179	103	57.54		47	29		42	33		45	26				
Camptonville 5014	378	44	11.64		14	14		15	14		17	12				
Camptonville - Vote by Mail	378	167	44.18		71	41		70	42		75	34				
Precinct Totals	26918	4378	16.26		1944	1536		1886	1635		2144	1307				
Vote by Mail Totals	26918	8343	30.99		3500	2787		3392	3045		4145	2150				
Grand Totals	26918	12721	47.26		5444	4323		5278	4680		6289	3457				
3RD CONGRESSIONAL	26918	12721	47.26		5444	4323		5278	4680		6289	3457				
4TH SENATE	26918	12721	47.26		5444	4323		5278	4680		6289	3457				
3RD ASSEMBLY	26918	12721	47.26		5444	4323		5278	4680		6289	3457				
1ST EQUALIZATION	26918	12721	47.26		5444	4323		5278	4680		6289	3457				
SUPERVISOR - 1ST	4178	1584	37.91		784	529		772	576		884	434				
SUPERVISOR - 2ND	4968	2226	44.81		1036	691		991	769		1181	542				
SUPERVISOR - 3RD	4713	1751	37.15		786	661		781	701		918	539				
SUPERVISOR - 4TH	5294	2433	45.96		1080	796		1054	848		1223	645				
SUPERVISOR - 5TH	7765	4727	60.88		1758	1646		1680	1786		2083	1297				
YUBA COUNTY	26918	12721	47.26		5444	4323		5278	4680		6289	3457				
CITY OF MARYSVILLE	4289	2034	47.42		943	624		901	696		1073	492				
CITY OF WHEATLAND	1478	741	50.14		362	231		332	268		395	192				
UNINCORPORATED	21151	9946	47.02		4139	3468		4045	3716		4821	2773				
MARYSVILLE LEVEE COMMISSI	4289	2034	47.42		943	624		901	696		1073	492				

YUBA COUNTY Statement of Vote
YUB_20141104_E

140017	3RD APPELLATE														
	Registration	Ballots Cast	Turnout (%)	COURT OF APPEALS 3 - RAY YES	NO	COURT OF APPEALS 3 - HOCH YES	NO	COURT OF APPEALS 3 - ROBIE YES	NO	COURT OF APPEALS 3 - RENNER YES	NO
New Life 1001	695	83	11.94	41	31	42	31	38	35	37	36
New Life - Vote by Mail	695	149	21.44	83	43	87	40	77	49	72	53
Edgewater A 1002	603	86	14.26	48	22	49	22	42	25	48	21
Edgewater A - Vote by Mail	603	169	28.03	93	42	98	37	83	49	77	54
FRC A 1003	412	51	12.38	22	23	28	16	23	22	21	21
FRC A - Vote by Mail	412	63	15.29	32	20	28	25	30	21	29	23
FRC B 1004	773	84	10.87	46	28	54	21	45	29	47	28
FRC B - Vote by Mail	773	178	23.03	110	42	114	39	105	44	112	42
FRC C 1005	352	41	11.65	20	17	24	13	20	16	21	14
FRC C - Vote by Mail	352	80	22.73	46	22	41	26	44	22	44	21
FRC D 1006	542	69	12.73	44	15	43	15	42	16	35	23
FRC D - Vote by Mail	542	168	31.00	97	42	94	44	93	45	90	46
Edgewater B 1007	801	133	16.60	65	37	60	41	55	46	54	46
Edgewater B - Vote by Mail	801	230	28.71	116	63	119	58	118	59	110	65
Word of Life A 2001	639	136	21.28	66	39	64	43	66	40	56	48
Word of Life A - Vote by Mail	639	203	31.77	105	58	119	43	106	53	99	63
First Pres 2002	756	145	19.18	65	48	69	45	72	39	63	51
First Pres - Vote by Mail	756	261	34.52	149	33	143	40	139	44	133	46
Word of Life B 2003	767	92	11.99	55	26	53	29	45	34	52	27
Word of Life B - Vote by Mail	767	252	32.86	128	62	132	61	118	76	109	83
Govt Ctr A 2004	744	116	15.59	54	34	56	33	53	35	45	44
Govt Ctr A - Vote by Mail	744	228	30.65	108	58	106	59	100	62	95	66
Govt Ctr B 2005	740	120	16.22	64	29	63	32	60	33	51	43
Govt Ctr B - Vote by Mail	740	184	24.86	100	33	108	28	99	34	90	42
Cedar Lane 2006	679	64	9.43	34	19	33	20	29	22	36	16
Cedar Lane - Vote by Mail	679	128	18.85	64	41	76	29	67	37	56	49
Govt Ctr C 2007	643	102	15.86	49	36	55	29	50	35	50	36
Govt Ctr C - Vote by Mail	643	195	30.33	97	41	98	38	106	33	85	52
OPUD 3001	705	112	15.89	56	36	59	33	58	32	62	29
OPUD - Vote by Mail	705	110	15.60	63	33	65	30	57	38	53	40
Olivehurst Com Ctr 3002	639	93	14.55	45	27	49	23	45	26	44	28
Olivehurst Com Ctr - Vote by Mail	639	105	16.43	61	31	64	28	63	28	56	36
Johnson Park Schl 3003	774	139	17.96	62	54	60	54	49	62	53	58
Johnson Park Schl - Vote by Mail	774	190	24.55	121	41	124	37	110	50	104	55
Airport 3004	821	115	14.01	59	45	56	48	58	44	53	50
Airport - Vote by Mail	821	154	18.76	67	54	72	50	66	55	61	59
Dan Ave A 3005	889	121	13.61	63	40	61	41	57	40	60	39
Dan Ave A - Vote by Mail	889	221	24.86	103	71	109	63	99	73	89	84
Dan Ave B 3006	345	49	14.20	25	16	25	16	21	18	24	16
Dan Ave B - Vote by Mail	345	108	31.30	48	39	56	30	52	35	49	38
Rosser 3007	74	0	0.00	0	0	0	0	0	0	0	0
Rosser - Vote by Mail	74	39	52.70	13	10	12	10	5	16	9	13
Arboga Schl 3008	466	67	14.38	34	26	35	26	28	32	33	28
Arboga Schl - Vote by Mail	466	128	27.47	67	37	70	34	67	38	64	41
Cobblestone Schol 4001	831	120	14.44	65	21	67	20	62	24	63	24
Cobblestone Schol - Vote by Mail	831	202	24.31	93	51	104	41	94	49	90	55
RDO Schl A 4002	816	100	12.25	61	24	62	22	52	32	46	37
RDO Schl A - Vote by Mail	816	226	27.70	104	51	107	49	96	60	89	67
RDO Schl B 4003	725	81	11.17	35	22	38	20	32	25	30	25
RDO Schl B - Vote by Mail	725	252	34.76	136	66	145	56	143	56	111	87
Smartsville 4004	146	0	0.00	0	0	0	0	0	0	0	0
Smartsville - Vote by Mail	146	68	46.58	27	23	26	25	26	24	22	28
Beale AFB 4005	104	0	0.00	0	0	0	0	0	0	0	0
Beale AFB - Vote by Mail	104	20	19.23	12	4	14	2	11	3	10	5
Wheatland A 4006	768	146	19.01	74	37	73	39	76	36	74	39
Wheatland A - Vote by Mail	768	228	29.69	124	64	134	51	127	58	120	67
Wheatland B 4007	710	134	18.87	65	40	72	34	68	36	65	39
Wheatland B - Vote by Mail	710	233	32.82	127	54	125	57	115	65	117	63
Wheatland C 4008	717	150	20.92	59	52	57	52	54	56	48	61
Wheatland C - Vote by Mail	717	235	32.78	112	58	106	64	104	63	100	69
Riverside Meadows Schl 4009	477	85	17.82	54	14	55	13	52	16	46	22

YUBA COUNTY Statement of Vote
YUB_20141104_E

140017	3RD APPELLATE																	
	Registration	Ballots Cast	Turnout (%)		COURT OF APPEALS 3 - RAY YES	NO		COURT OF APPEALS 3 - HOCH YES	NO		COURT OF APPEALS 3 - ROBIE YES	NO		COURT OF APPEALS 3 - RENNER YES	NO	
Riverside Meadows Schl - Vote by	477	153	32.08		76	43		81	38		79	42		78	42	
D-OH A 5001	443	109	24.60		47	30		42	32		46	30		39	36	
D-OH A - Vote by Mail	443	175	39.50		88	44		97	36		77	53		75	57	
Challenge 5002	187	0	0.00		0	0		0	0		0	0		0	0	
Challenge - Vote by Mail	187	104	55.61		36	42		34	41		37	38		30	45	
Rackerby 5003	220	0	0.00		0	0		0	0		0	0		0	0	
Rackerby - Vote by Mail	220	115	52.27		58	24		58	23		57	25		57	25	
D-OH B 5004	837	247	29.51		98	36		111	23		93	38		98	34	
D-OH B - Vote by Mail	837	324	38.71		143	52		155	46		137	60		122	72	
Yuba Feather 5005	733	160	21.83		76	50		66	58		74	50		70	55	
Yuba Feather - Vote by Mail	733	331	45.16		152	87		161	81		136	101		136	101	
Johl Station 5006	636	91	14.31		43	24		44	22		47	19		41	26	
Johl Station - Vote by Mail	636	281	44.18		114	67		132	51		118	61		109	74	
Loma Rica A 5007	621	145	23.35		63	42		61	44		64	41		56	50	
Loma Rica A - Vote by Mail	621	225	36.23		107	55		110	56		100	63		85	80	
Loma Rica B 5008	713	170	23.84		80	50		87	43		79	49		80	49	
Loma Rica B - Vote by Mail	713	258	36.19		112	67		119	61		105	72		101	81	
Hallwood 5009	581	132	22.72		52	50		43	60		49	52		41	61	
Hallwood - Vote by Mail	581	209	35.97		77	73		83	68		78	72		68	82	
Calvary A 5010	844	188	22.27		83	49		77	59		80	54		71	63	
Calvary A - Vote by Mail	844	341	40.40		138	99		137	99		135	98		117	118	
Calvary B 5011	805	156	19.38		75	35		71	41		70	41		63	48	
Calvary B - Vote by Mail	805	362	44.97		146	96		149	94		131	109		114	124	
Bible Baptist 5012	588	102	17.35		57	35		57	34		62	29		51	39	
Bible Baptist - Vote by Mail	588	188	31.97		88	59		91	55		90	56		78	68	
Goldfields 5013	179	0	0.00		0	0		0	0		0	0		0	0	
Goldfields - Vote by Mail	179	103	57.54		41	28		42	27		43	26		40	27	
Camptonville 5014	378	44	11.64		17	10		15	13		15	11		18	9	
Camptonville - Vote by Mail	378	167	44.18		68	30		63	34		61	35		61	36	
Precinct Totals	26918	4378	16.26		2121	1269		2136	1260		2031	1320		1945	1419	
Vote by Mail Totals	26918	8343	30.99		4050	2153		4208	2004		3904	2250		3616	2544	
Grand Totals	26918	12721	47.26		6171	3422		6344	3264		5935	3570		5561	3963	
3RD CONGRESSIONAL	26918	12721	47.26		6171	3422		6344	3264		5935	3570		5561	3963	
4TH SENATE	26918	12721	47.26		6171	3422		6344	3264		5935	3570		5561	3963	
3RD ASSEMBLY	26918	12721	47.26		6171	3422		6344	3264		5935	3570		5561	3963	
1ST EQUALIZATION	26918	12721	47.26		6171	3422		6344	3264		5935	3570		5561	3963	
SUPERVISOR - 1ST	4178	1584	37.91		863	447		881	428		815	478		797	493	
SUPERVISOR - 2ND	4968	2226	44.81		1138	557		1175	529		1110	577		1020	666	
SUPERVISOR - 3RD	4713	1751	37.15		887	560		917	523		835	587		814	614	
SUPERVISOR - 4TH	5294	2433	45.96		1224	624		1266	583		1191	645		1109	730	
SUPERVISOR - 5TH	7765	4727	60.88		2059	1234		2105	1201		1984	1283		1821	1460	
YUBA COUNTY	26918	12721	47.26		6171	3422		6344	3264		5935	3570		5561	3963	
CITY OF MARYSVILLE	4289	2034	47.42		1040	497		1066	480		1014	518		928	601	
CITY OF WHEATLAND	1478	741	50.14		390	195		404	181		386	195		376	208	
UNINCORPORATED	21151	9946	47.02		4741	2730		4874	2603		4535	2857		4257	3154	
MARYSVILLE LEVEE COMMISSI	4289	2034	47.42		1040	497		1066	480		1014	518		928	601	

YUBA COUNTY Statement of Vote
YUB_20141104_E

140021	3RD APPELLATE															
	Registration	Ballots Cast	Turnout (%)		COURT OF APPEALS 3 - MURRAY YES	NO		COURT OF APPEALS 3 - MAURO YES	NO		COURT OF APPEALS 3 - DUARTE YES	NO				
New Life 1001	695	83	11.94		42	30		38	33		39	34				
New Life - Vote by Mail	695	149	21.44		93	33		82	45		82	41				
Edgewater A 1002	603	86	14.26		46	22		44	24		43	25				
Edgewater A - Vote by Mail	603	169	28.03		97	35		88	45		89	44				
FRC A 1003	412	51	12.38		23	21		24	20		27	16				
FRC A - Vote by Mail	412	63	15.29		32	21		30	20		26	23				
FRC B 1004	773	84	10.87		52	22		45	30		51	25				
FRC B - Vote by Mail	773	176	23.03		108	43		82	67		99	48				
FRC C 1005	352	41	11.65		21	15		19	15		23	11				
FRC C - Vote by Mail	352	80	22.73		39	28		33	32		39	24				
FRC D 1006	542	69	12.73		46	12		38	22		35	23				
FRC D - Vote by Mail	542	168	31.00		97	41		85	52		92	43				
Edgewater B 1007	801	133	16.60		64	37		63	39		56	47				
Edgewater B - Vote by Mail	801	230	28.71		118	56		105	72		108	71				
Word of Life A 2001	639	136	21.28		77	30		60	44		57	44				
Word of Life A - Vote by Mail	639	203	31.77		109	52		83	77		85	76				
First Pres 2002	756	145	19.18		72	42		65	43		66	42				
First Pres - Vote by Mail	756	261	34.52		147	36		121	59		138	43				
Word of Life B 2003	767	92	11.99		54	26		44	36		44	35				
Word of Life B - Vote by Mail	767	252	32.86		133	62		112	75		115	73				
Govt Ctr A 2004	744	116	15.59		56	35		51	40		48	44				
Govt Ctr A - Vote by Mail	744	228	30.65		109	55		89	73		95	65				
Govt Ctr B 2005	740	120	16.22		68	27		59	34		58	37				
Govt Ctr B - Vote by Mail	740	184	24.86		97	34		89	43		94	41				
Cedar Lane 2006	679	64	9.43		34	18		31	22		34	18				
Cedar Lane - Vote by Mail	679	128	18.85		74	31		71	35		62	43				
Govt Ctr C 2007	643	102	15.86		53	32		46	40		54	32				
Govt Ctr C - Vote by Mail	643	195	30.33		106	31		86	51		79	54				
OPUD 3001	705	112	15.89		60	32		50	40		49	39				
OPUD - Vote by Mail	705	110	15.60		65	29		56	42		62	35				
Olivehurst Com Ctr 3002	639	93	14.55		47	25		41	32		41	27				
Olivehurst Com Ctr - Vote by Mail	639	105	16.43		62	29		55	38		56	36				
Johnson Park Schl 3003	774	139	17.96		57	55		51	60		53	57				
Johnson Park Schl - Vote by Mail	774	190	24.55		121	38		103	54		103	56				
Airport 3004	821	115	14.01		61	43		56	46		48	54				
Airport - Vote by Mail	821	154	18.76		72	49		60	60		65	54				
Dan Ave A 3005	889	121	13.61		63	38		48	54		55	46				
Dan Ave A - Vote by Mail	889	221	24.86		110	65		98	75		102	71				
Dan Ave B 3006	345	49	14.20		26	14		18	23		23	17				
Dan Ave B - Vote by Mail	345	108	31.30		51	37		35	50		43	43				
Rosser 3007	74	0	0.00		0	0		0	0		0	0				
Rosser - Vote by Mail	74	39	52.70		10	12		6	15		10	11				
Arboga Schl 3008	466	67	14.38		35	24		29	31		28	32				
Arboga Schl - Vote by Mail	466	128	27.47		72	33		61	43		62	41				
Cobblestone Schol 4001	831	120	14.44		66	21		63	23		61	24				
Cobblestone Schol - Vote by Mail	831	202	24.31		101	43		90	50		100	43				
RDO Schl A 4002	816	100	12.25		55	28		54	30		48	33				
RDO Schl A - Vote by Mail	816	226	27.70		103	51		85	64		82	64				
RDO Schl B 4003	725	81	11.17		36	20		31	27		33	26				
RDO Schl B - Vote by Mail	725	252	34.76		138	61		115	78		114	79				
Smartsville 4004	146	0	0.00		0	0		0	0		0	0				
Smartsville - Vote by Mail	146	68	46.58		26	24		22	28		22	29				
Beale AFB 4005	104	0	0.00		0	0		0	0		0	0				
Beale AFB - Vote by Mail	104	20	19.23		13	2		13	2		10	4				
Wheatland A 4006	768	146	19.01		74	38		73	40		73	41				
Wheatland A - Vote by Mail	768	228	29.69		126	60		105	73		104	73				
Wheatland B 4007	710	134	18.87		71	34		60	44		62	42				
Wheatland B - Vote by Mail	710	233	32.82		122	57		110	67		119	58				
Wheatland C 4008	717	150	20.92		56	51		56	51		52	55				
Wheatland C - Vote by Mail	717	235	32.78		107	62		88	78		90	74				
Riverside Meadows Schl 4009	477	85	17.82		59	9		49	18		49	19				

YUBA COUNTY Statement of Vote
YUB_20141104_E

140021	3RD APPELLATE															
	Registration	Ballots Cast	Turnout (%)	COURT OF APPEALS 3 - MURRAY YES	NO		COURT OF APPEALS 3 - MAURO YES	NO		COURT OF APPEALS 3 - DUARTE YES	NO				
Riverside Meadows Schl - Vote by	477	153	32.08	86	34		73	44		70	47				
D-OH A 5001	443	109	24.60	43	33		41	35		36	40				
D-OH A - Vote by Mail	443	175	39.50	92	40		72	55		78	47				
Challenge 5002	187	0	0.00	0	0		0	0		0	0				
Challenge - Vote by Mail	187	104	55.61	39	37		32	44		26	50				
Rackerby 5003	220	0	0.00	0	0		0	0		0	0				
Rackerby - Vote by Mail	220	115	52.27	58	23		46	33		47	34				
D-OH B 5004	837	247	29.51	109	25		95	38		102	35				
D-OH B - Vote by Mail	837	324	38.71	138	57		123	68		140	58				
Yuba Feather 5005	733	160	21.83	75	50		67	58		61	61				
Yuba Feather - Vote by Mail	733	331	45.16	143	95		127	110		136	101				
Johl Station 5006	636	91	14.31	46	20		40	24		35	30				
Johl Station - Vote by Mail	636	281	44.18	123	59		101	80		103	73				
Loma Rica A 5007	621	145	23.35	64	41		55	48		57	46				
Loma Rica A - Vote by Mail	621	225	36.23	105	59		81	75		75	85				
Loma Rica B 5008	713	170	23.84	80	49		71	56		67	59				
Loma Rica B - Vote by Mail	713	258	36.19	116	64		100	80		97	78				
Hallwood 5009	581	132	22.72	52	50		40	59		33	68				
Hallwood - Vote by Mail	581	209	35.97	87	63		65	82		56	93				
Calvary A 5010	844	188	22.27	82	52		70	64		62	73				
Calvary A - Vote by Mail	844	341	40.40	139	96		121	115		127	109				
Calvary B 5011	805	156	19.38	71	40		60	51		62	49				
Calvary B - Vote by Mail	805	362	44.97	139	101		129	113		127	114				
Bible Baptist 5012	588	102	17.35	63	27		48	43		45	44				
Bible Baptist - Vote by Mail	588	188	31.97	95	57		68	73		70	72				
Goldfields 5013	179	0	0.00	0	0		0	0		0	0				
Goldfields - Vote by Mail	179	103	57.54	41	28		36	29		38	25				
Camptonville 5014	378	44	11.64	17	10		14	12		15	12				
Camptonville - Vote by Mail	378	167	44.18	59	36		56	36		59	35				
Precinct Totals	26918	4378	16.26	2176	1198		1907	1449		1885	1462				
Vote by Mail Totals	26918	8343	30.99	4118	2059		3488	2600		3596	2481				
Grand Totals	26918	12721	47.26	6294	3257		5395	4049		5481	3943				
3RD CONGRESSIONAL	26918	12721	47.26	6294	3257		5395	4049		5481	3943				
4TH SENATE	26918	12721	47.26	6294	3257		5395	4049		5481	3943				
3RD ASSEMBLY	26918	12721	47.26	6294	3257		5395	4049		5481	3943				
1ST EQUALIZATION	26918	12721	47.26	6294	3257		5395	4049		5481	3943				
SUPERVISOR - 1ST	4178	1584	37.91	878	416		776	516		809	475				
SUPERVISOR - 2ND	4968	2226	44.81	1189	511		1007	672		1029	647				
SUPERVISOR - 3RD	4713	1751	37.15	912	523		767	663		800	619				
SUPERVISOR - 4TH	5294	2433	45.96	1239	595		1087	717		1089	711				
SUPERVISOR - 5TH	7765	4727	60.88	2076	1212		1758	1481		1754	1491				
YUBA COUNTY	26918	12721	47.26	6294	3257		5395	4049		5481	3943				
CITY OF MARYSVILLE	4289	2034	47.42	1081	462		905	615		933	586				
CITY OF WHEATLAND	1478	741	50.14	393	189		348	224		358	214				
UNINCORPORATED	21151	9946	47.02	4820	2606		4142	3210		4190	3143				
MARYSVILLE LEVEE COMMISSI	4289	2034	47.42	1081	462		905	615		933	586				

YUBA COUNTY Statement of Vote
YUB_20141104_E

100024	NON-PARTISAN SUP OF PUBLIC INSTRUCTION																
	Registration	Ballots Cast	Turnout (%)		TOM TORLAKSON	MARSHALL TUCK											
New Life 1001	695	83	11.94		26	43											
New Life - Vote by Mail	695	149	21.44		62	62											
Edgewater A 1002	603	86	14.26		39	35											
Edgewater A - Vote by Mail	603	169	28.03		74	61											
FRC A 1003	412	51	12.38		23	27											
FRC A - Vote by Mail	412	63	15.29		24	29											
FRC B 1004	773	84	10.87		37	41											
FRC B - Vote by Mail	773	178	23.03		75	88											
FRC C 1005	352	41	11.65		18	18											
FRC C - Vote by Mail	352	80	22.73		30	39											
FRC D 1006	542	69	12.73		20	40											
FRC D - Vote by Mail	542	168	31.00		78	68											
Edgewater B 1007	801	133	16.60		42	74											
Edgewater B - Vote by Mail	801	230	28.71		98	104											
Word of Life A 2001	639	136	21.28		40	80											
Word of Life A - Vote by Mail	639	203	31.77		88	84											
First Pres 2002	756	145	19.18		41	85											
First Pres - Vote by Mail	756	261	34.52		109	104											
Word of Life B 2003	767	92	11.99		38	46											
Word of Life B - Vote by Mail	767	252	32.86		119	90											
Govt Ctr A 2004	744	116	15.59		43	66											
Govt Ctr A - Vote by Mail	744	228	30.65		89	99											
Govt Ctr B 2005	740	120	16.22		37	68											
Govt Ctr B - Vote by Mail	740	184	24.86		74	76											
Cedar Lane 2006	679	64	9.43		30	27											
Cedar Lane - Vote by Mail	679	128	18.85		42	69											
Govt Ctr C 2007	643	102	15.86		40	52											
Govt Ctr C - Vote by Mail	643	195	30.33		81	72											
OPUD 3001	705	112	15.89		37	56											
OPUD - Vote by Mail	705	110	15.60		47	56											
Olivehurst Com Ctr 3002	639	93	14.55		29	51											
Olivehurst Com Ctr - Vote by Mail	639	105	16.43		47	46											
Johnson Park Schl 3003	774	139	17.96		41	79											
Johnson Park Schl - Vote by Mail	774	190	24.55		85	90											
Airport 3004	821	115	14.01		51	54											
Airport - Vote by Mail	821	154	18.76		62	72											
Dan Ave A 3005	889	121	13.61		37	63											
Dan Ave A - Vote by Mail	889	221	24.86		73	107											
Dan Ave B 3006	345	49	14.20		16	26											
Dan Ave B - Vote by Mail	345	108	31.30		38	57											
Rosser 3007	74	0	0.00		0	0											
Rosser - Vote by Mail	74	39	52.70		14	15											
Arboga Schl 3008	466	67	14.38		22	40											
Arboga Schl - Vote by Mail	466	128	27.47		56	55											
Cobblestone Schol 4001	831	120	14.44		43	53											
Cobblestone Schol - Vote by Mail	831	202	24.31		78	84											
RDO Schl A 4002	816	100	12.25		39	49											
RDO Schl A - Vote by Mail	816	226	27.70		64	112											
RDO Schl B 4003	725	81	11.17		31	36											
RDO Schl B - Vote by Mail	725	252	34.76		94	113											
Smartsville 4004	146	0	0.00		0	0											
Smartsville - Vote by Mail	146	68	46.58		17	32											
Beale AFB 4005	104	0	0.00		0	0											
Beale AFB - Vote by Mail	104	20	19.23		8	7											
Wheatland A 4006	768	146	19.01		49	78											
Wheatland A - Vote by Mail	768	228	29.69		85	111											
Wheatland B 4007	710	134	18.87		47	69											
Wheatland B - Vote by Mail	710	233	32.82		91	107											
Wheatland C 4008	717	150	20.92		48	74											
Wheatland C - Vote by Mail	717	235	32.78		70	123											
Riverside Meadows Schl 4009	477	85	17.82		33	46											

YUBA COUNTY Statement of Vote
YUB_20141104_E

100024	NON-PARTISAN SUP OF PUBLIC INSTRUCTION															
	Registration	Ballots Cast	Turnout (%)		TOM TORLAKSON	MARSHALL TUCK										
Riverside Meadows Schl - Vote by	477	153	32.08		63	74										
D-OH A 5001	443	109	24.60		33	57										
D-OH A - Vote by Mail	443	175	39.50		64	78										
Challenge 5002	187	0	0.00		0	0										
Challenge - Vote by Mail	187	104	55.61		35	59										
Rackerby 5003	220	0	0.00		0	0										
Rackerby - Vote by Mail	220	115	52.27		38	50										
D-OH B 5004	837	247	29.51		88	82										
D-OH B - Vote by Mail	837	324	38.71		122	133										
Yuba Feather 5005	733	160	21.83		47	90										
Yuba Feather - Vote by Mail	733	331	45.16		108	165										
Johl Station 5006	636	91	14.31		26	54										
Johl Station - Vote by Mail	636	281	44.18		75	157										
Loma Rica A 5007	621	145	23.35		38	90										
Loma Rica A - Vote by Mail	621	225	36.23		63	131										
Loma Rica B 5008	713	170	23.84		42	106										
Loma Rica B - Vote by Mail	713	258	36.19		78	142										
Hallwood 5009	581	132	22.72		26	84										
Hallwood - Vote by Mail	581	209	35.97		53	127										
Calvary A 5010	844	188	22.27		43	116										
Calvary A - Vote by Mail	844	341	40.40		97	189										
Calvary B 5011	805	156	19.38		32	98										
Calvary B - Vote by Mail	805	362	44.97		111	193										
Bible Baptist 5012	588	102	17.35		25	67										
Bible Baptist - Vote by Mail	588	188	31.97		47	103										
Goldfields 5013	179	0	0.00		0	0										
Goldfields - Vote by Mail	179	103	57.54		36	46										
Camptonville 5014	378	44	11.64		17	21										
Camptonville - Vote by Mail	378	167	44.18		63	65										
Precinct Totals	26918	4378	16.26		1414	2341										
Vote by Mail Totals	26918	8343	30.99		3025	3944										
Grand Totals	26918	12721	47.26		4439	6285										
3RD CONGRESSIONAL	26918	12721	47.26		4439	6285										
4TH SENATE	26918	12721	47.26		4439	6285										
3RD ASSEMBLY	26918	12721	47.26		4439	6285										
1ST EQUALIZATION	26918	12721	47.26		4439	6285										
SUPERVISOR - 1ST	4178	1584	37.91		646	729										
SUPERVISOR - 2ND	4968	2226	44.81		871	1018										
SUPERVISOR - 3RD	4713	1751	37.15		655	867										
SUPERVISOR - 4TH	5294	2433	45.96		860	1168										
SUPERVISOR - 5TH	7765	4727	60.88		1407	2503										
YUBA COUNTY	26918	12721	47.26		4439	6285										
CITY OF MARYSVILLE	4289	2034	47.42		799	922										
CITY OF WHEATLAND	1478	741	50.14		272	365										
UNINCORPORATED	21151	9946	47.02		3368	4998										
MARYSVILLE LEVEE COMMISSI	4289	2034	47.42		799	922										

YUBA COUNTY Statement of Vote
YUB_20141104_E

100025	NEVADA COUNTY BOE														
	Registration	Ballots Cast	Turnout (%)		NEVADA COUNTY BRD OF EDUC BRD MEMBE MARIANNE SLADE-	JOHN W. GIVENS	ROBERT "BOB" ALTIERI	LARRY MEEK		NEVADA COUNTY BRD OF EDUC BRD ME MICHELLE "SHELLY" SEXTO	JOHN V. "JACK" MEEKS				
Camptonville 5014	378	44	11.64		16	7	13	16		23	11				
Camptonville - Vote by Mail	378	167	44.18		46	27	36	49		76	35				
Precinct Totals	378	44	11.64		16	7	13	16		23	11				
Vote by Mail Totals	378	167	44.18		46	27	36	49		76	35				
Grand Totals	378	211	55.82		62	34	49	65		99	46				
3RD CONGRESSIONAL	378	211	55.82		62	34	49	65		99	46				
4TH SENATE	378	211	55.82		62	34	49	65		99	46				
3RD ASSEMBLY	378	211	55.82		62	34	49	65		99	46				
1ST EQUALIZATION	378	211	55.82		62	34	49	65		99	46				
SUPERVISOR - 5TH	378	211	55.82		62	34	49	65		99	46				
YUBA COUNTY	378	211	55.82		62	34	49	65		99	46				
UNINCORPORATED	378	211	55.82		62	34	49	65		99	46				

YUBA COUNTY Statement of Vote
YUB_20141104_E

100027	NON-PARTISAN MARYSVILLE JOINT UNIF SCH DIST GOV BRD MBR 3															
	Registration	Ballots Cast	Turnout (%)		RANDY RASMUSSEN	PHILIP R. MILLER										
FRC C 1005	352	41	11.65		16	4										
FRC C - Vote by Mail	352	80	22.73		35	11										
Edgewater B 1007	801	133	16.60		22	6										
Edgewater B - Vote by Mail	801	230	28.71		85	35										
OPUD 3001	705	112	15.89		68	28										
OPUD - Vote by Mail	705	110	15.60		67	34										
Olivehurst Com Ctr 3002	639	93	14.55		30	14										
Olivehurst Com Ctr - Vote by Mail	639	105	16.43		31	11										
Johnson Park Schl 3003	774	139	17.96		93	30										
Johnson Park Schl - Vote by Mail	774	190	24.55		130	47										
Airport 3004	821	115	14.01		69	31										
Airport - Vote by Mail	821	154	18.76		91	45										
Dan Ave A 3005	889	121	13.61		79	24										
Dan Ave A - Vote by Mail	889	221	24.86		138	52										
Dan Ave B 3005	345	49	14.20		11	2										
Dan Ave B - Vote by Mail	345	108	31.30		24	4										
Arboga Schl 3008	466	67	14.38		46	14										
Arboga Schl - Vote by Mail	466	128	27.47		86	29										
RDO Schl B 4003	725	81	11.17		58	16										
RDO Schl B - Vote by Mail	725	252	34.76		180	42										
Wheatland C 4008	717	150	20.92		0	0										
Wheatland C - Vote by Mail	717	235	32.78		0	0										
Bible Baptist 5012	588	102	17.35		66	24										
Bible Baptist - Vote by Mail	588	188	31.97		97	45										
Precinct Totals	7822	1203	15.38		558	193										
Vote by Mail Totals	7822	2001	25.58		964	355										
Grand Totals	7822	3204	40.96		1522	548										
3RD CONGRESSIONAL	7822	3204	40.96		1522	548										
4TH SENATE	7822	3204	40.96		1522	548										
3RD ASSEMBLY	7822	3204	40.96		1522	548										
1ST EQUALIZATION	7822	3204	40.96		1522	548										
SUPERVISOR - 1ST	1153	484	41.98		158	56										
SUPERVISOR - 3RD	4639	1712	36.90		963	365										
SUPERVISOR - 4TH	1442	718	49.79		238	58										
SUPERVISOR - 5TH	588	290	49.32		163	69										
YUBA COUNTY	7822	3204	40.96		1522	548										
UNINCORPORATED	7822	3204	40.96		1522	548										

YUBA COUNTY Statement of Vote
YUB_20141104_E

100028	NON-PARTISAN WHEATLAND UNION HIGH SCH DIST GOV BRD MBR															
	Registration	Ballots Cast	Turnout (%)		TONY LOPEZ	ROY V. CRABTREE	JULIE L. MILLER	ERNIE THOMPSON	FRANK D. WEBB, JR							
Rosser 3007	74	0	0.00		0	0	0	0	0							
Rosser - Vote by Mail	74	39	52.70		11	12	6	8	20							
Cobblestone Schol 4001	831	120	14.44		48	44	30	8	27							
Cobblestone Schol - Vote by Mail	831	202	24.31		75	68	51	10	41							
RDO Schl A 4002	816	100	12.25		43	30	31	7	21							
RDO Schl A - Vote by Mail	816	226	27.70		63	68	71	13	44							
Smartsville 4004	146	0	0.00		0	0	0	0	0							
Smartsville - Vote by Mail	146	68	46.58		24	19	20	7	9							
Beale AFB 4005	104	0	0.00		0	0	0	0	0							
Beale AFB - Vote by Mail	104	20	19.23		6	9	7	0	1							
Wheatland A 4006	768	146	19.01		56	38	23	46	64							
Wheatland A - Vote by Mail	768	228	29.69		93	64	56	51	94							
Wheatland B 4007	710	134	18.87		58	42	23	34	62							
Wheatland B - Vote by Mail	710	233	32.82		100	69	39	52	92							
Wheatland C 4008	717	150	20.92		50	32	35	51	82							
Wheatland C - Vote by Mail	717	235	32.78		64	53	53	52	111							
Riverside Meadows Schl 4009	477	85	17.82		31	31	22	4	18							
Riverside Meadows Schl - Vote by	477	153	32.08		57	46	45	9	38							
Goldfields 5013	179	0	0.00		0	0	0	0	0							
Goldfields - Vote by Mail	179	103	57.54		35	30	23	1	16							
Precinct Totals	4822	735	15.24		286	217	164	150	274							
Vote by Mail Totals	4822	1507	31.25		528	438	371	203	466							
Grand Totals	4822	2242	46.50		814	655	535	353	740							
3RD CONGRESSIONAL	4822	2242	46.50		814	655	535	353	740							
4TH SENATE	4822	2242	46.50		814	655	535	353	740							
3RD ASSEMBLY	4822	2242	46.50		814	655	535	353	740							
1ST EQUALIZATION	4822	2242	46.50		814	655	535	353	740							
SUPERVISOR - 3RD	74	39	52.70		11	12	6	8	20							
SUPERVISOR - 4TH	4569	2100	45.96		768	613	506	344	704							
SUPERVISOR - 5TH	179	103	57.54		35	30	23	1	16							
YUBA COUNTY	4822	2242	46.50		814	655	535	353	740							
CITY OF WHEATLAND	1478	741	50.14		307	213	141	183	312							
UNINCORPORATED	3344	1501	44.89		507	442	394	170	428							

YUBA COUNTY Statement of Vote
YUB_20141104_E

100029	NON-PARTISAN NEVADA JOINT UN HIGH SCH DIST GOV BRD MBR 1															
	Registration	Ballots Cast	Turnout (%)		JAMES A HINMAN	LINDA CAMPBELL										
Camptonville 5014	378	44	11.64		21	12										
Camptonville - Vote by Mail	378	167	44.18		56	45										
Precinct Totals	378	44	11.64		21	12										
Vote by Mail Totals	378	167	44.18		56	45										
Grand Totals	378	211	55.82		77	57										
3RD CONGRESSIONAL	378	211	55.82		77	57										
4TH SENATE	378	211	55.82		77	57										
3RD ASSEMBLY	378	211	55.82		77	57										
1ST EQUALIZATION	378	211	55.82		77	57										
SUPERVISOR - 5TH	378	211	55.82		77	57										
YUBA COUNTY	378	211	55.82		77	57										
UNINCORPORATED	378	211	55.82		77	57										

YUBA COUNTY Statement of Vote
YUB_20141104_E

100030	NON-PARTISAN WHEATLAND SCH DIST GOV BRD MBR															
	Registration	Ballots Cast	Turnout (%)		KATHY HERBERT	WALTER HIGH	ISH MEDINA	RONNA EATON	BARBARA ANN WARREN	RAEGEAN WALTZ						
Rosser 3007	74	0	0.00		0	0	0	0	0	0						
Rosser - Vote by Mail	74	39	52.70		3	4	5	0	3	6						
Smartsville 4004	146	0	0.00		0	0	0	0	0	0						
Smartsville - Vote by Mail	146	68	46.58		22	17	3	18	16	16						
Beale AFB 4005	104	0	0.00		0	0	0	0	0	0						
Beale AFB - Vote by Mail	104	20	19.23		5	5	0	9	4	9						
Wheatland A 4006	768	146	19.01		31	50	65	55	36	77						
Wheatland A - Vote by Mail	768	228	29.69		59	76	70	93	61	139						
Wheatland B 4007	710	134	18.87		41	42	53	52	31	68						
Wheatland B - Vote by Mail	710	233	32.82		63	64	74	79	60	130						
Wheatland C 4008	717	150	20.92		50	40	43	39	31	76						
Wheatland C - Vote by Mail	717	235	32.78		54	36	46	36	64	126						
Goldfields 5013	179	0	0.00		0	0	0	0	0	0						
Goldfields - Vote by Mail	179	103	57.54		24	24	5	29	23	26						
Precinct Totals	2698	430	15.94		122	132	161	146	98	221						
Vote by Mail Totals	2698	926	34.32		230	226	203	264	231	452						
Grand Totals	2698	1356	50.26		352	358	364	410	329	673						
3RD CONGRESSIONAL	2698	1356	50.26		352	358	364	410	329	673						
4TH SENATE	2698	1356	50.26		352	358	364	410	329	673						
3RD ASSEMBLY	2698	1356	50.26		352	358	364	410	329	673						
1ST EQUALIZATION	2698	1356	50.26		352	358	364	410	329	673						
SUPERVISOR - 3RD	74	39	52.70		3	4	5	0	3	6						
SUPERVISOR - 4TH	2445	1214	49.65		325	330	354	381	303	641						
SUPERVISOR - 5TH	179	103	57.54		24	24	5	29	23	26						
YUBA COUNTY	2698	1356	50.26		352	358	364	410	329	673						
CITY OF WHEATLAND	1478	741	50.14		194	232	262	279	188	414						
UNINCORPORATED	1220	615	50.41		158	126	102	131	141	259						

YUBA COUNTY Statement of Vote
YUB_20141104_E

100031	NON-PARTISAN COUNTY SUPERVISOR 5TH DISTRICT															
	Registration	Ballots Cast	Turnout (%)		HAL STOCKER	RANDY FLETCHER										
D-OH A 5001	443	109	24.60		55	52										
D-OH A - Vote by Mail	443	175	39.50		82	81										
Challenge 5002	187	0	0.00		0	0										
Challenge - Vote by Mail	187	104	55.61		57	45										
Rackerby 5003	220	0	0.00		0	0										
Rackerby - Vote by Mail	220	115	52.27		48	60										
D-OH B 5004	837	247	29.51		45	193										
D-OH B - Vote by Mail	837	324	38.71		99	218										
Yuba Feather 5005	733	160	21.83		72	85										
Yuba Feather - Vote by Mail	733	331	45.16		147	172										
Johl Station 5006	636	91	14.31		18	69										
Johl Station - Vote by Mail	636	281	44.18		80	181										
Loma Rica A 5007	621	145	23.35		75	66										
Loma Rica A - Vote by Mail	621	225	36.23		103	115										
Loma Rica B 5008	713	170	23.84		76	88										
Loma Rica B - Vote by Mail	713	258	36.19		120	131										
Hallwood 5009	581	132	22.72		22	104										
Hallwood - Vote by Mail	581	209	35.97		64	133										
Calvary A 5010	844	188	22.27		79	100										
Calvary A - Vote by Mail	844	341	40.40		118	217										
Calvary B 5011	805	156	19.38		66	82										
Calvary B - Vote by Mail	805	362	44.97		124	222										
Bible Baptist 5012	588	102	17.35		35	61										
Bible Baptist - Vote by Mail	588	188	31.97		59	108										
Goldfields 5013	179	0	0.00		0	0										
Goldfields - Vote by Mail	179	103	57.54		36	59										
Camptonville 5014	378	44	11.64		35	7										
Camptonville - Vote by Mail	378	167	44.18		108	49										
Precinct Totals	7765	1544	19.88		578	907										
Vote by Mail Totals	7765	3183	40.99		1245	1791										
Grand Totals	7765	4727	60.88		1823	2698										
3RD CONGRESSIONAL	7765	4727	60.88		1823	2698										
4TH SENATE	7765	4727	60.88		1823	2698										
3RD ASSEMBLY	7765	4727	60.88		1823	2698										
1ST EQUALIZATION	7765	4727	60.88		1823	2698										
SUPERVISOR - 5TH	7765	4727	60.88		1823	2698										
YUBA COUNTY	7765	4727	60.88		1823	2698										
UNINCORPORATED	7765	4727	60.88		1823	2698										

YUBA COUNTY Statement of Vote
YUB_20141104_E

100032	NON-PARTISAN MARYSVILLE - MEMBER OF CITY COUNCIL															
	Registration	Ballots Cast	Turnout (%)		CHRISTOPHER PEDIGO	DALE WHITMORE										
Word of Life A 2001	639	136	21.28		69	77										
Word of Life A - Vote by Mail	639	203	31.77		123	113										
First Pres 2002	756	145	19.18		77	97										
First Pres - Vote by Mail	756	261	34.52		141	144										
Word of Life B 2003	767	92	11.99		54	47										
Word of Life B - Vote by Mail	767	252	32.86		130	146										
Govt Ctr A 2004	744	116	15.59		73	69										
Govt Ctr A - Vote by Mail	744	228	30.65		129	134										
Govt Ctr B 2005	740	120	16.22		75	56										
Govt Ctr B - Vote by Mail	740	184	24.86		99	101										
Govt Ctr C 2007	643	102	15.86		66	53										
Govt Ctr C - Vote by Mail	643	195	30.33		97	108										
Precinct Totals	4289	711	16.58		414	399										
Vote by Mail Totals	4289	1323	30.85		719	746										
Grand Totals	4289	2034	47.42		1133	1145										
3RD CONGRESSIONAL	4289	2034	47.42		1133	1145										
4TH SENATE	4289	2034	47.42		1133	1145										
3RD ASSEMBLY	4289	2034	47.42		1133	1145										
1ST EQUALIZATION	4289	2034	47.42		1133	1145										
SUPERVISOR - 2ND	4289	2034	47.42		1133	1145										
YUBA COUNTY	4289	2034	47.42		1133	1145										
CITY OF MARYSVILLE	4289	2034	47.42		1133	1145										
MARYSVILLE LEVEE COMMISSI	4289	2034	47.42		1133	1145										

YUBA COUNTY Statement of Vote
YUB_20141104_E

100033	NON-PARTISAN BROWNS VALLEY IRRIGATION DIST, DIV 3															
	Registration	Ballots Cast	Turnout (%)		EDWARD RITCHIE	DENNIS H. CARLYLE	DIANA J. WHEELER									
Loma Rica A 5007	621	145	23.35		30	34	66									
Loma Rica A - Vote by Mail	621	225	36.23		43	64	86									
Loma Rica B 5008	713	170	23.84		45	38	58									
Loma Rica B - Vote by Mail	713	258	36.19		38	70	121									
Hallwood 5009	581	132	22.72		0	0	0									
Hallwood - Vote by Mail	581	209	35.97		0	0	3									
Calvary A 5010	844	188	22.27		28	63	78									
Calvary A - Vote by Mail	844	341	40.40		52	81	167									
Calvary B 5011	805	156	19.38		15	43	59									
Calvary B - Vote by Mail	805	362	44.97		54	94	135									
Precinct Totals	3564	791	22.19		118	178	261									
Vote by Mail Totals	3564	1395	39.14		187	309	512									
Grand Totals	3564	2186	61.34		305	487	773									
3RD CONGRESSIONAL	3564	2186	61.34		305	487	773									
4TH SENATE	3564	2186	61.34		305	487	773									
3RD ASSEMBLY	3564	2186	61.34		305	487	773									
1ST EQUALIZATION	3564	2186	61.34		305	487	773									
SUPERVISOR - 5TH	3564	2186	61.34		305	487	773									
YUBA COUNTY	3564	2186	61.34		305	487	773									
UNINCORPORATED	3564	2186	61.34		305	487	773									

YUBA COUNTY Statement of Vote
YUB_20141104_E

100034	NON-PARTISAN YUBA COUNTY WATER AGENCY, DIRECTOR SOUTH															
	Registration	Ballots Cast	Turnout (%)		BRENT HASTEY	DAVID BROWNE										
Edgewater A 1002	603	86	14.26		46	29										
Edgewater A - Vote by Mail	603	169	28.03		93	50										
FRC A 1003	412	51	12.38		24	24										
FRC A - Vote by Mail	412	63	15.29		34	21										
FRC D 1006	542	69	12.73		39	22										
FRC D - Vote by Mail	542	168	31.00		82	77										
Edgewater B 1007	801	133	16.60		71	42										
Edgewater B - Vote by Mail	801	230	28.71		100	109										
OPUD 3001	705	112	15.89		67	32										
OPUD - Vote by Mail	705	110	15.60		61	44										
Olivehurst Com Ctr 3002	639	93	14.55		51	31										
Olivehurst Com Ctr - Vote by Mail	639	105	16.43		56	37										
Johnson Park Schl 3003	774	139	17.96		76	49										
Johnson Park Schl - Vote by Mail	774	190	24.55		104	75										
Airport 3004	821	115	14.01		53	51										
Airport - Vote by Mail	821	154	18.76		81	59										
Dan Ave A 3005	889	121	13.61		69	34										
Dan Ave A - Vote by Mail	889	221	24.86		123	68										
Dan Ave B 3006	345	49	14.20		30	13										
Dan Ave B - Vote by Mail	345	108	31.30		50	50										
Rosser 3007	74	0	0.00		0	0										
Rosser - Vote by Mail	74	39	52.70		11	21										
Arboga Schl 3008	466	67	14.38		40	21										
Arboga Schl - Vote by Mail	466	128	27.47		64	52										
Cobblestone Schol 4001	831	120	14.44		83	22										
Cobblestone Schol - Vote by Mail	831	202	24.31		103	62										
RDO Schl A 4002	816	100	12.25		68	19										
RDO Schl A - Vote by Mail	816	226	27.70		136	52										
RDO Schl B 4003	725	81	11.17		48	27										
RDO Schl B - Vote by Mail	725	252	34.76		133	91										
Smartsville 4004	146	0	0.00		0	0										
Smartsville - Vote by Mail	146	68	46.58		28	26										
Beale AFB 4005	104	0	0.00		0	0										
Beale AFB - Vote by Mail	104	20	19.23		11	3										
Wheatland A 4006	768	146	19 01		84	43										
Wheatland A - Vote by Mail	768	228	29.69		106	92										
Wheatland B 4007	710	134	18.87		71	51										
Wheatland B - Vote by Mail	710	233	32.82		107	96										
Wheatland C 4008	717	150	20.92		62	76										
Wheatland C - Vote by Mail	717	235	32.78		84	107										
Riverside Meadows Schl 4009	477	85	17.82		51	23										
Riverside Meadows Schl - Vote by	477	153	32.08		92	45										
Precinct Totals	12365	1851	14.97		1033	609										
Vote by Mail Totals	12365	3302	26.70		1659	1237										
Grand Totals	12365	5153	41.67		2692	1846										
3RD CONGRESSIONAL	12365	5153	41.67		2692	1846										
4TH SENATE	12365	5153	41.67		2692	1846										
3RD ASSEMBLY	12365	5153	41.67		2692	1846										
1ST EQUALIZATION	12365	5153	41.67		2692	1846										
SUPERVISOR - 1ST	2358	969	41.09		489	374										
SUPERVISOR - 3RD	4713	1751	37.15		936	637										
SUPERVISOR - 4TH	5294	2433	45.96		1267	835										
YUBA COUNTY	12365	5153	41.67		2692	1846										
CITY OF WHEATLAND	1478	741	50.14		368	282										
UNINCORPORATED	10887	4412	40.53		2324	1564										

YUBA COUNTY Statement of Vote
YUB_20141104_E

140035	CALIFORNIA														
	Registration	Ballots Cast	Turnout (%)	MEASURE 1 YES	NO	MEASURE 2 YES	NO	MEASURE 45 YES	NO	MEASURE 46 YES	NO
New Life 1001	695	83	11.94	41	39	44	35	27	53	32	46
New Life - Vote by Mail	695	149	21.44	84	59	98	45	51	91	50	91
Edgewater A 1002	603	86	14.26	54	28	58	25	30	53	41	43
Edgewater A - Vote by Mail	603	169	28.03	95	68	112	50	57	107	60	102
FRC A 1003	412	51	12.38	28	22	30	19	19	30	20	29
FRC A - Vote by Mail	412	63	15.29	32	27	33	26	19	42	29	32
FRC B 1004	773	84	10.87	55	25	50	29	23	60	41	41
FRC B - Vote by Mail	773	178	23.03	95	78	105	65	49	124	71	104
FRC C 1005	352	41	11.65	21	19	19	21	11	30	18	23
FRC C - Vote by Mail	352	80	22.73	49	27	41	37	24	55	35	45
FRC D 1006	542	69	12.73	36	30	33	30	27	39	29	39
FRC D - Vote by Mail	542	168	31.00	102	62	91	73	46	118	51	114
Edgewater B 1007	801	133	16.60	70	60	79	51	32	97	26	104
Edgewater B - Vote by Mail	801	230	28.71	148	76	154	71	87	136	67	160
Word of Life A 2001	639	136	21.28	71	61	74	52	44	88	63	69
Word of Life A - Vote by Mail	639	203	31.77	117	79	113	81	57	142	54	144
First Pres 2002	756	145	19.18	83	57	77	59	41	97	48	91
First Pres - Vote by Mail	756	261	34.52	145	103	162	79	89	157	95	151
Word of Life B 2003	767	92	11.99	47	42	52	36	36	53	32	57
Word of Life B - Vote by Mail	767	252	32.86	146	96	146	88	80	163	79	161
Govt Ctr A 2004	744	116	15.59	77	37	62	50	37	77	33	81
Govt Ctr A - Vote by Mail	744	228	30.65	116	100	126	85	72	143	66	153
Govt Ctr B 2005	740	120	16.22	60	52	58	52	36	79	43	71
Govt Ctr B - Vote by Mail	740	184	24.86	113	62	103	69	56	126	69	111
Cedar Lane 2006	679	64	9.43	37	25	34	27	23	39	21	40
Cedar Lane - Vote by Mail	679	128	18.85	67	56	80	43	43	82	55	70
Govt Ctr C 2007	643	102	15.86	55	44	53	43	35	61	39	58
Govt Ctr C - Vote by Mail	643	195	30.33	106	72	109	69	67	118	66	120
OPUD 3001	705	112	15.89	62	43	64	40	38	66	43	64
OPUD - Vote by Mail	705	110	15.60	66	41	67	37	29	77	47	61
Olivehurst Com Ctr 3002	639	93	14.55	46	40	50	37	27	60	36	54
Olivehurst Com Ctr - Vote by Mail	639	105	16.43	58	40	60	38	45	53	54	47
Johnson Park Schl 3003	774	139	17.96	70	60	70	62	42	94	48	90
Johnson Park Schl - Vote by Mail	774	190	24.55	111	72	92	91	53	131	69	119
Airport 3004	821	115	14.01	61	53	62	52	31	82	41	72
Airport - Vote by Mail	821	154	18.76	91	58	72	77	51	96	70	80
Dan Ave A 3005	889	121	13.61	54	59	68	47	30	85	29	87
Dan Ave A - Vote by Mail	889	221	24.86	122	89	116	93	73	140	77	139
Dan Ave B 3006	345	49	14.20	20	28	22	24	18	31	17	31
Dan Ave B - Vote by Mail	345	108	31.30	54	51	61	43	24	81	36	69
Rosser 3007	74	0	0.00	0	0	0	0	0	0	0	0
Rosser - Vote by Mail	74	39	52.70	25	12	26	9	8	27	14	22
Arboga Schl 3008	466	67	14.38	35	32	33	31	11	55	21	46
Arboga Schl - Vote by Mail	466	128	27.47	70	54	80	41	46	76	45	80
Cobblestone Schol 4001	831	120	14.44	77	40	79	35	50	65	42	75
Cobblestone Schol - Vote by Mail	831	202	24.31	118	70	132	56	62	129	80	113
RDO Schl A 4002	816	100	12.25	51	47	55	42	30	67	36	62
RDO Schl A - Vote by Mail	816	226	27.70	129	90	132	81	73	144	77	143
RDO Schl B 4003	725	81	11.17	46	34	47	32	31	49	32	47
RDO Schl B - Vote by Mail	725	252	34.76	121	117	137	100	70	172	69	178
Smartsville 4004	146	0	0.00	0	0	0	0	0	0	0	0
Smartsville - Vote by Mail	146	68	46.58	43	23	44	23	21	46	25	42
Beale AFB 4005	104	0	0.00	0	0	0	0	0	0	0	0
Beale AFB - Vote by Mail	104	20	19.23	15	5	11	9	10	10	10	10
Wheatland A 4006	768	146	19.01	83	57	78	60	50	89	61	81
Wheatland A - Vote by Mail	768	228	29.69	120	98	127	90	72	146	81	141
Wheatland B 4007	710	134	18.87	78	54	88	43	34	97	48	84
Wheatland B - Vote by Mail	710	233	32.82	149	73	149	72	88	133	79	145
Wheatland C 4008	717	150	20.92	85	55	87	50	30	112	45	101
Wheatland C - Vote by Mail	717	235	32.78	134	93	132	91	61	161	58	166
Riverside Meadows Schl 4009	477	85	17.82	48	35	49	33	32	50	30	54

YUBA COUNTY Statement of Vote
YUB_20141104_E

140035	CALIFORNIA														
	Registration	Ballots Cast	Turnout (%)	MEASURE 1 YES	NO	MEASURE 2 YES	NO	MEASURE 45 YES	NO	MEASURE 46 YES	NO
Riverside Meadows Schl - Vote by	477	153	32.08	91	56	98	48	61	88	43	103
D-OH A 5001	443	109	24.60	40	58	56	41	33	67	29	69
D-OH A - Vote by Mail	443	175	39.50	92	76	98	70	50	119	45	123
Challenge 5002	187	0	0.00	0	0	0	0	0	0	0	0
Challenge - Vote by Mail	187	104	55.61	45	58	69	31	27	76	34	69
Rackerby 5003	220	0	0.00	0	0	0	0	0	0	0	0
Rackerby - Vote by Mail	220	115	52.27	64	49	68	41	41	70	34	79
D-OH B 5004	837	247	29.51	144	77	143	69	104	117	62	156
D-OH B - Vote by Mail	837	324	38.71	205	87	197	89	141	158	89	206
Yuba Feather 5005	733	160	21.83	61	90	88	65	45	110	50	106
Yuba Feather - Vote by Mail	733	331	45.16	175	148	194	122	85	238	90	233
Johl Station 5006	636	91	14.31	56	33	57	31	22	67	22	68
Johl Station - Vote by Mail	636	281	44.18	181	90	193	73	69	200	74	193
Loma Rica A 5007	621	145	23.35	68	74	81	58	42	98	38	102
Loma Rica A - Vote by Mail	621	225	36.23	103	116	124	93	51	170	48	172
Loma Rica B 5008	713	170	23.84	87	78	93	72	49	118	42	123
Loma Rica B - Vote by Mail	713	258	36.19	129	122	165	83	55	197	63	190
Hallwood 5009	581	132	22.72	50	75	54	71	19	107	36	90
Hallwood - Vote by Mail	581	209	35.97	124	80	119	84	53	150	51	151
Calvary A 5010	844	188	22.27	78	100	94	82	47	133	44	137
Calvary A - Vote by Mail	844	341	40.40	196	133	217	107	85	241	76	258
Calvary B 5011	805	156	19.38	71	83	74	76	30	124	32	121
Calvary B - Vote by Mail	805	362	44.97	197	158	230	121	109	245	97	260
Bible Baptist 5012	588	102	17.35	50	51	58	42	16	85	28	73
Bible Baptist - Vote by Mail	588	188	31.97	103	75	109	68	42	140	49	134
Goldfields 5013	179	0	0.00	0	0	0	0	0	0	0	0
Goldfields - Vote by Mail	179	103	57.54	58	41	69	28	46	51	28	70
Camptonville 5014	378	44	11.64	16	28	20	22	21	20	7	35
Camptonville - Vote by Mail	378	167	44.18	72	78	97	57	64	91	48	112
Precinct Totals	26918	4378	16.26	2272	1925	2393	1746	1303	2904	1405	2820
Vote by Mail Totals	26918	8343	30.99	4676	3318	4958	2947	2562	5460	2607	5466
Grand Totals	26918	12721	47.26	6948	5243	7351	4693	3865	8364	4012	8286
3RD CONGRESSIONAL	26918	12721	47.26	6948	5243	7351	4693	3865	8364	4012	8286
4TH SENATE	26918	12721	47.26	6948	5243	7351	4693	3865	8364	4012	8286
3RD ASSEMBLY	26918	12721	47.26	6948	5243	7351	4693	3865	8364	4012	8286
1ST EQUALIZATION	26918	12721	47.26	6948	5243	7351	4693	3865	8364	4012	8286
SUPERVISOR - 1ST	4178	1584	37.91	910	620	947	577	502	1035	570	973
SUPERVISOR - 2ND	4968	2226	44.81	1240	886	1249	833	716	1425	763	1377
SUPERVISOR - 3RD	4713	1751	37.15	945	732	943	722	526	1154	647	1061
SUPERVISOR - 4TH	5294	2433	45.96	1388	947	1445	865	775	1558	816	1545
SUPERVISOR - 5TH	7765	4727	60.88	2465	2058	2767	1696	1346	3192	1216	3330
YUBA COUNTY	26918	12721	47.26	6948	5243	7351	4693	3865	8364	4012	8286
CITY OF MARYSVILLE	4289	2034	47.42	1136	805	1135	763	650	1304	687	1267
CITY OF WHEATLAND	1478	741	50.14	430	282	442	265	244	465	269	451
UNINCORPORATED	21151	9946	47.02	5382	4156	5774	3665	2971	6595	3056	6568
MARYSVILLE LEVEE COMMISSI	4289	2034	47.42	1136	805	1135	763	650	1304	687	1267

YUBA COUNTY Statement of Vote
YUB_20141104_E

140039	CALIFORNIA														
	Registration	Ballots Cast	Turnout (%)	MEASURE 47 YES	NO		MEASURE 48 YES	NO							
New Life 1001	695	83	11.94	43	35		26	53							
New Life - Vote by Mail	695	149	21.44	84	60		55	89							
Edgewater A 1002	603	86	14.26	37	46		36	46							
Edgewater A - Vote by Mail	603	169	28.03	90	74		67	95							
FRC A 1003	412	51	12.38	28	19		18	30							
FRC A - Vote by Mail	412	63	15.29	31	29		25	32							
FRC B 1004	773	84	10.87	46	34		41	41							
FRC B - Vote by Mail	773	178	23.03	109	66		68	107							
FRC C 1005	352	41	11.65	17	23		13	28							
FRC C - Vote by Mail	352	80	22.73	46	33		38	40							
FRC D 1006	542	69	12.73	32	34		23	40							
FRC D - Vote by Mail	542	168	31.00	91	72		78	81							
Edgewater B 1007	801	133	16.60	47	82		37	92							
Edgewater B - Vote by Mail	801	230	28.71	113	114		103	125							
Word of Life A 2001	639	136	21.28	68	64		59	73							
Word of Life A - Vote by Mail	639	203	31.77	103	92		85	109							
First Pres 2002	756	145	19.18	67	74		49	90							
First Pres - Vote by Mail	756	261	34.52	135	105		123	122							
Word of Life B 2003	767	92	11.99	46	43		31	59							
Word of Life B - Vote by Mail	767	252	32.86	139	100		117	122							
Govt Ctr A 2004	744	116	15.59	55	59		49	67							
Govt Ctr A - Vote by Mail	744	228	30.65	117	103		103	112							
Govt Ctr B 2005	740	120	16.22	64	52		48	65							
Govt Ctr B - Vote by Mail	740	184	24.86	105	70		90	83							
Cedar Lane 2006	679	64	9.43	34	27		19	41							
Cedar Lane - Vote by Mail	679	128	18.85	70	56		62	62							
Govt Ctr C 2007	643	102	15.86	55	45		42	55							
Govt Ctr C - Vote by Mail	643	195	30.33	96	85		90	93							
OPUD 3001	705	112	15.89	52	57		37	69							
OPUD - Vote by Mail	705	110	15.60	50	59		47	61							
Olivehurst Com Ctr 3002	639	93	14.55	47	43		33	56							
Olivehurst Com Ctr - Vote by Mail	639	105	16.43	56	44		58	40							
Johnson Park Schl 3003	774	139	17.96	66	69		57	76							
Johnson Park Schl - Vote by Mail	774	190	24.55	97	85		72	110							
Airport 3004	821	115	14.01	53	60		41	72							
Airport - Vote by Mail	821	154	18.76	67	79		68	78							
Dan Ave A 3005	889	121	13.61	51	65		51	65							
Dan Ave A - Vote by Mail	889	221	24.86	107	105		110	104							
Dan Ave B 3006	345	49	14.20	28	21		21	26							
Dan Ave B - Vote by Mail	345	108	31.30	49	56		46	56							
Rosser 3007	74	0	0.00	0	0		0	0							
Rosser - Vote by Mail	74	39	52.70	13	24		8	30							
Arboga Schl 3008	466	67	14.38	25	42		18	48							
Arboga Schl - Vote by Mail	466	128	27.47	54	70		70	52							
Cobblestone Schol 4001	831	120	14.44	62	52		50	65							
Cobblestone Schol - Vote by Mail	831	202	24.31	89	104		79	107							
RDO Schl A 4002	816	100	12.25	40	58		32	65							
RDO Schl A - Vote by Mail	816	226	27.70	95	129		85	133							
RDO Schl B 4003	725	81	11.17	46	33		23	53							
RDO Schl B - Vote by Mail	725	252	34.76	114	130		104	139							
Smartsville 4004	146	0	0.00	0	0		0	0							
Smartsville - Vote by Mail	146	68	46.58	32	32		19	47							
Beale AFB 4005	104	0	0.00	0	0		0	0							
Beale AFB - Vote by Mail	104	20	19.23	11	9		10	10							
Wheatland A 4006	768	146	19.01	63	78		39	101							
Wheatland A - Vote by Mail	768	228	29.69	94	125		76	146							
Wheatland B 4007	710	134	18.87	64	68		45	87							
Wheatland B - Vote by Mail	710	233	32.82	115	109		83	138							
Wheatland C 4008	717	150	20.92	47	96		40	103							
Wheatland C - Vote by Mail	717	235	32.78	99	124		68	151							
Riverside Meadows Schl 4009	477	85	17.82	34	48		45	37							

YUBA COUNTY Statement of Vote
YUB_20141104_E

140039	CALIFORNIA														
	Registration	Ballots Cast	Turnout (%)	MEASURE 47 YES	NO	MEASURE 48 YES	NO								
Riverside Meadows Schl - Vote by	477	153	32.08	69	78	75	73								
D-OH A 5001	443	109	24.60	41	57	32	66								
D-OH A - Vote by Mail	443	175	39.50	100	66	72	91								
Challenge 5002	187	0	0.00	0	0	0	0								
Challenge - Vote by Mail	187	104	55.61	61	41	37	66								
Rackerby 5003	220	0	0.00	0	0	0	0								
Rackerby - Vote by Mail	220	115	52.27	60	53	48	61								
D-OH B 5004	837	247	29.51	136	81	67	137								
D-OH B - Vote by Mail	837	324	38.71	190	113	119	155								
Yuba Feather 5005	733	160	21.83	86	69	40	110								
Yuba Feather - Vote by Mail	733	331	45.16	135	183	127	188								
Johl Station 5006	636	91	14.31	32	58	24	67								
Johl Station - Vote by Mail	636	281	44.18	129	142	116	137								
Loma Rica A 5007	621	145	23.35	58	83	50	88								
Loma Rica A - Vote by Mail	621	225	36.23	91	129	68	147								
Loma Rica B 5008	713	170	23.84	53	112	53	112								
Loma Rica B - Vote by Mail	713	258	36.19	98	153	98	148								
Hallwood 5009	581	132	22.72	44	82	31	94								
Hallwood - Vote by Mail	581	209	35.97	74	132	76	123								
Calvary A 5010	844	188	22.27	58	120	40	137								
Calvary A - Vote by Mail	844	341	40.40	136	194	112	221								
Calvary B 5011	805	156	19.38	58	94	33	116								
Calvary B - Vote by Mail	805	362	44.97	164	192	175	176								
Bible Baptist 5012	588	102	17.35	42	59	37	62								
Bible Baptist - Vote by Mail	588	188	31.97	91	92	85	96								
Goldfields 5013	179	0	0.00	0	0	0	0								
Goldfields - Vote by Mail	179	103	57.54	51	49	33	65								
Camptonville 5014	378	44	11.64	25	17	10	31								
Camptonville - Vote by Mail	378	167	44.18	102	60	68	83								
Precinct Totals	26918	4378	16.26	1950	2259	1440	2723								
Vote by Mail Totals	26918	8343	30.99	4022	4020	3416	4504								
Grand Totals	26918	12721	47.26	5972	6279	4856	7227								
3RD CONGRESSIONAL	26918	12721	47.26	5972	6279	4856	7227								
4TH SENATE	26918	12721	47.26	5972	6279	4856	7227								
3RD ASSEMBLY	26918	12721	47.26	5972	6279	4856	7227								
1ST EQUALIZATION	26918	12721	47.26	5972	6279	4856	7227								
SUPERVISOR - 1ST	4178	1584	37.91	814	721	628	899								
SUPERVISOR - 2ND	4968	2226	44.81	1154	975	967	1153								
SUPERVISOR - 3RD	4713	1751	37.15	815	879	737	943								
SUPERVISOR - 4TH	5294	2433	45.96	1074	1273	873	1455								
SUPERVISOR - 5TH	7765	4727	60.88	2115	2431	1651	2777								
YUBA COUNTY	26918	12721	47.26	5972	6279	4856	7227								
CITY OF MARYSVILLE	4289	2034	47.42	1050	892	886	1050								
CITY OF WHEATLAND	1478	741	50.14	336	380	243	472								
UNINCORPORATED	21151	9946	47.02	4586	5007	3727	5705								
MARYSVILLE LEVEE COMMISSI	4289	2034	47.42	1050	892	886	1050								

YUBA COUNTY Statement of Vote
YUB_20141104_E

140041	NON-PARTISAN MEASURE W																
	Registration	Ballots Cast	Turnout (%)		YES	NO											
Word of Life A 2001	639	136	21.28		54	79											
Word of Life A - Vote by Mail	639	203	31.77		89	108											
First Pres 2002	756	145	19.18		63	80											
First Pres - Vote by Mail	756	261	34.52		132	123											
Word of Life B 2003	767	92	11.99		43	46											
Word of Life B - Vote by Mail	767	252	32.86		121	126											
Govt Ctr A 2004	744	116	15.59		72	43											
Govt Ctr A - Vote by Mail	744	228	30.65		107	117											
Govt Ctr B 2005	740	120	16.22		47	71											
Govt Ctr B - Vote by Mail	740	184	24.86		90	87											
Govt Ctr C 2007	643	102	15.86		53	46											
Govt Ctr C - Vote by Mail	643	195	30.33		84	104											
Precinct Totals	4289	711	16.58		332	365											
Vote by Mail Totals	4289	1323	30.85		623	665											
Grand Totals	4289	2034	47.42		955	1030											
3RD CONGRESSIONAL	4289	2034	47.42		955	1030											
4TH SENATE	4289	2034	47.42		955	1030											
3RD ASSEMBLY	4289	2034	47.42		955	1030											
1ST EQUALIZATION	4289	2034	47.42		955	1030											
SUPERVISOR - 2ND	4289	2034	47.42		955	1030											
YUBA COUNTY	4289	2034	47.42		955	1030											
CITY OF MARYSVILLE	4289	2034	47.42		955	1030											
MARYSVILLE LEVEE COMMISSI	4289	2034	47.42		955	1030											

YUBA COUNTY Statement of Vote
YUB_20141104_E

140042	NON-PARTISAN MEASURE X															
	Registration	Ballots Cast	Turnout (%)		YES	NO										
OPUD 3001	705	112	15.89		44	61										
OPUD - Vote by Mail	705	110	15.60		57	50										
Olivehurst Com Ctr 3002	639	93	14.55		24	46										
Olivehurst Com Ctr - Vote by Mail	639	105	16.43		31	47										
Johnson Park Schl 3003	774	139	17.96		66	67										
Johnson Park Schl - Vote by Mail	774	190	24.55		104	81										
Airport 3004	821	115	14.01		52	58										
Airport - Vote by Mail	821	154	18.76		67	84										
Dan Ave A 3005	889	121	13.61		51	62										
Dan Ave A - Vote by Mail	889	221	24.86		120	97										
Arboga Schl 3008	466	67	14.38		16	21										
Arboga Schl - Vote by Mail	466	128	27.47		28	28										
Precinct Totals	4294	647	15.07		253	315										
Vote by Mail Totals	4294	908	21.15		407	387										
Grand Totals	4294	1555	36.21		660	702										
3RD CONGRESSIONAL	4294	1555	36.21		660	702										
4TH SENATE	4294	1555	36.21		660	702										
3RD ASSEMBLY	4294	1555	36.21		660	702										
1ST EQUALIZATION	4294	1555	36.21		660	702										
SUPERVISOR - 3RD	4294	1555	36.21		660	702										
YUBA COUNTY	4294	1555	36.21		660	702										
UNINCORPORATED	4294	1555	36.21		660	702										

YUBA COUNTY Statement of Vote
YUB_20141104_E

140043	NON-PARTISAN MEASURE Y															
	Registration	Ballots Cast	Turnout (%)		YES	NO										
Word of Life A 2001	639	136	21.28		86	40										
Word of Life A - Vote by Mail	639	203	31.77		146	36										
First Pres 2002	756	145	19.18		106	28										
First Pres - Vote by Mail	756	261	34.52		195	49										
Word of Life B 2003	767	92	11.99		67	20										
Word of Life B - Vote by Mail	767	252	32.86		180	55										
Govt Ctr A 2004	744	116	15.59		84	21										
Govt Ctr A - Vote by Mail	744	228	30.65		172	36										
Govt Ctr B 2005	740	120	16.22		74	35										
Govt Ctr B - Vote by Mail	740	184	24.86		125	45										
Govt Ctr C 2007	643	102	15.86		73	24										
Govt Ctr C - Vote by Mail	643	195	30.33		138	40										
Precinct Totals	4289	711	16.58		490	168										
Vote by Mail Totals	4289	1323	30.85		956	261										
Grand Totals	4289	2034	47.42		1446	429										
3RD CONGRESSIONAL	4289	2034	47.42		1446	429										
4TH SENATE	4289	2034	47.42		1446	429										
3RD ASSEMBLY	4289	2034	47.42		1446	429										
1ST EQUALIZATION	4289	2034	47.42		1446	429										
SUPERVISOR - 2ND	4289	2034	47.42		1446	429										
YUBA COUNTY	4289	2034	47.42		1446	429										
CITY OF MARYSVILLE	4289	2034	47.42		1446	429										
MARYSVILLE LEVEE COMMISSI	4289	2034	47.42		1446	429										

THIS PAGE INTENTIONALLY LEFT BLANK

The County of Yuba

OFFICE OF TREASURER AND TAX COLLECTOR

DAN M. MIERZWA
TREASURER & TAX COLLECTOR

GOVERNMENT CE 535-14
915 8th STREET, SUI
MARYSVILLE, CA 95901-5273

TELEPHONE (530) 749-7840
FAX (530) 749-7844

November 14, 2014

TO: Board of Supervisors

FROM: Dan M. Mierzwa, Treasurer & Tax Collector

RE: Adopt resolution Delegating Investment Authority

RECOMMENDATION:

Adopt resolution delegating Investment Authority for the calendar year, to the Yuba County Treasurer effective January 1, 2015.

BACKGROUND / DISCUSSION:

Per Government Code Section 53600 et seq. and Article III, Section 2.54.040 of the Yuba County Ordinance Code, a resolution is required each year delegating investment authority to the Yuba County Treasurer. County Counsel has provided the template for said resolution for the year of 2015 (see attached). As such I respectfully request the Board of Supervisors to adopt this resolution.

FISCAL IMPACT: None

THIS PAGE INTENTIONALLY LEFT BLANK

BEFORE THE BOARD OF SUPERVISORS

OF THE COUNTY OF YUBA

IN RE:

RESOLUTION DELEGATING INVESTMENT AUTHORITY TO THE YUB A COUNTY TREASURER FOR THE YEAR 2015	**RESOLUTION NO: _____**

WHEREAS, as the Board of Supervisors are authorized pursuant to California Government Code §53600 et seq. to delegate investment authority to the County Treasurer; and

WHEREAS, Section 2.54.040 of the Yuba County Ordinance Code, among other things, delegates to the County Treasurer the authority to invest or re-invest the funds of the County and the funds of other depositors in the County Treasury; and

WHEREAS, as the California Government Code §53607 requires such delegation to be made on an annual basis; and

WHEREAS, Section 2.54.040 of the Yuba County Ordinance Code requires that the subject annual delegation be achieved by passage of an appropriate resolution of the Yuba County Board of Supervisors; and

WHEREAS, the Yuba County Board of Supervisors desires to continue to delegate the referenced investment authority to the County Treasurer.

NOW, THEREFORE, BE IT RESOLVED that the Yuba County Board of Supervisors hereby delegates to the County Treasurer the authority to continue to invest or re-invest the funds of the County and the funds of other depositors in the County Treasury pursuant to Government Code Section 53600 et seq., specifically including but without limitation Government Code, Section 53684 and 53684, and Title II, Section 2.54.040 of the Yuba County Ordinance Code.

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of Yuba, State of California, on the _____ day of December 9, 2014, by the following vote:

AYES:

NOES:

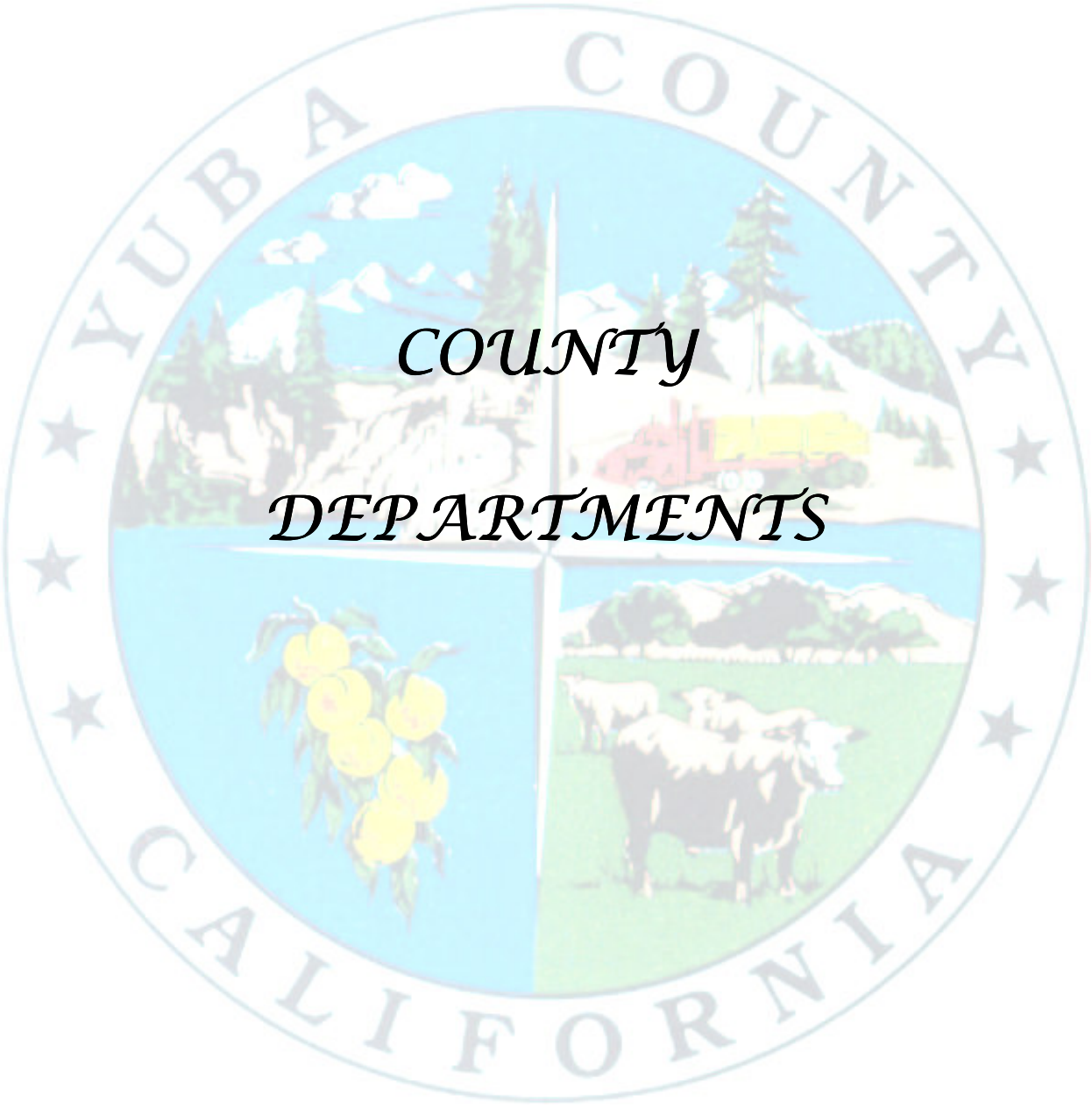
ABSENT:

John Nicoletti, CHAIRPERSON
YUBA COUNTY BOARD OF SUPERVISORS

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

APPROVED AS TO FORM:
ANGIL P. MORRIS-JONES,
COUNTY COUNSEL

Angil P. Morris-Jones, County Counsel



COUNTY

DEPARTMENTS

THIS PAGE INTENTIONALLY LEFT BLANK

Administrative Services Memorandum

To: Board of Supervisors
CC: Robert Bendorf, County Administrator
From: Doug McCoy, Director, Administrative Services
Date: December 9, 2014
Re: Round 2 Funding for Tri-County Juvenile Facility

Recommendation

Recommend the Board approve the following actions in support of the creation of a new Tri-County Juvenile Rehabilitation Facility in Marysville:

- The Board approve and authorize the Board Chair to sign the County's application , as the lead agency, to the Board of State and Community Corrections for the second round of SB81 Local Youthful Offender Rehabilitation Facilities Construction funding

- The Board approve the attached resolution of support for the project

Background

The project began in 2009 when Colusa County identified the need for a juvenile rehabilitation facility and applied for SB 81 construction funding. After receiving a conditional award of $5.65 million from the BSCC in late 2010 for a 10-bed facility, and upon reviewing the high ongoing operating costs, Colusa discussed a regional approach with Sutter and Yuba counties. It was determined by the three Counties that a regional solution would provide greater benefit, so under SB 365 the original grant was redirected to Yuba County.

Discussion

As the lead agency, Yuba County was awarded this first round of BSCC funding as a result of SB365. This amount of grant funding was based on Colusa's original 10 bed facility so Administrative Services brought in a consultant to develop a conceptual layout of the new 48 bed facility and provide conceptual project and construction estimates based on the

greater need. After determining the funds required for the construction of the additional beds, the Counties decided to pursue the SB 81 Round 2 funding to make the regional facility a reality.

Committee Impact

Due to the time sensitivity of the application deadline to the BSCC Board on December 19th, we have bypassed the Public Facilities Committee in order to bring these items to the full Board for consideration.

Fiscal Impact

Fiscal impact at this point is minimal (consultant fees, appraisal cost, etc.). We are still early in the process, and design work has not yet begun. Our consultant estimates the construction cost for a 48 bed facility to be approximately $18,317,164. After the original State grant of $5,655,740, and the potential second round funding of $9.6 million, the anticipated the remaining match of $3,061,424 would be split among the three Counties through a 40 / 40 / 20 split for Yuba, Sutter, and Colusa as defined by the Joint Powers Agreement.

Ongoing operational cost will be split among the three parties based on the same percentage allocation, and Yuba County's relative contribution will be reduced by 10%. It's important to note we anticipate staff levels to remain about the same under the new design.

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF YUBA

RESOLUTION	)	**RESOLUTION NO. _____**
RECOMMEND THE BOARD APPROVE	)	
THE ACTIONS NECESSARY IN SUPPORT	)	
OF THE CREATION OF A NEW TRI-	)	
COUNTY JUVENILE REHABILITATION	)	
FACILITY IN MARYSVILLE AND	)	
FURTHER SUPPORTS THE APPLICATION	)	
FOR SB81 – ROUND TWO FUNDING.	)	

WHEREAS, In November 2010, Colusa County received an SB81 Local Youthful Offender Rehabilitation Facilities Construction Grant to develop a new juvenile facility, and through SB365 these funds have been redirected to Yuba County; and

WHEREAS, Yuba, Sutter, and Colusa Counties have mutually determined it is advantageous for the three Counties to use this funding for the construction a Tri-County Juvenile Rehabilitation Facility to replace major portions of the existing Juvenile Hall that do not comply with current and upcoming regulatory requirements; and

WHEREAS, Yuba County has been positioned as the lead agency in the development of this new Tri-County Juvenile Facility; and

WHEREAS, the Tri-County Juvenile Facility has been tentatively awarded $5.65 million in the original SB81 round of grants; and

WHEREAS, a Project Committee comprised of the three Probation Chiefs and other staff from the three counties have determined the true cost to develop the requisite facility is greater than the original grant, and thus has expressed an interest in applying for additional SB81 – Round Two funding to complete the project; and

WHEREAS, the three Counties have adopted a JPA to govern the new Tri-County Juvenile Facility, are already operating under the new guidelines, and have established a joint oversight committee to oversee operations and the development of the new facility; and

WHEREAS, under this JPA, the Counties of Yuba and Sutter shall hold a 40% share of the cost of operating the facility and Colusa shall hold a 20% share.

NOW, THEREFORE, BE IT RESOLVED, The Yuba County Board of Supervisors hereby:

- Affirms its general support of the Tri-County Juvenile Hall project;
- Recognizes the need to appoint certain County employees to be holders of certain roles in the project process, and hereby appoints:
    - The current Yuba County Board Chair to be the authorized county official to sign the Applicant's Agreement and submits the proposal for funding on behalf of all three Counties making the application.

  It further appoints:
    - Doug McCoy, Director of Administrative Services of Yuba County as the Construction Administrator
    - Andrea Armstrong, Purchasing and Contracts Administrator of Yuba County as the Project Financial Officer
    - Doug McCoy, Director of Administrative Services of Yuba County as the Project Contact Person

- Assures that the County will adhere to state requirements and terms of the agreements between the County, the BSCC, and the SPWB in the expenditure of state funds and county match funds.

- Assures that the county has appropriated, or will appropriate after conditional project award but before state/county funding agreements, the amount of match identified by the county on the funding Proposal Form submitted to the BSCC; identifies the source of cash match when appropriated as capital improvement funds in the sum of $1,028,493, which represents our percentage share of the cash match total and assures that state and cash matching funds do not replace funds otherwise dedicated or appropriated for construction activities.

- Assures that the county will fully and safely staff and operate the facility that is being constructed (consistent with Title 15, California Code of Regulations, Chap. 1, Sub.5) within 90 days after project completion.

- Shall provide the following site assurance for the county facility at the time of proposal or not later than 90 days following the BSCC's notice of Intent to Award: 1) assurance that the county has project site control through either fee simple ownership of the site or comparable long-term possession of the site and right of access to the project sufficient to assure undisturbed use and possession of the site; and, 2) will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site of facility subject to construction, or lease the facility for operation to

other entities, without permission and instructions from the BSCC, for so long as the SPWB lease-revenue bonds secured by the financed project remain outstanding.

- Attests to $965,000 as the current fair market land value for the proposed new or expanded facility. This can be claimed for on-site land cost/value for new facility construction. It cannot be claimed for land cost/value under an existing operational facility. (If claimed as in-kind match, actual on-site land cost documentation or independent appraisal value will be required as a pre-agreement condition.)

BE IT FURTHER RESOLVED, as the lead county of this regional partnership, Yuba County has developed a Joint Powers Agreement (JPA) with the active participation of the other Tri-County members to govern the operation of this new facility, and this agreement has been adopted by all three Counties. A copy of this JPA will be submitted with our grant application. An amendment to the JPA will be completed within 90 days of tentative award to assure full compliance with BSCC requirements.

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of <>, State of California on the _____ day of _____, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
John Nicoletti
Board Chair

ATTEST: Donna Stottelmeyer
CLERK OF THE BOARD OF SUPERVISORS

_____

Angil Morris Jones
YUBA COUNTY COUNSEL
APPROVED AS TO FORM:

THIS PAGE INTENTIONALLY LEFT BLANK

SECTION 1: PROJECT INFORMATION

COUNTY NAME	STATE DOLLARS REQUESTED
Yuba County	$ 9,600,000

SMALL COUNTY (200,000 OR UNDER GENERAL COUNTY POPULATION)	MEDIUM COUNTY (200,001 - 700,000 GENERAL COUNTY POPULATION)	LARGE COUNTY (700,001 + GENERAL COUNTY POPULATION)
☒	☐	☐

TYPE OF PROPOSAL – PROGRAM SPACE PROPOSAL OR BEDS AND PROGRAM SPACE PROPOSAL
PLEASE CHECK ONE (ONLY):

PROGRAM SPACE ☐ BEDS AND PROGRAM SPACE ☒

FACILITY NAME
Tri County Juvenile Rehabilitation Facility

PROJECT DESCRIPTION
Regional Facility - Colusa, Sutter, and Yuba Counties

STREET ADDRESS
1023 14th Street

CITY	STATE	ZIP CODE
Marysville	CA	95901

FACILITY TYPE DESCRIPTION (camp, hall, special purpose hall, etc...)	☒ NEW STAND-ALONE FACILITY	☐ RENOVATION/ REMODELING	☐ CONSTRUCTING BEDS OR OTHER SPACE AT EXISTING FACILITY
Hall			

	A. MINIMUM SECURITY BEDS	B. MEDIUM SECURITY BEDS	C. MAXIMUM SECURITY BEDS	D. SPECIAL USE BEDS
Number of beds constructed	0	48	0	0

TOTAL BEDS (A+B+C+D)	48

PERSON AUTHORIZED TO SIGN AGREEMENT

NAME John Nicoletti TITLE Chairman, Yuba Co. Board of Supervisors

AUTHORIZED PERSON'S SIGNATURE DATE

APPROVED AS TO FORM
ANGIL P. MORRIS-JONES
COUNTY COUNSEL
BY: _____

COUNTY CONSTRUCTION ADMINISTRATOR

NAME	TITLE		
Doug McCoy	Director of Administrative Services		
DEPARTMENT			TELEPHONE NUMBER
Administrative Services Department			530-749-7880
STREET ADDRESS			
915 8th Street Suite 119			
CITY	STATE	ZIP CODE	E-MAIL ADDRESS
Marysville	CA	95901	dmccoy@co.yuba.ca.us

PROJECT FINANCIAL OFFICER

NAME	TITLE		
Andrea Armstrong	Purchasing and Contracts Administrator		
DEPARTMENT			TELEPHONE NUMBER
Administrative Services Department			530-749-7882
STREET ADDRESS			
915 8th Street Suite 119			
CITY	STATE	ZIP CODE	E-MAIL ADDRESS
Marysville	CA	95901	aarmstrong@co.yuba.ca.us

PROJECT CONTACT PERSON

NAME	TITLE		
Doug McCoy	Director of Administrative Services		
DEPARTMENT			TELEPHONE NUMBER
Administrative Services Department			530-749-7880
STREET ADDRESS			
915 8th Street Suite 119			
CITY	STATE	ZIP CODE	E-MAIL ADDRESS
Marysville	CA	95901	dmccoy@co.yuba.ca.us

SECTION 2: BUDGET SUMMARY

Budget Summary Instructions

Definitions of total project costs for purposes of this program (state reimbursed, county cash contribution, and county in-kind contribution) can be found in the "Financing" section of the Senate Bill (SB) 81, Round Two, Construction of Local Youthful Offender Rehabilitative Facilities (LYORFs) Request for Proposals (RFP). The county cash and in-kind contributions

are collectively the county contribution. Those defined costs in the RFP shall be the guide for accurately completing this budget summary section.

In the Budget Summary Table that follows in part D of this section, indicate the amount of state financing requested and the amount of cash and/or in-kind contributions allotted to each budget line-item, in total defining the total project costs. It is necessary to fully include each eligible project cost for state-reimbursed, county cash, and county in-kind contribution amounts.

The in-kind contribution line items represent only county staff salaries and benefits or current fair market value of land. An appraisal of land value will be required after conditional award and only if land value is included as part of the county's contribution.

The total amount of state financing requested cannot exceed 90 percent of the total project costs. The county contribution must be a minimum of 10 percent of the total project costs (unless the applicant is a small county petitioning for a reduction in the county contribution amount). County contributions can be any combination of cash or in-kind project costs. Small counties that petition for a reduction in the contribution amount must provide a minimum of five percent contribution of the total project costs. Small counties requesting a reduction in county contribution must state so in part A of this section.

State financing limits (maximums) for all county proposals are as follows. For proposed regional LYORF projects, the size of the lead county determines the maximum amount of funds to be requested for the entire project:

- **$17,500,000** for large counties;
- **$12,500,000** for medium counties; and,
- **$ 9,600,000** for small counties.

A. Small County Petition for Reduction in Contribution

A small county may petition the Board of State and Community Corrections (BSCC) Board for a reduction in its county contribution. This proposal document will serve as the petition and the BSCC Board's acceptance of the county's contribution reduction, provided the county abides by all terms and conditions of this SB 81, Round Two RFP and Proposal process and receives a conditional award. Small counties requesting the reduction must still provide a minimum of 5 percent contribution that may be any combination of 5 percent cash and/or in-kind contribution. If requesting a reduction in match contribution, check the box below to indicate the county's petition.

☒ **This proposal includes a petition for a county contribution reduction request as reflected in the proposal budget.**

B. Mandatory Prequalification Matching Funds Attest

In order to attest that the county has the readiness to proceed with the proposed project, the county has the matching funds identified and will be used for the county match funding for this project.

☒ **This proposal includes a Board of Supervisors' Resolution that is attached and includes language that assures funding is available.**

x_____

C. California Environmental Quality Act (CEQA) compliance

Has the county completed the CEQA compliance for the project site?

☒ **Yes. If so, include documentation evidencing the completion.**

☐ **No. If no, describe the status of the CEQA certification.**

D. Budget Summary Table (Report to Nearest $1,000)

1. Construction (no moveable equipment/furnishings)	$9,600,000	$0	$ 0	$ 9,600,000
2. Architectural		$0	$ 0	$ 0
3. CEQA		$0	$ 0	$ 0
4. Construction Management		$376,000	$ 0	$ 376,000
5. State Agency Fees		$100,000	$ 0	$ 100,000
6. Audit of Grant		$30,000	$ 0	$ 30,000
7. Site Acquisition (cost or current fair market value)			$ 0	$ 0
8. Needs Assessment		$ 0	$0	$ 0
9. County Administration			$ 0	$ 0
10. Transition Planning		$ 0	$0	$ 0
TOTAL PROJECT COSTS	$9,600,000	$506,000	$ 0	$10,106,000
PERCENT OF TOTAL	95.0%	5.0%	0%	100.00 %

Provide an explanation below of how the dollar figures were determined for each of the budget categories above that contain dollar amounts. Every cash contribution (match) line item shall be included with a reporting of the full amount budgeted unless a line item is not an actual cash contribution project cost for the county. (In that case, indicate so below.) For each budget category explanation below, include how state financing and the county contribution dollar amounts have been determined and calculated (be specific).

1. Construction (no moveable equipment/furnishings):

The total cost for design build is estimated at $16,181,153. This includes escalation to mid-point of construction, a construction contingency, design phase contingency for scope creep and an adjustment for today's volatile market. The estimate includes the full cost of design, construction, building systems, equipment and fixed F,F&E.

This request is for $9,600,000 in State funding which when added to the $5,655,740 already awarded under SB 365 equals; $15,255,740 ($5,655,740 SB 365 funding + $9,600,000 SB 81 funding). This leaves a total project design build shortfall of $925,413 which will be provided as Tri-County cash match. SB365 is the Colusa County awarded funds which were transferred to Yuba/Sutter.

2. **Architectural:**

   a) **Describe the county's current stage in the architectural process:** The Tri-Counties will use the design build with bridging project delivery method to complete the design and construct the Tri-County Youthful Offender Facility. The facility is currently programmed and bridging documents have been started.

   b) **Given the approval requirements of the State Public Works Board (SPWB) and associated state reimbursement parameters (see "Financing" section in the RFP), define which portions/phases of the architectural services the county intends to seek state dollar reimbursement:** The design phase of the design build contract is included in the budget summary table construction line item as part of the total amount anticipated to be awarded to the Design Build Entity.

   c) **Define the budgeted amount for what is described in b) above:** No State funds are anticipated for design services in the architectural line item.

   d) **Define which portion/phases of the architectural services the county intends to cover with county contribution dollars:** Bridging design will be 100% covered as Tri-County cash match in this line item.

   e) **Define the budgeted amount for what is described in d) above:** The Tri-Counties have budgeted $485,500 to cover 100% of the bridging design. This item was included in the SB 365 application.

3. **CEQA:** The estimate for CEQA cash match is $50,000 and was included in the SB 365 award.

4. **Construction Management - Describe which portions/phases of the construction management services the county intends to claim as:**

   a) **Cash** The Tri-Counties will provide cash match for construction management, testing and special inspection and compliance inspection. These services were partially matched in SB 365 application and partially matched in this application.

   b) **In-Kind** Construction management funds will be cash match.

5. **State Agency Fees – Counties should consider an approximate cost of $35,000 to be captured in the county cash contribution (match):** The Tri-Counties are including $100,000 as a budget for State Agency fees. The escalated amount reflects due diligence fees as well as an understanding that the State Fire Marshal fees are increasing.

6. **Audit of Grant - Define whether the county is intending to use independent county auditor (in-kind) or services of contracted auditor (cash) and amount budgeted:** The Tri-Counties have included $30,000 in cash match with the intent of soliciting the services of a contractor to provide an independent Audit of the Grant

7. **Site Acquisition - Describe the cost or current fair market value (in-kind):** Property owned by Yuba County. A Fair Market Value assessment has been completed.

8. **Needs Assessment - Define work performed by county staff (in-kind):** The needs assessment has been completed.

9. **County Administration:** Tri-Counties will administer project through a three County steering committee. Primary support will be provided by Yuba County with existing staff. The Tri-Counties are not using the administration cost as further proposed contribution.

10. **Transition Planning – Define work performed by county staff (in-kind):** Transition planning will be accomplished using multi-agency staff from Yuba, Sutter and Colusa Counties. The Tri-Counties are not using the transition planning cost as additional proposed contribution.

SECTION 3: PROJECT TIMETABLE

Prior to completing this timetable, the county must consult with all appropriate county staff (e.g., county counsel, general services, public works, county administrator) to ensure that dates are achievable. Please consult the "State Public Works Board/Board of State and Community Corrections Processes and Requirements" section of the RFP for further information. Complete the table below indicating start and completion dates for each key event, including comments if desired. Note the required time frames for specific milestone activities in this process. The BSCC Board intends to make conditional awards at an April 2015 board meeting.

Site assurance/comparable long-term possession within 90 days of award	04/2015	05/2015	County will prepare this before conditional award.
Real estate due diligence package submitted within 120 days of award	04/2015	05/2015	County will prepare this before conditional award.
SPWB meeting – Project established within 18 months of award	09/2015	09/2015	Scope, Schedule, Cost are being developed
Schematic Design with Operational Program Statement within 24 months of award (design-bid-build projects)	N/A	N/A	Design-Build Project
Performance criteria or performance criteria and concept drawings with Operational Program Statement within 30 months of award (design-build projects)	04/2015	10/2015	
Design Development (preliminary drawings) with Staffing Plan	10/2015	03/2016	
Staffing/Operating Cost Analysis approved by the Board of Supervisors	04/2015	03/2016	
Construction Documents (working drawings)	03/2016	07/2016	
Construction Bids	N/A	N/A	Design-Build Project
Notice to Proceed within 42 months of award	09/2016	09/2016	2 months of CD review
Construction (maximum three years to complete)	09/2016	11/2017	
Staffing/Occupancy within 90 days of completion	02/2018	02/2018	

SECTION 4: NARRATIVE

PLEASE ADDRESS EACH OF THE FOLLOWING ITEMS. IF AN ITEM IS NOT APPLICABLE, PLEASE STATE AND DESCRIBE WHY IT IS NOT APPLICABLE.

Attach up to the maximum number of 35 pages. Section 4.1 is limited to one page and may be single-spaced narrative with one-inch margins; thereafter, all remaining sections (Sections 4.2 – 4.7) must be double-spaced narrative with one-inch margins. All narrative (Sections 4.1 – 4.7) must use no smaller than 12-point font and be ordered in the subject areas indicated within the proposal type. If the narrative can be written in less than the maximum 35 pages, please do so (avoid "filler"). Up to 10 additional pages of essential appendices may be included at the discretion of the applicant. Appendices cannot be used to give required narrative information. Pictures, charts, illustrations, or diagrams are encouraged in the narrative or appendices to assist reviewers in fully understanding the proposed scope of work. Data sources must be identified.

If the project is for a regional LYORF (must meet the requirements outlined in the "Additional Considerations" section, "Regional County Local Youthful Offender Rehabilitative Facilities" sub-section of the RFP), clearly indicate so. Include the names of the partnering counties and their individual data that support the project and respond to the requested narrative points.

1. What is Your Proposed Project?

Applicants must clearly describe their proposed use of SB 81, Round Two funds by addressing the following questions listed below. Objectives should be clear, measurable, research-informed, and in line with best practices.

A. Describe project eligibility and how your proposal meets the intent of Welfare and Intuitions Code (WIC), Sections 1970-1978 in that it proposes renovation or construction of facilities in line with the legislative goal to enhance the rehabilitation of youthful offenders through support service spaces or program space; renovation of existing space; new stand-alone facility or replacement facility; and addition of beds.

B. Provide a description of programming needs and how they will be supported through, and aligned with, specific facility changes and design.

2. Why is this New Facility or Program Change Needed?

Applicants must clearly demonstrate the need for a new facility or facility renovation by addressing the following:

A. Include a clear and detailed description of how the proposed new facility or facility change will support the county's vision for rehabilitating youth and provide a continuum of care and overall improvement of its juvenile justice system.

B. Describe and provide both quantitative and qualitative data that support the need and enhance the case for the project plan. Qualitative data may include results of interviews and focus groups with youth, families, and community stakeholders.

C. Describe how this project will support and enhance the county's overall approach to juvenile justice, in light of existing services, programs, and facilities.

3. How will this Project Help the County Promote the Rehabilitation of Youthful Offenders?

Applicants must clearly describe how this project will help the county promote the rehabilitation of youthful offenders by addressing the questions below. Objectives should be clearly informed by research and best practices in facility design and programming treatment model.

A. How do rehabilitation purposes integrate into project objectives and facility design, including how new construction or renovation will contribute to goals such as, but not limited to, more effective treatment and service delivery, provision of detention alternatives, gender-specific programming, and reduction of racial and ethnic disparity?

B. How do program plans address alignment with key county departments and community-based organizations that provide an integrated treatment model, including family involvement, education, health, and mental health services for youth?

C. How do program plans address the need for and alignment with institutional and community partners around family support and involvement, re-entry planning, and transitions to school, employment, and community?

D. Include a description of how new design or facility change will contribute to improved results (e.g., rehabilitation, education, family support) along with a plan for tracking and evaluating change.

4. Is the Project Plan Cost-Effective and Fiscally Sustainable?

The proposal must represent a cost-effective request of state funds and the county must demonstrate that the plan is fiscally sustainable. In addition to the budget category descriptions that you provided in the Budget Summary Table, include in your discussion, at a minimum, the following points:

A. Include a clear rationale for how the expected benefits are worth the costs to be incurred in this project.

B. Budget proposal reflects effective utilization of state funds, as well as county cash and in-kind match. Address the potential for future funding for design and construction, as well as for design and delivery of new programming (if applicable).

C. The project plan provides a convincing rationale for proposed utilization of state and county funds.

D. How will the county support ongoing operational costs? Board item may be attached to support response.

5. County's Readiness to Move Forward with Proposed Project

Applicants must clearly describe their readiness to move forward with the proposed project by addressing the points, issues, and items below.

A. Construction elements are clearly described (e.g., site identified, ownership of construction site, site planning, utility services, etc.).

B. Address your ability to meet the June 30, 2017 establishment deadline with the SPWB, as required by Government Code 1973(d) and included in SB 81 legislation.

6. Describe the Administrative Work Plan and how it aligns With Project Objectives?

The proposal must provide a clear and comprehensive administrative work plan for designing, performing, and managing the proposed project. The project timeline must be thorough, reasonable, and clearly articulated. Include in your discussion, at a minimum, the following points:

A. Describe the current stage of the planning process, plan for project design, reasonable project timeline, and connection of work inputs to desired project objectives.

B. Provide a description of project administration and staff, including roles of other county departments and/or non-county partner entities.

C. The work plan describes elements of "green" construction if being used.

D. The work plan describes necessary support for information technology.

7. Overall Evaluation

A. Overall, how does the proposal address evidence-based and promising practices/programs and best practices for the county's juvenile justice program?

B. Overall, how does the proposal demonstrate the organizational need and readiness for the programmatic changes?

4.1A. Describe project eligibility and how your proposal meets the intent of Welfare and Intuitions Code (WIC), Sections 1970-1978 in that it proposes renovation or construction of facilities in line with the legislative goal to enhance the rehabilitation of youthful offenders through support service spaces or program space; renovation of existing space; new stand-alone facility or replacement facility; and addition of beds.

The 45-bed Yuba-Sutter Juvenile Hall was originally constructed in the 1940's as a tuberculosis isolation unit and converted to use as a juvenile detention facility in the 1950's. In 2001, a stand-alone 15-bed Secure Housing Unit (SHU), was built to respond to minors requiring a higher degree of security. The facility currently serves the three counties with a 60-bed capacity. The 74-year old portion of the facility contains asbestos, lead paint in the living units and cells, rusted plumbing fixtures throughout, lack of proper fire sprinkler protection and poor sightline design , making it cost-prohibitive to renovate the facility.

Colusa County, one of nine California counties without a juvenile hall facility, joined Yuba-Sutter as a Joint Powers Agreement (JPA) partner in July 2014 and as a result the Tri-County Juvenile Rehabilitation Facility was formed. Colusa County was approved by the legislature to redirect $5,655,740 of conditionally-awarded SB 81 Round 1 funds per SB 365 to Yuba County in November 2013, who would serve as the lead county for a new 48-bed Tri-County regional facility with Colusa and Sutter Counties. The Colusa County funds were to build a 10-bed facility in the City of Colusa, which falls short of building a 48-bed facility. In order to make this 48-bed regional facility a reality, the Board of Supervisors for each of the three counties have provided resolutions and executed a Joint Powers Agreement to pursue an additional $9,600,000. These funds will supplement the original award given to Colusa for a total construction cost of $16,181,000 and project cost of $18,310,000.

The Tri-County Juvenile Rehabilitation Facility Needs Assessment prepared on March 8, 2014 outlines a need for 49 beds to facilitate Average Daily Population by 2017. This new facility which will be constructed on land adjacent to the existing juvenile hall and meets WIC 1975(b)(1) requirement of fee simple ownership will allow Yuba, Sutter, and Colusa Counties to pool scarce resources and provide a safer, more secure, treatment-focused and homelike environment for juveniles, staff, visitors, and volunteers. Alongside greater family integration opportunities, a wider variety of successful evidence-based programs will now have adequate space for implementation and will better promote rehabilitation, ultimately reducing recidivism.

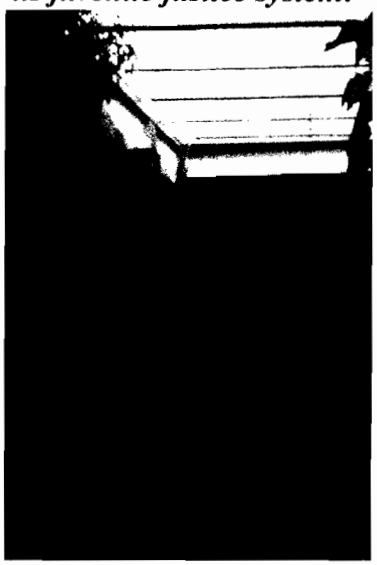
Support from each of the three Boards of Supervisors, Probation Departments, and community members demonstrates the recognition of the need for this project.

4.1B. Provide a description of programming needs and how they will be supported through, and aligned with, specific facility changes and design.

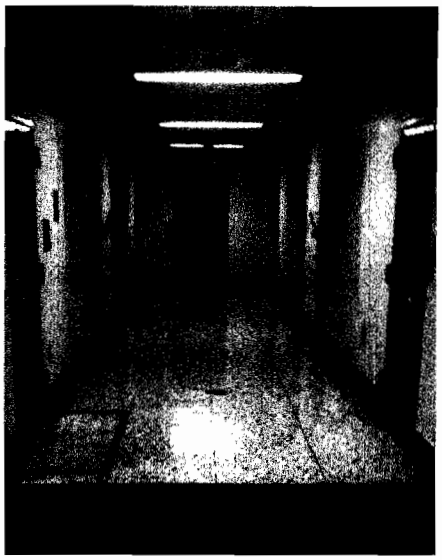
Yuba, Sutter and Colusa Counties currently have a lack of programmatic space within the existing regional juvenile hall, and scheduling conflicts between the few rooms and spaces that are available often drive the frequency and level of programming that can be delivered to juveniles. Additionally, the available rooms are institutional and lack adequate access to natural light.
This new regional facility will provide day lit, purpose-designed spaces to enhance evidence-based programs and improve security within all three counties, while keeping juveniles in close proximity to their families. Visiting rooms located adjacent to housing units with soft colors will accommodate more family visits, unification, and family involvement in transition planning and treatment. Living units will support a variety of activities with both indoor and outdoor spaces available for exercise, recreation and programming. Each living unit will have adjacent classrooms that will serve multiple functions, education, library and program space during non-school hours. Space will be available for trained staff to introduce a number of programs that have been successful in other jurisdictions, in addition to increasing the frequency of the programs in which minors may have been involved prior to detention. Examples of future evidence-based programs the Tri-County Core Project Team is considering along with current programs for future expansion are listed in Appendix B.

4.2. Why is this New Facility or Program Change Needed?

4.2A. Include a clear and detailed description of how the proposed new facility will support the county's vision for rehabilitating youth and provide a continuum of care and overall improvement of its juvenile justice system:



Entrance to Facility



Housing Corridor showing locks



Intake/Booking Room

The three counties envision moving their juvenile justice systems into the 21st century by assisting each juvenile and their family in developing a sense of achievement and personal responsibility through exposure and mastery of a wide variety of experiences. This is difficult to accomplish when faced with inadequate space and infrastructure to accomplish this goal. The current 74-year old facility lacks the space, layout, infrastructure, and technology to accommodate this vision. The new replacement facility will contain additional, higher quality and larger programming spaces that will allow expansion of the existing evidence-based programs shown in Appendix B. It will also provide better space for existing programs, such as anger management, negotiating and resolving conflict, drug awareness / recovery, life skills, victim awareness, building assets, recreation and physical training, family services, mental health counseling, and education, plus newer programs such as Aggression Replacement Therapy (A.R.T.) and Moral Reconation Therapy (M.R.T.).

Providing a continuum of care and overall improvement of juvenile justice system is evidenced by Tri-County's Core Value: The belief that the family is the core social unit and should, wherever

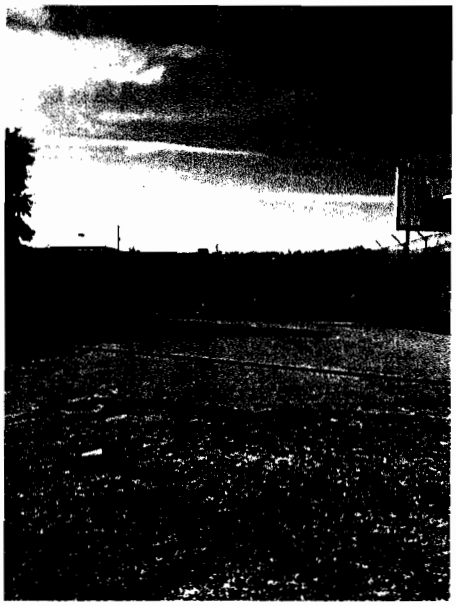
practical, be kept intact. The continuum of services starts and ends with the family, thus integration of the family is the key to juvenile rehabilitation. To that end, this facility will provide multiple visitation and parental education resources for family members to interact with the youth on a more frequent basis, beginning with involving family in the juveniles' education assessments upon intake. The three counties vision also includes involving families in the process of transitioning the juvenile out of detention, a process which begins as soon as a minor is brought in. Rather than releasing a juvenile and giving him or her a limited period of time in which to enroll back into the community's school system, parents and schools will be notified prior to the juvenile's release. This integration of family and education will ensure the juvenile has a transition plan in place before leaving.

Other progressive programs include: Technology: The three counties envision offering learning courses online in classrooms as soon as possible. Current classroom setups and infrastructure make this impossible. With expanded space and appropriate technology, the new juvenile hall facility will be able to offer online junior college courses when minors are the appropriate age, and workshops and courses to all grades. This ability to individualize education for each individual will maximize the teachers' time with each student. After hours, this educational space can accommodate various technology-enhanced programs such as Court and Community Schools, ROP, and Special Education, where students will be able to utilize technology, improve academic performance, exhibit appropriate behavior and develop life-long learning goals.

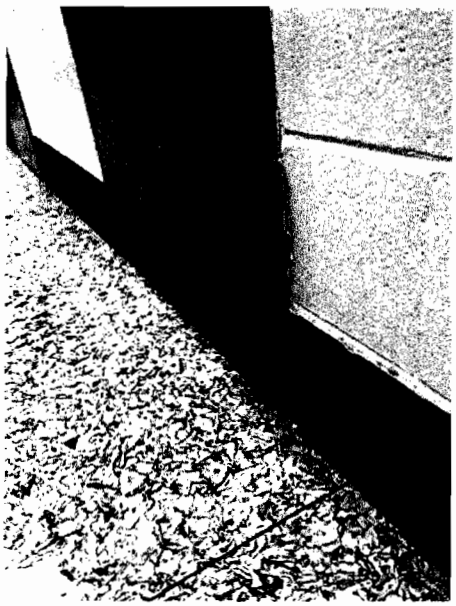
Outdoor Recreation – With two new outdoor recreation areas that are secure and directly adjacent to all three living units, the counties can have multiple outdoor activities planned at the same time. The ultimate goal is to provide the option for team building and exercise of the large muscle groups through activities such as softball, basketball, and track. Tournaments are intended to actively engage minors in recreational activities. Incentives can be provided for participation.



Sallyport



Outdoor Recreation Yard



Housing Doors – Peeling Metal Skin

Other areas of improvement with new juvenile hall facility are:

- Improved modern program space.
- Improved line-of-sight supervision with new podular design living units.
- Improve public, staff, and juvenile safety and security with new doors, sally port, windows, locks, security controls, cameras, and fire suppression / detection.
- Improved recreation space.
- Improved classrooms with teacher's areas.
- Improved medical and mental health offices.
- Improved intake area and holding cells.
- Improved public access into facility.
- Improved law enforcement access into facility.
- Improved family visiting.
- Improved storage for juvenile's belongings and general storage.

4.2B. Describe and provide both quantitative and qualitative data that support the need and enhance the case for the project plan. Qualitative data may include results of interviews and focus groups with youth, families, and community stakeholders.

This proposal is for a regional juvenile hall replacement project for Yuba, Sutter and Colusa Counties. The chart below shows the gross deficiency existing between the 74-year old Yuba-Sutter Juvenile Hall's Gross Square Footage as compared to new and modern juvenile detention facilities in the State.

Facility Space (Gross Square Feet) Per Minor Comparison to Other Counties			
Facility	**Year**	**Space**	**GSF / Minor**
Yuba-Sutter Juvenile Hall	**1940**	**17,834**	**371**
Humboldt County Juvenile Hall	2014	19,500	650
El Dorado County Juvenile Treatment Center	2008	26,200	655
Tuolumne County Juvenile Hall	2014	21.200	706
Shasta County Juvenile Rehabilitation Facility	2012	44,627	495
Stanislaus County Juvenile Commitment Facility	2013	45,600	760
Average			**653**

From the chart above, a new modern facility contains nearly twice the space as the Yuba-Sutter juvenile detention facility. In addition to space deficiencies, the Grand Jury has weighed in with the following notation from the 2013-14 Grand Jury Report:

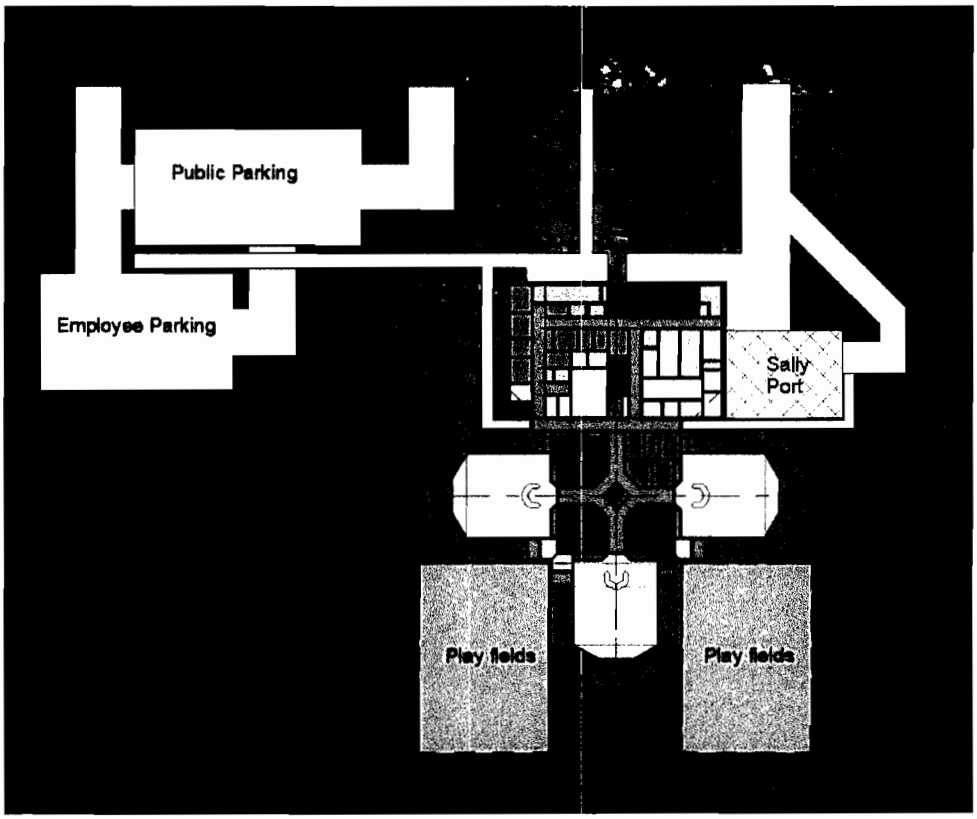
> ***During a visit to the Juvenile Hall it was reported to the Grand Jury that the State of California recently conducted an environmental health pre-inspection of the facility and identified environmental health issues. The inspection revealed lead based paint on the walls of the facility. The County was told the current conditions noted could shut down the facility if issues were not resolved.***

Based on the following projected ADP Chart taken directly from the 2014 Needs Assessment, the Tri-County Juvenile Replacement Hall facility supports the need for the 48 beds for the year 2017.

Summary of Projected Annual Average Daily Population	
Calendar Year	Average Daily Population
2013	36
2014	39
2015	43
2016	46
2017	49
2018	52
2019	56
2020	59
Source: 2014 Data by Tri-County Probation Departments	

4.3 How will this project help the County Promote the Rehabilitation of Youthful Offenders?

4.3A. How do rehabilitation purposes integrate into project objectives and facility design, including how new construction will contribute to goals such as more effective treatment and service delivery, provision of detention alternatives, gender-specific programming, and reduction of racial and ethnic disparity?



One of the great advantages of the regional facility is the ability for the Yuba, Sutter and Colusa to share program approaches, taking the best practices of each County and applying these in one facility. The new facility design enhances the County's ability to 1) provide effective treatment and services to support gender specific programs, such as Girl's Circle, 2) decrease racial and ethnic tensions by allowing more space and a broader variety of available programs, 3) enhance classification

and housing for better security and safety for the children, and 4) increase the ability to provide effective supervision, coaching and mentoring through direct interaction with the youth.

As a shared podular design facility, not only is more space is dedicated to program, recreation and education, but a higher degree of direct supervision and interaction with the youth results, without substantial increase in staffing. The new facility provides improved outdoor recreation for competitive sports tournaments, teaching teamwork and goal realization as well as the pride of achievement. The juveniles will have a safe area to get exercise and learn healthy habits.

A Tri-County facility shares programs and initiatives for alternatives to detention. Some of the programs already successfully in place in the Tri-County region include: 1) Community Service as an alternative to custody, 2) electronic monitoring, 3) 654 W&I Informal Probation, 4) Home Supervision, 5) Juvenile Day Reporting Center (intervention counseling, and probation support). ***The Tri-County facility will allow the three Counties to adopt consistent programs across each county allowing sharing of resources beyond those that work exclusively at the facility.***

4.3B. How do program plans address alignment with key county departments and CBOs that provide an integrated treatment model, including family involvement, education, health, and mental health services for youth?

In addition to the modernizing and upgrading the facilities dedicated to treatment and education in the new facility, the use of shared resources, both facility and staff, allow better services by each of the three Counties.

Education: The new design includes three large classrooms, each adjacent the living unit, allowing flexible multi-purpose use in support of the programs and youth classifications. The Yuba County Office of Education has collaborated with the Probation department in providing increase education services to the facility youth. Recently, the facility school received Western Association of Schools and Colleges accreditation. The new classrooms will accommodate Wi-Fi and today's current technology which will assist in maintaining the accreditation. Age appropriate students will

be offered junior college classes. The new classrooms provide an environment similar to a college setting.

Medical: The new facility will include a fully equipped exam room and well-designed treatment area, secure pharmacy and medical records area. Medical and exam equipment will be updated to improve care. As a shared resource, medical personnel will be more effectively used allowing more services to all Tri-County juveniles.

Mental Health: The new facility includes confidential interview, dedicated therapy and group therapy space. Shared resources allow effective mental health treatment and counseling. Children will be treated in nurturing environments that emphasis treatment during their detention. The current facility does not provide space and resources for effective treatment.

Medical, Mental Health and Education Staffing: The Tri-County approach allows the facility to employ highly qualified staff that can provide efficient services to the juveniles. Where staff would be part time at any individual county facility, this regional facility supported by all three counties will be full-time. In each case, the shared regional facility will allow higher quality treatment and education, with increased consistency, response and availability.

Collaboration: The Tri-Counties intent to establish a collaborative environment to review detention alternatives, needed treatment and support for the juveniles. The collaboration includes law enforcement, mental health, medical, education and community based organizations (CBO's) from all three counties. The goal is to provide consistent continuum of care for the juvenile and apply the best evidence based practices that consider and take advantage of the collective wisdom among the three counties. The Tri-County juvenile facility will set the standard for the efficient and economical care and treatment of youthful offenders in California.

4.3C. How do program plans address the need for and alignment with institutional and community partners around family support and involvement, re-entry planning, and transitions to school, employment and community?

The advantage of a regional facility allows sharing of community and support resources prior to the juvenile being discharged. The Tri-Counties encourages community groups providing similar support in each County to collaborate providing enhanced services and permitting earlier interaction and more sustained support.

The Tri-Counties will evaluate initial youth assessments to determine the best programs and services and develop a plan for re-entry preparation and discharge. The intent of the Tri-Counties is to take advantage of the best practices of each County and provide a consistent process for all youthful offenders released from the facility.

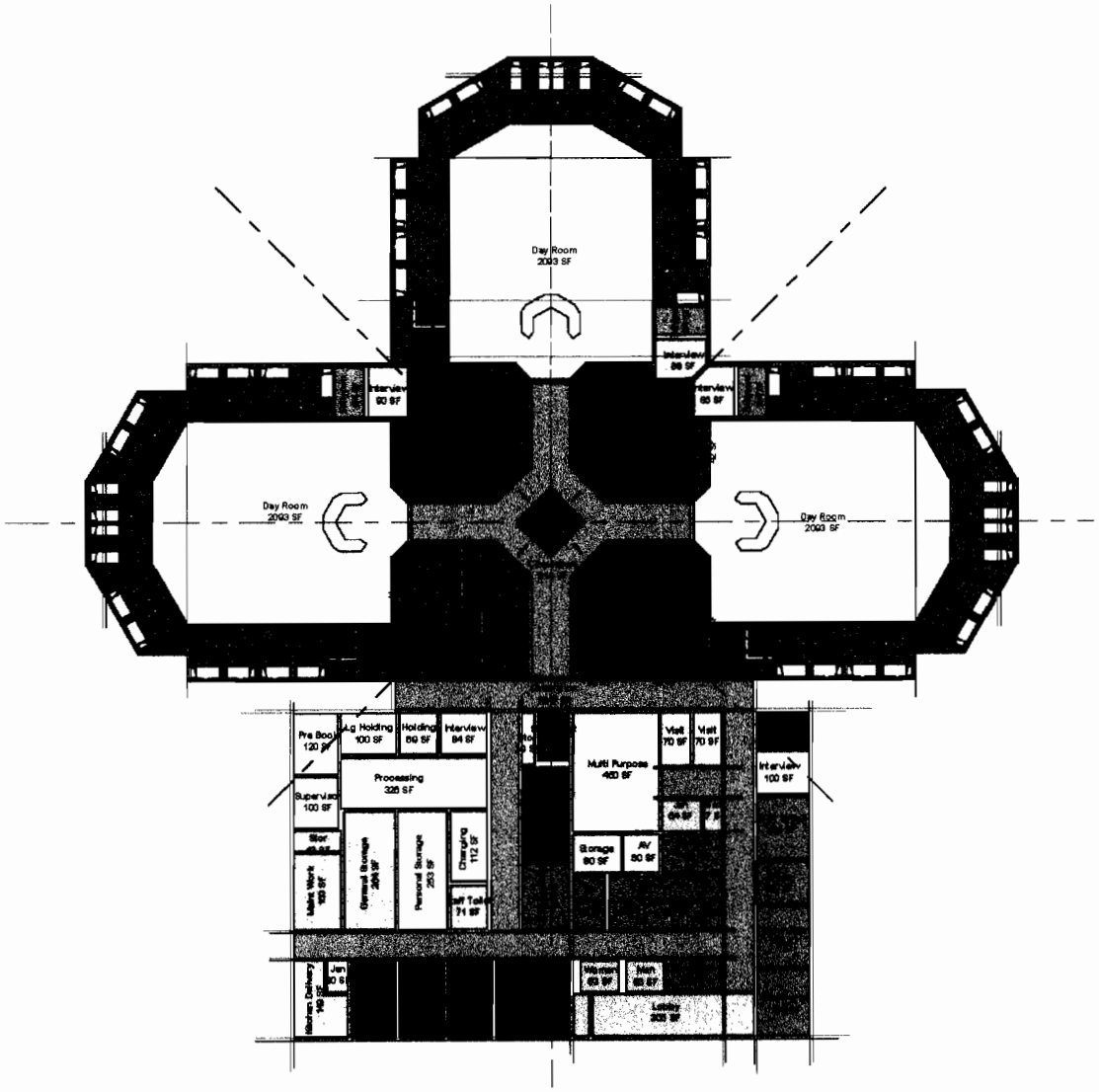
At a minimum, reentry and release protocols include:

- Collaborative approach on addressing youths needs to include medical, mental health, education, family and other stakeholders.
- Notifying and engaging parents in the re-entry and release process. Parents will know the exact details of the release and will be encouraged to participate in counseling prior to release.
- Notify schools of the discharge and transition details about the curriculum provided and student's record.
- Transition health records to identify resources that will continue care of the juvenile when released.
- Work with religious and community groups specifically involved with the juvenile's community. Encourage early interaction well in advance of release. Multi-purpose, education and counseling space will be made available for early interaction between youthful offender and community support.
- Life skill programs will be offered in the new facility to prepare the juvenile for day to day living skills and employment as applicable.

The Tri-County facility is designed to facilitate training and preparation for release. **Program, education, and treatment space is intended to facilitate re-entry support starting the first day**

that the youthful offender enters the new facility. The podular design allows better social interaction among the children and facilitates group therapy which will directly lead to reduced recidivism and children that are better prepared to address the challenges they will face when released. This better mirrors the community at large. The intent of the Tri-County facility is to take advantage of the best practices and resources of all three Counties to provide the best opportunities for the children.

4.3D. Include a description of how new design or facility change will contribute to improved results (e.g. rehabilitation, education, family support) along with a plan for tracking and evaluating change.



The new Tri-County Regional Facility for Youthful Offenders will enhance the way all three Counties are able to support the juvenile, preparing them for re-entry into the community and improve rehabilitative outcomes. This is accomplished through:

- Facility improvements: The podular design allows efficient direct supervision. The combination of single and double occupancy sleeping rooms permit flexibility in living support of the rehabilitation plans. Three pods allow the Counties to better address classification issues and special needs of detained youth.
- Accessibility: The new facility meets the latest accessibility codes facilitating juveniles with physical challenges and allowing their treatment to be consistent with that of the full population.
- Education: Three large classrooms adjacent to each dayroom and living units allows effective instruction with reduced youthful offender movement. Shared County resources permitted by the regional facility concept afford enhanced instruction and highly qualified staff. Education techniques, initiatives and best practices from all three Counties will be applied providing top notch education to the juvenile while detained at the facility.
- Treatment: The new facility includes a fully equipped exam and treatment center as well as function specific medical offices, counseling area, group therapy and interview spaces. This dedicated healthcare element to the facility will vastly improve the level and quality of healthcare available to the juvenile. Serious cases will still be transported to County facilities outside of the juvenile center. Shared resources allow longer hours for the healthcare professionals providing sustained services. Medical and mental health treatment will be substantially improved in the new facility as a direct result of the regional concept and improved facilities.
- Intake and Release: The new facility includes an efficient well organized intake and release processing area improving safety and security for staff and juveniles. The efficient and dedicated space will reduce processing time and reduce the amount of time the juvenile will be detained in holding.

- Administration: Improved administration space supports the dedicated staff and encourages pride in the facility. A friendly and bright lobby supports families and reinforces the support function of the facility.
- Infrastructure and Technology: The new facility will be energy efficient. The space is tight and well organized requiring reduced infrastructure for non-purposed areas. The facility will include technology that permits wireless broadband in all building locations, no communication dead spots for staff, audio visual in classrooms and multi-purpose rooms and the latest technologies in detention, education, therapeutic and medical services.
- Staffing: One of the greatest benefits of the Tri-County facility is the ability to share staffing responsibilities among the three Counties. Staffing in the regional facility will be substantially reduced in comparison with three standalone County specific facilities. This permits operation funds to be channeled to addition programs for the juveniles and programs for alternatives to detention. Podular design will also improve the staffing ratios, as each staffer will have a visual connection to more of the housing units and facility. Highly trained staff will be integral to the treatment element of this facility.
- Family and Community Support: Family, community, religious and support groups will be encouraged to collaborate among the Counties allowing better, more focused support. The new facility includes expanded visiting areas that will provide a better atmosphere to foster and encourage family participation.
- Tracking Change: Transition team planning will include the development of metrics used to measure improvements in education, treatment, disciplinary issues while detained and anti-recidivism. Probation and case plan development will be a major part of the tracking process. As metrics are reviewed and lessons learned applied, staff will adjust techniques and use the metrics to measure effect. Operation, re-entry and release in the new facility is a continuous improvement process taking advantage of the best practices of the Tri-County community.

4.4. A, B, C, D. Is the Project Cost-effective and Fiscally Sustainable?

This regional facility is highly cost-effective and sustainable as a result of three adjacent counties pooling their financial resources to support one fully operational rehabilitative juvenile hall project. Juvenile populations flux frequently in these types of facilities. Regardless of how high or low the population in a facility is at any given moment, the lights must be on and the facility must be running. The most efficient use of the state and counties' money is to create one facility rather than three, thereby increasing the system's efficiency and economy.

The current Yuba-Sutter juvenile facility was constructed in the 1940's as a tuberculosis isolation unit and converted to a juvenile facility in the 1950's, with a capacity increase in 1976. The decades of wear on this facility's infrastructure alongside the cost to bring the building up to seismic code, Title 24 standards, and abate the asbestos and lead paint contamination makes facility replacement the most cost-effective solution. Furthermore, the linear layout and lack of appropriate program and recreation space do not allow for maximized rehabilitation of juvenile offenders, which affects recidivism reduction efforts and cost to the counties. The maintenance and operational costs of these old mechanical, electrical, plumbing and security systems are burdening the counties even further.

A single facility that is centrally located between the three counties and provides programming for all Tri-County juveniles and will reduce this financial burden on any one County, while increasing bed availability and allowing the juveniles to be incarcerated in a central location, closer to home and family. The facility site in Marysville is within a 60 mile radius of most towns in all three counties, making it feasible for families to actively participate in the rehabilitative efforts of their child.

The new facility will meet or exceed Title 24 energy and building standards, saving the counties substantial money in repairs and utility costs for years to come. Modern mechanical and plumbing systems will eliminate the need to stockpile parts that are out of circulation. A new facility will negate any liability the counties currently face for potential lead and asbestos exposure.

Operationally, the current linear design of the living units is staff-intensive. A modern podular layout will allow for more supervision and direct interaction with the minors by staff members. This maintains the safety and security of staff and juveniles without having to expend additional and unnecessary staffing costs. The improved layout will allow medical, mental health, programming, exercise, and education services to be located adjacent to the juvenile's living units, minimizing staff escort of individuals or groups and allowing the minors more freedom to move between designated locations.

Yuba, Sutter, and Colusa Counties have created a tri-county agreement for supporting ongoing operational costs. See attached Board Item for additional information.

4.5. County's Readiness to Move Forward with Proposed Project: Applicants must clearly describe readiness to move forward with the proposed project by addressing points, issues, and items below.

4.5A Construction elements are clearly described (e.g., site identified, ownership of construction site, site planning, utility services, etc.).

Yuba, Sutter, and Colusa Counties are ready to proceed with the proposed project. The Tri-County Core Project Team has, at its own risk, already proceeded with planning and conceptual layout development. Yuba County currently owns the proposed land and has completed an appraisal investigation estimating the current market value for the full proposed site at $965,000. Additionally, the California Environmental Quality Act (CEQA) Notice of Exemption has been filed with OPR by the County of Yuba and endorsed by the County Clerk. All utility connections are available directly north of the proposed site. The Counties have already created a conceptual building layout and have a consultant onboard to complete the bridging documents upon conditional award. They will continue the process of selecting project and construction managers to help qualify and award a design-build team and initiate the design and construction of the proposed facility.

4.5B. Address your ability to meet the June 30, 2017 establishment deadline with the SPWB, as required by WIC 1973(d) and included in SB 81 legislation.

With a conceptual facility layout already completed and a bridging document team in place, the planning committee is well on their way to meet or precede the June 30, 2017 project establishment goal. The counties fully understand that this is a 30-year lease revenue bond and are wholly dedicated to proceeding. **All three counties involved have submitted a resolution by each respective Board of Supervisors assuring matching funds and commitment to this project**. Per the project timeline included in Section 3: Project Timetable of the application, the detailed scope, schedule and cost are currently being developed and will be completed by September 2015. Once these are established, the counties will present the project to the SPWB and achieve project establishment, more than a year and a half before the June 2017 deadline.

4.6 Administrative Work Plan

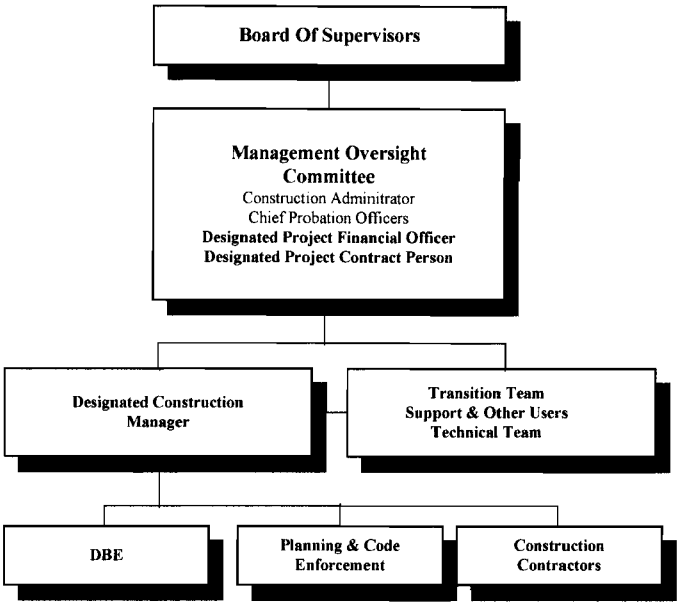
4.6A. Describe the current stage of the planning process, plan for project design, reasonable project timeline, and connection of work inputs to desired project objectives.

Project planning began in 2009 when Colusa County's Needs Assessment identified the true need for a juvenile rehabilitation facility. After receiving conditional funding from the BSCC in late 2010 for a 10-bed facility, Colusa's BOS approved additional beds in 2013. Upon reviewing the high operating costs, Colusa discussed a regional approach with Sutter and Yuba counties. After BSCC approval of SB 365 in January 2014 for the redirection of the funds to Yuba County for a larger, 48-bed regional facility, the three counties hired a consultant for an additional Tri-County Needs Assessment.

A consultant was brought on to plan a conceptual layout of the new facility and provide conceptual project and construction estimates. After determining the funds required for the construction of the additional beds, the Counties decided to pursue the SB 81 Round 2 funding to make the regional facility a reality.

Yuba, Sutter, and Colusa Counties have established an organization for the project that provides management oversight and control similar to those used on other County projects. The County and its Consultants have extensive experience with major projects, including juvenile halls and will use a management approach similar to other successful major projects.

Yuba-Sutter-Colusa Counties Project Organization



Upon award of the SB81 Round 2 funding, the Tri-County Boards and Probation Department's project staff, including the Construction Administrator and Juvenile Hall Facility Managers, will coordinate with the current consultants to move forward with the bridging design documents for this Design-Build Project and prepare preliminary design construction plans and specifications to address identified problem/needs as specified in the project proposal. In addition, staff will closely monitor all phases of the project to ensure that the project remains within proposed scope, on-time, and within budget. Activities will include the following:

- Liaise with Board of Supervisors
- Liaise with the CAO's
- Liaise with the CPO's
- Coordinate and prepare documents required by the BSCC, CDCR, DGS, SFM and DOF
- Coordinate subsidiary reports
- Maintain project records
- Maintain communication with all project personnel
- Prepare press releases

- Assist in programming and design development
- Monitor project scheduling/facility coordination
- Record daily monitoring of construction activities
- Prepare progress reports as required
- Conduct transition planning
- Prepare policy and procedures
- Assist in DBE selection process and strategy; prepare alternates, review bidding climates, account for market values, location factor, review bids as received for meeting technical specifications and assist county personnel in selecting a project team.

Design/Build Entity: The DBE will be selected by "best value" to work closely with the Public Construction Administrator, Probation Departments, and Consultants in project development and construction. The primary use of a DBE will be as follows:

- Prepare plans and specifications on all facets of the project from bridging to working drawings, including final construction documents.
- Design all project specifications for compliance with Title 15, 19, and 24, CCR
- Prepare project cost estimates; GMP, assist in preparation of project budget
- Prepare/update project master schedule
- Prepare construction bid documents
- Prepare submittals, shop drawings, cost proposals/change orders, pay applications, as-built drawings, etc. for review and approval
- Provide construction supervision/administration and inspection
- Conduct weekly construction progress meetings
- Prepare project close-out/final inspection

Construction Administrator: A Designee from the Administration Services Department (ASD) will provide construction administration and financial services management during the course of the

project. In addition, ASD will provide for part-time inspection services for the project in order to maintain the high project quality. Services will include the following:

- Maintain project lead and coordination
- Prepare documents required by the BSCC, CDCR, DGS, SFM and DOF
- Provide construction management oversight and project testing/inspection
- Prepare construction bid documents, advertise project and award contract
- Prepare RFQ/P for DBE
- Review/approve DBE construction schedule, including schedule updates
- Process financial claims, progress payments, invoices, and other financial records
- Participate in weekly construction meetings
- Project close-out/final inspection
- Provide warranty administration

Project Construction Management/Testing/Inspection: Full-time project construction management/testing/inspection will be contracted via special services agreement. The full-time construction manager will monitor and inspect the various construction activities performed in the project. Services will include the following:

- Maintain daily diary
- Record daily activities, contractor work force deployment, weather conditions, work hours
- Monitor and provide review contractor's schedule
- Attend pre-construction and weekly construction progress meetings
- Review pay requests for monthly labor and materials completion
- Issue/review requests for information and field trouble reports
- Review cost proposals/change orders and make recommendations for approval / disapproval
- Schedule materials testing, witness, and review reports
- Maintain quality control compliance

- Maintain contract compliance
- Maintain safety compliance
- Provide full-time "building permit inspections", issue code compliance letters
- Monitor and review as-built drawings, submittals, etc.
- Collect guarantees and warranty information
- Assist architect and department (owner) in various phases of construction project through completion and closeout.

Audit: A final audit will be performed under the direction of a certified public accountant to insure that all costs claimed for the project are in compliance with the terms and conditions of the grant contract. The audit will follow Board of State and Community Corrections published guidelines.

Project Team and Project Development Process: A project of this nature requires a multitude of people to plan, develop, approve, and construct the project. The ASD will be the lead for these projects and has established a "core team" to help assist with the monumental effort needed to successfully develop this project to its conclusion. The following matrix demonstrates key activities to be completed over the duration of the project.

Tri County Juvenile Rehabilitation Facility

Project Team and Facility Development Process

Project Timeline: Working in conjunction with the three Board of Supervisors Offices, the County Administrative Offices, the three Probation Departments and the Yuba County Administrative Services Department, all are positioned to launch the Tri-County Juvenile Rehabilitation Facility.

- Property search and site identification have been completed.
- The development of the timeline for the Tri-County Juvenile Rehabilitation Facility has been completed in collaboration with BSCC staff to ensure that the dates are achievable and that all review periods and requirements have been incorporated into the timeline. Prior to notification of conditional award in April, 2015, The Tri-County Core Project Team will prepare the submittal for real estate due diligence.
- The key activities of site assurance/valuation and CEQA Notice of Exemption are already completed with appropriate paperwork submitted with the application to satisfy the application criteria. Project establishment by the State Public Works Board is anticipated by September, 2015.
- The key milestone of the performance criteria and concept drawings with Operational Program Statement for this design-build project will be met in fewer than 30 months of the award notification by October, 2015.
- Design Development will proceed following approval of performance criteria. Five months have been allocated for completion of this step with submission to the state by March, 2016. Concurrently, the staffing/operating cost analysis will be presented to the Tri-County Juvenile Rehabilitation Oversight Committee and submitted to the State by March, 2016. It is anticipated that some level of value engineering will occur during Design-Build team negotiations. Cost estimates will be refined during the design development phase. These activities will confirm that a cost-effective project is being developed. Once State approval of

the design development documents has been received, the Design-Build team will proceed with the completion of the construction documents. Completion of construction documents should be accomplished in four months. A cost estimate will be completed utilizing the construction documents.

- Construction Documents will be submitted to the State in July, 2016 with two months for state and BOS review. With approved construction documents, the construction phase Notice to Proceed will be issued, meeting the requirement of issuance within 42 months of award.
- Construction is estimated as 14 months with completion by November, 2017.
- Staffing and occupancy would be accomplished by February, 2018.

4.6B. Provide a description of project administration and staff, including roles of other county departments and/or non-county partner entities.

The Tri-County Juvenile Rehabilitation Facility project will be handled start to finish by a Tri-County Core Project Team. This team will participate throughout the programming, design-build team qualifications and selection, design phases, construction, transition and occupancy. The Core team members will be representatives of the three counties' Probation Departments and Yuba County's Administrative Services Department (ASD).

Doug McCoy, the County's Director of Administrative Services, will serve as the County Construction Administrator. Yuba County's Administrative Services Department will provide the overall coordination of the Tri-County project.

Andrea Armstrong, Administrative Services' Purchasing and Contracts Administrator will assist Doug and will provide direction and oversight as the Project Financial Officer. They both will serve as project management leads; providing direct administration and oversight of the full Core Project Team as well as the multi-disciplinary Project Team. They will also oversee and manage the contracted Construction Management and Design-Builder.

Probation Department members of the core project team will include Yuba County's Probation **Chief Jim Arnold**, Sutter County's Probation Chief, and Colusa County's Probation **Chief Bill**

Fenton as the three counties' Probation Contact Persons and Doug McCoy as the Project Manager. These individuals will represent the interests of the Probation and Yuba Facilities Departments and provide technical assistance and operational expertise. Yuba County Deputy Superintendent of Institutions **Brent Hungrige** will also provide assistance to the Core Project Team.

Yuba, Sutter, and Colusa County Boards of Supervisors will also play an active role in project updates and review through the Tri-County Juvenile Rehabilitation Oversight Committee. This committee meets monthly and consists of one board member from each of the three counties, along with one alternate board member. The Administrative Services Director and Purchasing and Contracts Administrator will lead the multi-disciplinary Project Team consisting of County staff from the following Agencies and Departments: Facilities Services, County Administrative Office, County Counsel, Health and Human Services, and Information Technology. Throughout the bridging document phase, various Community Based Organizations will provide input as to space requirements and best practices, including Religious, Alcohol and Drugs, Anger, Violence, Criminal Thinking, Behaviors and Associations, and Family Relationships. Medical and Mental Health Services will also provide input and feedback as plans progress to ensure their spaces are adequately sized for needs.

Clerical support for accounting, project record keeping and documentation will be provided by Yuba's Administrative Services Department.

A full-service **Construction Management** firm will be contracted to provide all aspects of construction management and inspection throughout the full project. The consultant that has assisted the core project team in developing initial building layouts will be the Master Architect and develop a full set of bridging documents after award. The Design-Build team will then be responsible for development of the full plans and specifications. A combination of the Construction Manager, Master Architect, and Core Project Team will respond to all inquiries throughout the project.

4.6C. The work plan describes elements of "green" construction if being used;

Designing the facility to LEED standards will create environmentally sound and resource-efficient housing units and program areas through an integrated design approach. This will achieve significant life cycle and operational cost avoidance. "Green" building principles will include resource conservation (i.e. energy efficiency) as well as the use of renewable energy and water conservation features. The design effort will consider environmental impact and waste minimization, create a healthy and comfortable environment, reduce operational and maintenance costs and address related issues. Life cycle costs continuously will be analyzed, as will the economic and environmental impact and performance of the housing units and program spaces.

Keeping the spaces within this facility flexible for the future is the key to maintaining space and staffing efficiency throughout the years. The least predictable component will be information technology. The regional facility will be designed and constructed to meet all 2013 Title 24 standards. Through careful site and space planning and adjacencies as well as new energy-efficient systems, the facility will keep the bed and program space construction, while keeping operating costs as low as possible. Specification of greener building systems will maximize operational savings through the lifecycle as a result of lower utility and maintenance costs. Other "green" building features include 1) project serves three counties with one facility, 2) will meet the most progressive energy code in the country, 3) it is centrally located to the counties that it services, 4) facility will contain natural light reducing need for continuous artificial lighting, 5) LED lighting will be utilized, 6) local building materials and labor will be promoted, 7) materials will be selected for their long-term durableness, and 8) timers and water savings devices will conserve water and reduce water heating.

4.6D. The work plan describes elements of information technology if being used.

Every effort through the planning and design process will be made to provide adequate infrastructure for future technology advances. Flexibility of program spaces is crucial to ensuring the facility remains viable for the next 40 years. Partnering with CBOs that will be providing services in the program spaces will help inform what IT is necessary in these areas. Including school officials in

the early stage planning meetings will ensure classrooms are designed with adequate infrastructure for not only the classrooms of the near future, but for future expansion of education and required information technology systems to make them possible. The use of video visitation where families can visit from home will reduce highway miles and allow a greater frequency of visits with minors.

4.7A. Overall, how does the proposal address evidence-based and promising practices/programs and best practices for the county's juvenile justice program?

Constructing the Tri-County Juvenile Rehabilitation Facility will allow Colusa, Sutter and Yuba Counties to pool scarce resources to *provide a safer, more secure, treatment rich and professional environment for staff, volunteers, visitors and juveniles*. A wider variety of successful evidence-based programs will now be available to promote rehabilitation and reduce recidivism. Colusa County does not have a juvenile facility and will benefit from no longer transporting juveniles requiring incarceration to facilities that often are a substantial distance from the county. A number of benefits result from replacing the outdated 74-year old facility. For example, designing to LEED standards will reduce maintenance and energy costs, new design will reduce suicide risks, and PREA concerns and privacy issues associated with the old construction will be eliminated.

4.7B. Overall, how does the proposal demonstrate the organizational need and readiness for the programmatic changes?

This proposal has been developed and approved by Yuba, Sutter and Colusa Boards of Supervisors for the Tri-County building project. The three counties have been harmoniously collaborating for years in responding to issues and creating better practices to deal with individual juvenile issues. The Tri-Counties needs a modern state-of-the-art facility to apply best practices to reduce juvenile recidivism and enhance the juvenile and their families' lives. Further, Tri-County is ready to proceed immediately, once awarded the lease revenue bond funding.

SECTION 5: BOARD OF SUPERVISORS' RESOLUTION

All counties applying for SB 81, Round Two financing must include a Board of Supervisors' resolution with the proposal submittal. The resolution must include the requisite components as outlined below. For counties submitting multiple proposals (which requires participation in a regional LYORF as described in the RFP), separate resolutions for each proposal, with the necessary language contained in each resolution, are required.

For all counties, except as otherwise noted below, the Board of Supervisors' resolution for the project shall be attached to the original proposal and contain the following:

- Names, titles, and positions of county construction administrator, project financial officer, and project contact person.

- Authorization of appropriate county official to sign the applicant's Agreement and submit the proposal for funding.

- Assurance that the county will adhere to state requirements and terms of the agreements between the county, the BSCC, and the SPWB in the expenditure of state funds and county match funds.

- Assurance that the county has appropriated, or will appropriate after conditional project award but before state/county funding agreements, the amount of match identified by the county on the funding Proposal Form submitted to the BSCC; identifies the source of cash match when appropriated as _____ in the sum of $_____, and assures that state and cash matching funds do not replace funds otherwise dedicated or appropriated for construction activities.

- Assurance that the county will fully and safely staff and operate the facility that is being constructed (consistent with Title 15, California Code of Regulations, Chap. 1, Sub.5) within 90 days after project completion.

- All projects shall provide the following site assurance for the county facility at the time of proposal or not later than 90 days following the BSCC's notice of Intent to Award: 1) assurance that the county has project site control through either fee simple ownership of the site or comparable long-term possession of the site and right of access to the project sufficient to assure undisturbed use and possession of the site; and, 2) will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site of facility subject to construction, or lease the facility for operation to other entities, without permission and instructions from the BSCC, for so long as the SPWB lease-revenue bonds secured by the financed project remain outstanding.

- Attestation to $_____ as the site acquisition land cost or current fair market land value for the proposed new or expanded facility. This can be claimed for on-site land cost/value for new facility construction, on-site land cost/value of a closed facility that will be renovated and reopened, or on-site land cost/value used for expansion of an existing facility. It cannot be claimed for land cost/value under an existing operational facility. (If claimed as in-kind match, actual on-site land cost documentation or independent appraisal value will be required as a pre-agreement condition.)

- Regional LYORF projects only: A Board of Supervisors' resolution from the lead county in the regional partnership containing the items identified above, along with a Memorandum of Understanding (MOU) or Joint Powers Agreement (JPA) between each of the partner counties. Please consider the information about regional LYORFs for the purposes of this funding program as described in the "Additional Considerations" section, "Regional County Local Youthful Offender Rehabilitative Facilities" sub-section of the RFP, before developing these documents. If preliminary MOUs and JPAs are submitted, final documents must be submitted within 90 days following the notification to the lead county of conditional Intent to Award state funds.

SECTION 6: PROPOSAL CHECKLIST

a. Page 1 of the Proposal Form is the first page of your proposal. Please use standard copy paper. Do not use heavyweight, card stock, or glossy paper. Covers, table of contents, introductory letters, tabs, or dividers are not allowed.

b. The formal proposal includes the Proposal Form, narrative, and appendices as a combined document.

c. Provide one original proposal with Applicants Agreement signed by proper authority on page 2 section E.

d. In addition to the wet signature original, provide 16 hard paper copies of the proposal and 1 electronic copy (read only). The electronic version should be an Adobe Acrobat file (pdf) on a standard CD ROM.

e. Three-hole punch on the left side and two-hole punch the top of the original and all copies of the proposal.

f. Use a clip to secure each of the proposals. (Do not put proposals in binders or use staples.)

g. The font used for the proposal and the appendices can be no smaller than 12 point.

h. The narrative for Section 4.1 is limited to one page and may be single-spaced with one-inch margins.

i. The narrative for Sections 4.2 – 4.7 must be double-spaced with one-inch margins.

j. The entire narrative (Sections 4.1 – 4.7) cannot exceed 35 pages.

k. Up to 10 additional pages of essential appendices may be included at the discretion of the applicant. Appendices cannot be used to give required narrative information. Pictures, charts, illustrations, or diagrams are encouraged in the narrative or appendix to assist reviewers in fully understanding the proposed scope of work.

l. Attach to the original proposal one Board of Supervisors' resolution (original or copy), fully executed, containing the language cited in Section 5 of the Proposal Form. Please include an additional copy of the resolution.

m. Provide one copy of a needs assessment study (as described previously in the RFP) if the county intends to build a new facility or add bed space to an existing facility. Projects for renovation and program space only are not required to submit a separate needs assessment study but are required to comprehensively document the need for the project in the proposal.

n. For regional LYORFs, provide one copy of the MOU or JPA and the Board of Supervisors' resolution.

o. No other attachments are allowed.

APPENDICES

- Appendix A: Tri County Juvenile Rehabilitation Facility – Replacement Facility Architectural Floor Plan and Site Plan
- Appendix B: Examples of Future Programs
- Appendix C: Photos of current 45-bed facility
- Appendix D: CEQA Notice of Exemption

ATTACHMENTS

- Attachment 1: JPA
- Attachment 2: BOS Resolution
- Attachment 3: Needs Assessment

THIS PAGE INTENTIONALLY LEFT BLANK

The County of Yuba

Community Development & Services Agency

Kevin Mallen, Director
Phone - (530) 749-5430 • Fax - (530) 749-5434
915 8th Street, Suite 123
Marysville, California 95901
www.co.yuba.ca.us

BUILDING
749-5440 • Fax 749-5616

CODE ENFORCEMENT
749-5455 • Fax 749-5464

ENVIRONMENTAL HEALTH • CUPA
749-5450 • Fax 749-5454

HOUSING AND COMMUNITY SERVICES
749-5460 • Fax 749-5464

PLANNING
749-5470 • Fax 749-5434

PUBLIC WORKS • SURVEYOR
749-5420 • Fax 749-5424

TO: Board of Supervisors

FROM: Michael G. Lee, Director of Public Works

SUBJECT: Adopt a Program for Public Information relating to the County's floodplain management efforts

DATE: December 9, 2014

Recommendation

Adopt the "*Program for Public Information*" which is part of the County's floodplain management efforts and a component of the Community Rating System.

Background

The Federal Emergency Management Association (FEMA) manages the National Flood Insurance Program (NFIP), which provides flood insurance and disaster relief to property owners who live in participating communities. Participants in the NFIP have to meet minimum standards for construction and floodplain management. However, FEMA encourages communities to implement higher standards by providing discounts on flood insurance rates. These discounts are provided to communities under the Community Rating System (CRS) program. The CRS program provides incentives in the form of premium discounts for communities to go beyond the minimum floodplain management requirements by developing extra measures of flood protection.

On August 26, 2014, staff presented information to the Board concerning the CRS program and staff's intention to establish a Program for Public Information (PPI) Committee to aid in the development of the County's public outreach program on flood-related issues. According to FEMA requirements, the PPI committee must have at least five members, must include a representative from the community's floodplain management office, and must include the community's Public Information Officer. At least half of the members of the committee must be from outside the local government. FEMA also encourages representatives from specific business sectors of the local community, such as a local insurance agent, a local real estate agent, or a representative from a local lending institution.

For the period from August 2014 through July 2015, the PPI Committee members are as follow:

Member Name	Organization / Affiliation
Pamala Allison	Yuba-Sutter Chamber of Commerce
Paul Brunner	Three Rivers Levee Improvement Authority
Gail Carter	Prudential Realty
Warren Jackson	Farmers Insurance
Doreen Monahan	Pacific Gas & Electric
Jackie Sillman	Recology
Janell Willis	First American Title
Van Boeck	Yuba County Public Works / Floodplain Administration
Russell Brown	Yuba County Public Information Officer
Scott Bryan	Yuba County Office of Emergency Services
Daniel Peterson	Yuba County Public Works / Floodplain Administration

Discussion

A key activity under the CRS program is public outreach. The "*Program for Public Information*" is an ongoing public information effort to design and transmit the messages that the community determines are most important to the safety of its citizens. For CRS credit, the Program for Public Information must be developed according to a seven-step planning and public involvement process, and the community's governing body must formally adopt the Program for Public Information on an annual basis. The "*Program for Public Information*" submitted for Board adoption was developed by a committee that meets the FEMA requirements, and includes key messages, identifies target audiences, and proposes specific activities or projects to disseminate the key messages throughout the County.

Committee Action:

The committee was bypassed as the CRS program and the Program for Public Information have already been presented to the full Board.

Fiscal Impact:

The fiscal impact of adopting a *Program for Public Information* is minimal, and is only anticipated to require 10 hours of annual staff commitment. Participation in the overall CRS program requires routine staff activities such as reviewing and maintaining Elevation Certificates, providing floodplain management information and advice, maintaining flood maps, and participating in flood warning and response programs. These efforts currently save local property owners $70,039 per year in flood insurance premiums. This amount is anticipated to increase as subsidized flood insurance rates for non-residential parcels are phased out under the Biggert-Waters Flood Insurance Reform Act of 2012.

		North County Agricultural Area		Urbanized Area: Linda/Olivehurst/Plumas Lake		South County Agricultural Area	
Topic	**Messages:**	**Target Audiences**	**Desired Outcome**	**Target Audiences**	**Desired Outcome**	**Target Audiences**	**Desired Outcome**
1	**Know your flood hazard**	General and all target audiences	Better Awareness	General and all target audiences	Better Awareness	General and all target audiences	Better Awareness
2	**Insure your property for your flood hazard**	General and all target audiences	Higher % of structures insured for flooding	General and all target audiences	Higher % of structures insured for flooding	General and all target audiences	Higher % of structures insured for flooding
3	**Protect People from the hazard**	General and all target audiences	Understand how to reduce injuries & fatalities	General and all target audiences	Understand how to reduce injuries & fatalities	General and all target audiences	Understand how to reduce injuries & fatalities
4	**Protect property and contents from the hazard**	General and all target audiences	Understand how to reduce property damage and lower insurance claims	General and all target audiences	Understand how to reduce property damage and lower insurance claims	General and all target audiences	Understand how to reduce property damage and lower insurance claims
5	**How to minimize cost of flood insurance**	General and all target audiences	Encourage Elevation Certificates, understand retrofitting options, and decrease flood insurance rates	General and all target audiences	Encourage Elevation Certificates, understand retrofitting options, and decrease flood insurance rates	General and all target audiences	Encourage Elevation Certificates, understand retrofitting options, and decrease flood insurance rates
6	**Build responsibly**	General and all target audiences	Get permit before building, understand SI/SD rules, elevate, do not modify enclosures, consider drainage	General and all target audiences	Get permit before building, understand SI/SD rules, elevate, do not modify enclosures, consider drainage	General and all target audiences	Get permit before building, understand SI/SD rules, elevate, do not modify enclosures, consider drainage
7	**Protect natural floodplain functions**	General and all target audiences	Eliminate dumping, better stormwater mgmt.	General and all target audiences	Eliminate dumping, better stormwater mgmt.	General and all target audiences	Eliminate dumping, better stormwater mgmt.
8	**General preparedness**	General and all target audiences	Know evacuation routes, inventory documents, keep important papers in safe place	General and all target audiences	Know evacuation routes, inventory documents, keep important papers in safe place	General and all target audiences	Know evacuation routes, inventory documents, keep important papers in safe place
9	**Flood Data / Map Information Services Provided by Yuba County**	General and all target audiences	Yuba County provides basic FIRM information, emergency information, and additional flood info	General and all target audiences	Yuba County provides basic FIRM information, emergency information, and additional flood info	General and all target audiences	Yuba County provides basic FIRM information, emergency information, and additional flood info
10	**Flood Education**	School children (Target Audience #9)	Better Awareness	General and all target audiences	Better Awareness	General and all target audiences	Better Awareness

Program for Public Information (PPI) / Target Audiences for FY 2014-2015

Audience #	Description:
1	Agricultural audiences
2	Residential audiences
3	Commercial / Industrial audiences
4	Non-english speaking people at risk of flooding
5	Professionals involved in real estate (real estate agents, brokers, mortgage companies, escrow companies)
6	Insurance agents
7	Builders and developers
8	Engineers, surveyors, and architects
9	School-age children
10	Repetitive loss properties
11	People subject to localized flooding from inadequate drainage

Program for Public Information (PPI) Document / Outreach Projects (OP) for FY 2014-2015 **Total Points: 441**

Outreach Projects (OP)	Type of Project	Topics	A Points per Topic	B # Flood Related Topics	C Times Delivered	(A x B x C) OP = Points per Project	Basins	Responsible Agency	When Implemented
OP1: (October, 2014) Flood insert in local newspaper either during flood awareness month or in "99 Things to Do" edition (Appeal Democrat).	General Outreach	CRS Topics 1 thru 9	2	9	1	18	All	Yuba County Public Works	October
OP2: (August 26, 2014) Presentation on County's flood issues at Yuba County - Board of Supervisors meeting.	General Outreach	CRS Topics 1, 2, 3, 4, 5, & 9	2	6	1	12	All	Yuba County Public Works	October
OP3: Presentation to local engineers and designers regarding construction requirements for SFHA, flood openings. Date: TBD	Targeted Outreach (Engineers, surveyors, architects)	CRS Topics 1, 4, 5, 6, & 9	6	5	1	30	All	Yuba County Public Works	Spring
OP4: Presentation to local realtors concerning flood risk & floodplain management. Advertise one-on-one assistance regarding Property Protection Advice. Date: September 9, 2014	Targeted Outreach (Real Estate Professionals)	CRS Topics 1, 2, 5, 6, & 9	6	5	1	30	All	Yuba County Public Works	Fall & Spring
OP5: Post informational material on Facebook and YouTube. Advertise one-on-one assistance regarding Property Protection Advice. Advertise BePreparedYuba.org, emergency notification	Informational material	All CRS Topics	1	10	1	10	All	Yuba County Public Works	Year-round
OP6: Include annual postcard with tax bill. Advertise one-on-one assistance regarding PPA, PPV, and FAA (activity 360).	Informational material	CRS Topics 1, 2, & 9	1	3	1	3	All	Yuba County Public Works	November
OP7: Include an article in local agency / business newsletters.	Informational material	CRS Topics 1, 2, 3, 4, 6, & 9	1	6	1	6	All	Yuba County Public Works	When invited
OP8: Host an informational booth at local events such as the Yuba-Sutter Home & Garden Show, Peach Festival, Christmas Stroll, Swan Festival, and Business After Hours event.	General Outreach	CRS Topics 1 thru 9	2	9	1	18	All	Yuba County Public Works	When available
OP9: A brochure "Building in a High Risk, Special Flood Hazard Area - Do I Need to Elevate?"	Informational material	CRS Topics 3, 4, 5, & 6	1	4	1	4	All	Yuba County Public Works	Year-round
OP10: A brochure for Yuba County floodplain - "Important Information in the Event of Flood"	Informational material	CRS Topics 1, 3, & 8	1	3	1	3	All	Yuba County Public Works	Year-round
OP11: Make presentation to Chamber of Commerce, place exhibit with flood brochures at Chamber office.	General Outreach	CRS Topics 1 thru 9	1	9	1	9	All	Yuba County Public Works	Year-round

Outreach Projects (OP)	Type of Project	Topics	A Points per Topic	B # Flood Related Topics	C Times Delivered	(A x B x C) OP = Points per Project	Basins	Responsible Agency	When Implemented
OP12: Distribute FEMA's "Answers to Questions About the NFIP" to County residents in SFHAs.	Informational material	CRS Topics 1, 2, 3, 4, 5, 6, 7	1	7	1	7	All	Yuba County Public Works	Year-round
OP13: Investigate opportunity to establish a scholarship to student(s) who demonstrate understanding of flood risk, flood mitigation measures, and NFIP.	Targeted Outreach (School-age children)	CRS Topics 1, 2, 3, 4, 5, 6, 7, & 8	1	8	1	No credit requested, under development.	All	PPI Committee	March / April
OP14: A brochure A brochure from Cal_EMA: "Winter Weather and Flood Preparedness"	Informational material	CRS Topics 3, 4, & 8	1	3	1	3	All	Yuba County Public Works	Year-round
OP15: A brochure from Office of Emergency Services "Disaster Assistance"	Informational material	CRS Topic 2	1	1	1	1	All	Yuba County Public Works	Year-round
OP16: A brochure from Cal_EMA: "10 Ways you can be Disaster Prepared"	Informational material	CRS Topics 3, 4 & 8	1	3	1	3	All	Yuba County Public Works	Year-round
OP17: A brochure from Contractors State License Board "10 Tips - Make sure your Contractor Measures Up"	Informational material	CRS Topic 6	1	1	1	1	All	Yuba County Public Works	Year-round
OP18: A brochure from Contractors State License Board "After a Disaster - Don't Get Scammed!"	Informational material	CRS Topic 6	1	1	1	1	All	Yuba County Public Works	Year-round
OP19: List of local registered engineers & Land Surveyors	Informational material	CRS Topic 6	1	1	1	1	All	Yuba County Public Works	Year-round
OP20: A brochure: "Wet Floodproofing Checklist of Requirements"	Informational material	CRS Topics 4 & 6	1	2	1	2	All	Yuba County Public Works	Year-round
OP21: A brochure: "Required Notes - Wet Floodproofing"	Informational material	CRS Topic 6	1	1	1	1	All	Yuba County Public Works	Year-round
OP22: A brochure: "Required Notes - Residential Structures within Special Flood Hazard Area"	Informational material	CRS Topic 6	1	1	1	1	All	Yuba County Public Works	Year-round
OP23: A brochure: "Elevation Certificate Handout"	Informational material	CRS Topic 6	1	1	1	1	All	Yuba County Public Works	Year-round

Outreach Projects (OP)	Type of Project	Topics	A Points per Topic	B # Flood Related Topics	C Times Delivered	(A x B x C) OP = Points per Project	Basins	Responsible Agency	When Implemented
OP24: A brochure: "Floodplain Development Variance - Application Packet"	Informational material	CRS Topics 4 & 6	1	2	1	2	All	Yuba County Public Works	Year-round
OP25: A brochure: "Grading and Erosion Control Permit"	Informational material	CRS Topics 4, 6, & 7	1	3	1	3	All	Yuba County Public Works	Year-round
OP26: A brochure: "Substantial Improvement or Substantial Damage"	Informational material	CRS Topics 4 & 6	1	2	1	2	All	Yuba County Public Works	Year-round
OP27: A mailing to all residents of the SFHA. It has messages under the first nine CRS topics (targeted outreach) and advertises one-on-one assistance regarding PPA, PPV, and FAA. Coordinate with local water agencies to include information in monthly billing.	Targeted Outreach (Residents in SFHA)	CRS Topics 1 thru 9	6	9	1	54	All	Yuba County Public Works	September / October
OP28: A mailing is sent each year to the Yuba-Sutter Board of Realtors regarding flood map information services provided by Yuba County, including PPA.	General Outreach	CRS Topics 1, 2, 4, 6, & 9	2	5	1	10	All	Yuba County Public Works	July/August
OP29: Establish school outreach	Target Outreach (School-age children)	CRS Topic 10	6	1	1	6	All	Yuba County Public Works	As invited
OP30: Presentations to local clubs / agencies	General Outreach	CRS Topics 1 thru 9	2	9	1	18	All	Yuba County Public Works	As invited
OP31: Presentations to Churches, Hispanic Chamber of Commerce, and other venues to reach non-English speaking audiences	Targeted Outreach (Non-English speaking audiences)	CRS Topics 1 thru 9	6	9	1	54	All	Yuba County Public Works	As invited
OP32: Annual letter to owners of Repetitive Loss Properties	Targeted Outreach (Repetitive Loss Properties)	CRS Topics 1 thru 9	6	9	1	54	All	Yuba County Public Works	September / October
OP33: Help develop a handout for Real Estate Agents discussing flood risk, flood insurance, and County's PPA service.	Informational material	CRS Topics 1 thru 9	1	9	1	9	All	Sutter-Yuba Board of Realtors & Yuba County Public Works	January
OP34: Prepare and distribute a photo retrospective of past Yuba County Floods.	Informational material	CRS Topics1, 3, 6, 7, & 8	2	5	1	10	All	PG&E & Yuba County Water Resources	September / October
OP35: Presentation to the Farm Bureau concerning agricultural issues associated with flooding.	Targeted Outreach (Agriculture)	CRS Topics 1 thru 9	6	9	1	54	1 & 3 (North County Ag & South County Ag)	Yuba County Public Works	As invited

THIS PAGE INTENTIONALLY LEFT BLANK



ORDINANCES AND PUBLIC HEARINGS

THIS PAGE INTENTIONALLY LEFT BLANK

Yuba Sutter
economic development corporation

STAFF REPORT

TO: John Nicoletti, Chairman and members of the Yuba County Board of Supervisors

FROM: Brynda Stranix, Yuba-Sutter Economic Development Corporation

SUBJECT: Public hearing to receive public comment regarding the final Grantee Performance Report and related documents relative to the closeout of Community/Economic Development Block Grant 10-EDEF-7271.

DATE: December 9, 2014

Background:

In August 2011, the County of Yuba was awarded a Community Development Block Grant (CDBG) from the economic development component of the CDBG program in the amount of $300,000.00. That grant is identified as 10-EDEF-7271.

The National Objective or primary purpose of the CDBG economic development component is the creation or retention of jobs. The program requires that at least one (1) full time job be created or retained for every $35,000.00 expended. Additionally, fifty-one percent (51%) of those jobs must be filled by individuals from low to moderate-income families (households earning less than 80% of the Yuba County median income).

Grantees receiving CDBG funds are required to hold a Public Hearing prior to submittal of the final Grantee Performance Report (GPR) to the State of California – Department of Housing and Community Development (HCD). This report reflects the overall performance of the County of Yuba Revolving Loan Fund (RLF) program relative to Grant No. 10-EDEF-7271.

Closeout is the final activity against the State CDBG grant except for any ongoing accounting for and reporting of Program Income funds which may have been or are yet to be generated from this grant.

Discussion:

County of Yuba's grant 10-EDEF-7271 was made available for lending activity in September 2011. A total of $235,875 was available for business assistance activity. No business assistance loans were funded and no jobs created/retained through this grant.

The County of Yuba and Yuba-Sutter Economic Development Corporation (YSEDC) conducted significant efforts over the past three (3) years in the overall administration of this grant. A

marketing program, which included, press releases, public service announcements (PSA), field calls, loan applicant interviews (91 interviews) and mail solicitations (251 pieces), was conducted. A total of ten applications were received and underwritten during the term of this grant. One had to be funded through the Program Income Account per HCD, one was approved by the County but denied by HCD, one was withdrawn, one was denied before reaching the County, five did not meet HCD standards for various reasons but were funded through YSEDC's loan program and one was approved by HCD and was scheduled to be funded by the grant but the county was concerned about HCD's policy that requires disbursing loan funds from the general fund upfront and then waiting for many months for reimbursement from HCD.

As of December 9, 2014, HCD will disencumber from the County $235,875.00 in Business Assistance (BA) funds, $41,625.00 in Activity Delivery (AD) funds and $0.00 in General Administration (GA) funds.

Fiscal Impact:

This agenda item has no anticipated fiscal impact.

Recommendation:

Hold a public hearing, invite public comment, communicate public comments to the County Administrator or his designee, forward the Final Grantee Performance Report and related documents necessary to accomplish grant "Close Out" to the County Administrator for signature and then forward the signed reports to the State of California, Department of Housing, and Community Development on behalf of the County.

Grantee Performance Report

		Standard Agreement #	Please Check One
			☐
Report Period (FY)	July 1, 2014-Dec. 31, 2014	10-EDEF-7271	Annual GPR
			Final GPR ☑

Jurisdiction Name: County of Yuba

Name of Contact: Robert Bendorf
Address of Contact: 915 Eighth Street, Ste. 115
Marysville, CA 95901

FOR 2012 REPORTS- VERY IMPORTANT - IGNORE POP-UP MESSAGES ABOUT FORM COMPATABLILTY. CLICK "CONTINUE"

Telephone Number: 530-749-7575 E-Mail Address: rbendorf@co.yuba.ca

SUMMARY OF ACTIVITIES

Complete the information above indicating the fiscal year and the Standard Agreement number. Indicate if this report represents an "Annual GPR" (Grantee Performance Report) or if this represents a "Final GPR" for which you are closing and finished the activity. Select from the following activities based on the matrix codes in your Standard Agreement. Check the box next to the activity and use the button to the right to be directed to the page to use in completing this report for each activity. If you have any questions regarding the correct matrix code, contact your CDBG Representative. If the activity has the option of two pages, the second page under the column heading "In Support of Housing" represents those activities with a National Objective Code of Low and Moderate Housing (LMH). For non-housing activities, use the button to the left.

			In Support of Housing (LMH)	
(01) Acquisition of Real Property	☐	Page 1		
(02) Disposition	☐	Page 1		
(03) Public Facilities & Improvements*	☐	Page 6	☐	Page 3
(03A) Senior Centers	☐	Page 6		
(03B) Handicapped Centers	☐	Page 6		
(03C) Homeless Facilities	☐	Page 6		
(03D) Youth Centers	☐	Page 6		
(03E) Neighborhood Facilities	☐	Page 6		
(03F) Parks, Recreation Facilities	☐	Page 6		
(03G) Parking Facilities	☐	Page 6		
(03H) Solid Waste Disposal Imp.*	☐	Page 6	☐	Page 3
(03I)Flood Drainage Improvement*	☐	Page 6	☐	Page 3
(03J) Water/Sewer Improvements*	☐	Page 6	☐	Page 3
(03K) Street Improvements*	☐	Page 6	☐	Page 3
(03L) Sidewalk Improvements*	☐	Page 6	☐	Page 3
(03M) Child Care Centers	☐	Page 6		
(03N) Tree Planting	☐	Page 6	☐	Page 3
(03O) Fire Station/Equipment	☐	Page 6		
(03P) Health Facilities	☐	Page 6		
(03Q) Abused and Neglected Children Facilities	☐	Page 6		
(03R) Asbestos Removal	☐	Page 6		
(03S) Facilities for Aids Patients	☐	Page 6		
(03T) Operating Costs of Homeless/Aids	☐	Page 6		
(04) Clearance and Demolition	☐	Page 1		
(04A) Cleanup of Contaminated Sites	☐	Page 1		
(05) Public Services - General	☐	Page 7		
(05A) Senior Services	☐	Page 7		
(05B) Handicapped Services	☐	Page 7		
(05C) Legal Services	☐	Page 7		

(05E) Transportation Services	☐	Page 7		
(05F) Substance Abuse Services	☐	Page 7		In Support of Housing (LMH)
(05G) Battered and Abused Spouses	☐	Page 7		
(05H) Employment Training	☐	Page 7		
(05I) Crime Awareness	☐	Page 7		
(05J) Fair Housing Activities	☐	Page 7		
(05K) Tenant/Landlord Counseling	☐	Page 7		
(05L) Child Care Services	☐	Page 7		
(05M) Health Services	☐	Page 7		
(05N) Abused & Neglected Children	☐	Page 7		
(05O) Mental Health Services	☐	Page 7		
(05P) Screening Lead Paint & Hazards	☐	Page 7		
(05Q) Subsistence Payments	☐	Page 7		
(05R) Homeownership Assistance - not direct	☐	Page 2		
(05S) Rental Housing Subsidies	☐	Page 5		
(05T) Security Deposits	☐	Page 5		
(05U) Housing Counseling	☐	Page 7		
(06) Interim Assistance	☐	Page 7		
(08) Relocation*	☐	Page 7	☐	Page 5
(09) Loss of Rental Income*	☐	Page 7	☐	Page 5
(11) Privately Owned Utilities*	☐	Page 6	☐	Page 3
(12) Construction Housing	☐	Page 1		
(13) Direct Homeownership Assistance	☐	Page 2		
(14A) Rehabilitation - Single Unit Residential	☐	Page 4		
(14B) Rehabilitation - Multi - Unit Residential	☐	Page 4		
(14C) Public Housing Modernization	☐	Page 4		
(14D) Rehabilitation - Publicly-Owner Residential Buildings	☐	Page 4		
(14E) Rehabilitation Publicly/Private Commercial Industry	☐	Page 8		
(14F) Energy Efficiency Improvements	☐	Page 4		
(14G) Acquisition for Rehabilitation	☐	Page 4		
(14I) Lead Based Paint, Hazards Test Abatement	☐	Page 4		
(15) Code Enforcement	☐	Page 7		
(16A) Residential Historic Preservation	☐	Page 4		
(16B) Non-Residential Historic Preservation	☐	Page 6		
(17A) CI Land Acquisition/Disposition	☐	Page 8		
(17B) CI Infrastructure Development	☐	Page 8		
(17C) Building Acquisition, Construction, Rehabilitation	☐	Page 8		
(17D) Other Commercial/Industrial Improvements	☐	Page 8		
(18A) ED Direct Financial Assistance for For-Profits	☑	Page 8		
(18C) Micro-Enterprise Assistance	☐	Page 9		
(19E) Operation and Repair Foreclosed Property			☐	Page 5

Certification:

I have reviewed the information contained in this report and certify that to the best of my knowledge that it is true and accurate, and that supporting documentation is maintained and available for State Review

Signature of Authorized Representative _____

Printed Name & Title Robert Bendorf, County Administrator

Date _____

6/10/2008

Grantee Performance Report

Report Period	Standard Agreement
July 1, 2014-Dec. 31, 2014	10-EDEF-7271

Acquisition and Preparation of Real Property

Check off what activity you are reporting. If more than one activity is being reported, you will need to create a duplicate sheet.

- ☐ Acquisition of Real Property (Matrix Code 01)
- ☐ Disposition (Matrix Code 02)
- ☐ Clearance and Demolition (Matrix Code 04)
- ☐ Cleanup of Contaminated Sites (Matrix Code 04A)
- ☐ Housing Construction (Matrix Code 12)

*For Acquisition for Rehabilitation (Matrix Code 14G), use the Housing Rehabilitation (All) page. Page 4

Program Description IDIS cdbg 6

Check all statements that are applicable to this activity. This activity will include:

a.	One-for-One Replacement (Reconstruction) complete Appendix A.	☐
b.	Public improvement activity for which a Special Assessment will be levied.	☐
c.	Displacement of household, business, farms, nonprofits, complete Appendix B.	☐
d.	Creating a new Revolving Fund/Revolving Loan Account (RLA).	☐
e.	The designation of an economic development "Favored activity".	☐
f.	The funding of Colonia(s).	☐
g.	Brownfield Activity. Indicate the number of remediated acres: _____	☐
h.	Historic Preservation Area.	☐
i.	Presidential Declared Disaster.	☐
j.	Multi-Unit Housing (2+ Units/structure).	☐
k.	Rental Housing.	☐
l.	Limited Clientele by Nature/Location or Presumed Benefit, complete Appendix C.	☐
m.	A Subrecipient Agreement for this activity, complete Appendix D.	☐
n.	The designation of Slum and Blight, complete Appendix E.	☐

Section 3
Economic Opportunities for Low & Very Low Income

Check box if the grant award is over $200,000 in CDBG funds. ☐
Check box if you have a construction contract or subcontract greater than $100,000. ☐

If both boxes are checked, you are required to comply with Section 3 reporting requirements pursuant to HUD (24 CFR 135). Attach a Section 3 report and submit the report with this GPR.

Minority Contractor Information

Provide the total dollar amount of this activity that will be directed towards

Firms owned wholly or in substantial part by:	Value of Contract
Minority group members	_____
Women	_____
Other (Specify) _____	_____

TYPE OF ASSISTANCE

IDIS cdbg 5

1. What type of financing was provided to the beneficiaries: Grants ☐ Loans ☐ No loans or grants ☐

2. Indicate the number of grants and/or loans provided this Report Period:
   Grants _____ Loans _____

3. Indicate the total number of grants and/or loans provided to date (entire contract term):
   Grants _____ Loans _____

4. When assistance is provided in the form of loans, enter the terms of financing:

	Interest Rate (%)	Number of Months (#)	Loan Amounts ($)
a. Amortized Loan:			
b. Deferred Payment/ Forgiveness Loan:			

DIRECT BENEFIT

IDIS cdbg 8

This page allows you to report on beneficiaries race/ethnicity and income levels for the fiscal year:
For non-housing activities use the column on the right.

	☐ Households HOUSING ACTIVITIES				☐ Persons Non-HOUSING	
	Owner		Renter		Totals	
Race & Code	All	Hisp	All	Hisp	All	Hisp
White (11):	0	0	0	0	0	0
Black/African American (12):	0	0	0	0	0	0
Asian (13):	0	0	0	0	0	0
American Indian/Alaskan Native (14):	0	0	0	0	0	0
Native Hawaiian/Other Pacific Isl. (15):	0	0	0	0	0	0
Am. Indian/Alaskan Native & White (16):	0	0	0	0	0	0
Asian & White (17):	0	0	0	0	0	0
Black/African Am. & White (18):	0	0	0	0	0	0
Am. Indian/Alaskan & Blck/Afrcn (19):	0	0	0	0	0	0
Other Multi-Racial (20):	0	0	0	0	0	0
TOTALS	**0**	**0**	**0**	**0**	**0**	**0**
Number of Female Head of Households						

INCOME LEVELS

IDIS cdbg 13

Number of households or persons benefiting based on Income.
For non-housing activities, use the column on the right.

	☐ Households		☐ Persons	
	Owner	Renter	Persons	Total all years
Extremely Low (<30%)	0	0	0	0
Low (31%-50%)	0	0	0	0
Moderate (51%-80%)	0	0	0	0
Non-Low/Moderate Income (+80%)	0	0	0	0
Totals	0	0	0	0

***If this activity includes multi-unit housing with (2+ units) or Demolition and Clearance complete this section:**

MULTI-UNIT HOUSING

IDIS cdbg 14

THIS REPORTING PERIOD	Total	Occupied	Occupied Low/Mod
Number of Units at Start:	0	0	0
Number of Units Expected at Completion:	0	0	0

FOR TOTAL GRANT TERM	Total	Occupied	Occupied Low/Mod
Number of Units Completed:	0	0	0

***If this activity is in support of housing, complete the following questions:**

ACTIVITIES IN SUPPORT OF HOUSING OWNER UNITS

IDIS cdbg 22 & 23

1. Enter the total owner units. _____
2. Of the total owner units, the number of:
   a. Affordable units: _____
   b. Units qualified as Energy Star: _____
   c. Section 504 accessible: _____
3. The number of years to be guaranteed affordable units: _____
4. The number of households previously living in subsidized housing: _____
5. Of the number of affordable units, enter the number of:
   a. Units occupied by elderly: _____
   b. Units designated for persons with HIV/AIDS: _____
   c. Of the HIV/AIDS units, enter the number of the chronically homeless: _____
6. What number of units are specifically designated for homeless: _____
   a. Of the homeless, the number specifically for chronically homeless: _____

ACTIVITIES IN SUPPORT OF HOUSING RENTAL UNITS

IDIS cdbg 18 & 19

1. Enter total rental units: _____
2. Of the total rental units, specify the number of:
   a. Affordable units: _____
   b. Section 504 accessible units: _____
   c. Units meeting Energy Star standards: _____
   d. Units designated for persons with HIV/AIDS including units receiving assistance for operations: _____
   e. Of those listed as HIV/AIDS, specify the number for the chronically homeless: _____
3. What number of permanent housing units are designated for homeless persons and families, including units receiving assistance for operations: _____
   Of those units designated for homeless, specify the number that are chronically homeless: _____
4. Of the total number of affordable units, specify the number of:
   a. Units occupied by elderly: _____
   b. Units subsidized with project-based rental assistance by another federal, State or local program: _____
   c. Number of years the units will have affordability restrictions: _____

REHABILITATION OF HOME OWNER UNITS

1. Enter the total number of owner units rehabilitated: _____
2. Of the total number of owner-occupied units rehabilitated, specify the number of:
   a. Units occupied by elderly: _____
   b. Units brought from substandard to standard (Meeting HQS or local code): _____
   c. Units qualified as Energy Star: _____
   d. Units made accessible: _____
   e. Units in compliance with lead safety rules (24 CFR Part 35): _____

Replacement Housing

If multiple locations, please duplicate and make additional forms as necessary. **IDIS cdbg 16**

Indicate the address of the units to be demolished-converted:

Demolished/Converted Address _____

Indicate the number and type of bedroom units

0/1 Zero or One bedroom unit _____

Two Bedroom Units _____

Three Bedroom Units _____

Four Bedroom Units _____

5+ Five or more Bedroom Units _____

Grant or Loan Agreement Executed Date: _____

Demolition or Conversion Agreement Date: _____

Replacement Address _____

Number of bedroom units

0/1 Zero or One bedroom unit _____

Two Bedroom Units _____

Three Bedroom Units _____

Four Bedroom Units _____

5+ Five or more Bedroom Units _____

Date units will be available: _____

Date of any exception agreement: _____

Appendix B - Displacement

IDIS cdbg 15

Indicate the census tract of origin _____

Indicate the City _____

	Displaced		Remain		Relocated	
Race & Code	All	Hisp	All	Hisp	All	Hisp
White (11):	0	0	0	0	0	0
Black/African American (12):	0	0	0	0	0	0
Asian (13):	0	0	0	0	0	0
American Indian/Alaskan Native (14):	0	0	0	0	0	0
Nat.Hawaiian/Oth Pacific Isl (15):	0	0	0	0	0	0
Am. Indian/Alaskan Nat. &White (16):	0	0	0	0	0	0
Asian & White (17):	0	0	0	0	0	0
Black/African Am. & White (18):	0	0	0	0	0	0
Am.Indian/Alskn & Blck/Afrcn (19):	0	0	0	0	0	0
Other Multi-Racial (20):	0	0	0	0	0	0

Indicate the census tract of those relocated _____

Indicate the City _____

	Displaced		Remain		Relocated	
Race & Code	All	Hisp	All	Hisp	All	Hisp
White (11):	0	0	0	0	0	0
Black/African American (12):	0	0	0	0	0	0
Asian (13):	0	0	0	0	0	0
American Indian/Alaskan Native (14):	0	0	0	0	0	0
Nat.Hawaiian/Oth Pacific Isl (15):	0	0	0	0	0	0
Am. Indian/Alaskan Nat. &White (16):	0	0	0	0	0	0
Asian & White (17):	0	0	0	0	0	0
Black/African Am. & White (18):	0	0	0	0	0	0
Am.Indian/Alskn & Blck/Afrcn (19):	0	0	0	0	0	0
Other Multi-Racial (20):	0	0	0	0	0	0

If there is more than one census track, indicate the additional census tract and race distribution of those relocated.

Indicate the City _____

1. Presumed Benefit

IDIS User Guide 8-73

If the activity is funded under a National Objective Code of Low and Moderate Income Clientele, indicate the number of beneficiaries that fall into one or more of the following categories. Use the following income levels when reporting on the beneficiaries race and income on other pages of the GPR.

Number of:	
☐ Abused Children	Extreme Low Income
☐ Battered Spouses	Low Income
☐ Severely Disabled Adults (Per Census Definition)	Low Income
☐ Illiterate Adults	Low Income
☐ Persons with Aids	Low Income
☐ Homeless Persons	Extreme Low Income
☐ Migrant Farm workers	Low Income
☐ Elderly Persons	Use Moderate Income if at a center with services, if not center based, use Low Income

2. Nature and Location

IDIS cdbg 10

Provide a narrative description of how the nature/location of this activity benefits low and moderate persons:

ORGANIZATION CARRYING OUT ACTIVITY

IDIS cdbg 3

Indicate if the activity will be carried out by one of the following:

- ☐ Grantee employees
- ☐ Contractors
- ☐ Grantee employees & contractors
- ☐ By others under a Sub-recipient Agreement

If you are using a Sub-recipient Agreement, indicate the name of the Organization:

_____

Activity is being carried out by:

- ☐ A 105 (a) (15) entity as defined under the Housing and Development Act
- ☐ Another unit of local government
- ☐ Another public agency

IDIS cdbg 4

Indicate all that applies to this organization:

- ☐ Non-profit organization
- ☐ For-profit entity
- ☐ A faith-based organization
- ☐ An institution of higher education

Code Section 105(a) (15) is from the Housing and Development Act and provides the provision of assistance to neighborhood-based nonprofit organizations, local development corporations, and nonprofit organizations serving the development needs of communities in non-entitlement areas to carry out neighborhood revitalization, community economic development or energy conservation projects.

Provide a description of the boundaries of the designated area
Not the census tract/block data required for LMA)

Boundaries:

Percent of Deteriorated Buildings/Qualified Properties: _____ %

Public Improvement/Type Condition:
Provide a brief description identifying each type of improvement / type of condition

Slum/Blight Designation Year _____

Grantee Performance Report

Report Period	Standard Agreement
July 1, 2014- Dec. 31, 2014	10-EDEF-7271

Homebuyer Assistance

This section applies to activities with a National Objective of Low and Moderate Housing (LMH) and one of the following activities. Check off what activity you are reporting. If more than one activity is being reported on this page, you will need to create a duplicate sheet.

☐ Homeownership Assistance - not direct (05R)
☐ Direct Homeownership Assistance (13)

Program Description IDIS cdbg 6

Check all statements that are applicable to this activity. This activity will include:

a. One-for-One Replacement (Reconstruction) complete Appendix A. ☐
b. Public improvement activity for which a Special Assessment will be levied. ☐
c. Displacement of household, business, farms, nonprofits, complete Appendix B. ☐
d. Creating a new Revolving Fund/Revolving Loan Account (RLA). ☐
e. The designation of an economic development "Favored activity". ☐
f. The funding of Colonia(s). ☐
g. Brownfield Activity Indicate the number of remediated acres: _____ ☐
h. Historic Preservation Area. ☐
i. Presidential Declared Disaster. ☐
j. Multi-Unit Housing (2+ Units/structure). ☐
k. Rental Housing. ☐
l. Limited Clientele by Nature/Location or Presumed Benefit, complete Appendix C. ☐
m. A Subrecipient Agreement for this activity, complete Appendix D. ☐
n. The designation of Slum and Blight, complete Appendix E. ☐

Section 3
Economic Opportunities for Low & Very Low Income

Check box if the grant award is over $200,000 in CDBG funds. ☐
Check box if you have a construction contract or subcontract greater than $100,000. ☐

If both boxes are checked, you are required to comply with Section 3 reporting requirements pursuant to HUD (24 CFR 135). Attach a Section 3 report and submit the report with this GPR.

Minority Contractor Information

Provide the total dollar amount of this activity that will be directed towards

Firms owned wholly or in substantial part by:	Value of Contract
Minority group members	_____
Women	_____
Other (Specify) _____	_____

TYPE OF ASSISTANCE

IDIS cdbg 5

1. What type of financing was provided to the beneficiaries: Grants ☐ Loans ☐ No loans or grants ☐

2. Indicate the number of grants and/or loans provided this Report Period:
   Grants _____ Loans _____

3. Indicate the total number of grants and/or loans provided to date (entire contract term):
   Grants _____ Loans _____

4. When assistance is provided in the form of loans, enter the terms of financing:

	Interest Rate (%)	Number of Months (#)	Loan Amounts ($)
a. Amortized Loan:			
b. Deferred Payment/ Forgiveness Loan:			

DIRECT BENEFIT

IDIS cdbg 8

This page allows you to report on beneficiaries race/ethnicity and income levels for the fiscal year:

	HOUSING ACTIVITIES			
	Owner		Renter	
Race & Code	All	Hisp	All	Hisp
White (11):	0	0	0	0
Black/African American (12):	0	0	0	0
Asian (13):	0	0	0	0
American Indian/Alaskan Native (14):	0	0	0	0
Native Hawaiian/Other Pacific Isl. (15):	0	0	0	0
Am. Indian/Alaskan Native & White (16):	0	0	0	0
Asian & White (17):	0	0	0	0
Black/African Am. & White (18):	0	0	0	0
Am. Indian/Alaskan & Blck/Afrcn (19):	0	0	0	0
Other Multi-Racial (20):	0	0	0	0
TOTALS	**0**	**0**	**0**	**0**

Number of Female Head of Households _____ _____

INCOME LEVELS

IDIS cdbg 13

Number of households benefiting based on Income:

	Owner	Renter	Total all years
Extremely Low (<30%)	0	0	0
Low (31%-50%)	0	0	0
Moderate (51%-80%)	0	0	0
Non-Low/Moderate Income (+80%)	0	0	0
Totals	0	0	0

HOUSING - PUBLIC SERVICE

IDIS cdbg 17A

Indicate the number of persons/households assisted, according to the following:

1. a. Total being served for the program year _____
   b. Now have new access to this type of service or benefit: _____
   c. Now have improved access to this type of service or benefit: _____
   d. Now receive a service or benefit that is no longer substandard:

Direct Financial Assistance to Homebuyers

IDIS cdbg 25

1. Enter the total number of homebuyer households: _____
2. Of the total homebuyers assisted, specify the following:
   a. Number of first-time homebuyers: _____
   b. Of those first-time homebuyers, specify the number receiving housing counseling: _____
3. The number of homebuyers receiving down payment assistance/closing costs: _____

Appendix A - One for One Replacement

Replacement Housing

If multiple locations, please duplicate and make additional forms as necessary. IDIS cdbg 16

Indicate the address of the units to be demolished-converted:

Demolished/Converted Address _____

Indicate the number and type of bedroom units

0/1 Zero or One bedroom unit _____
Two Bedroom Units _____
Three Bedroom Units _____
Four Bedroom Units _____
5+ Five or more Bedroom Units _____

Grant or Loan Agreement Executed Date: _____

Demolition or Conversion Agreement Date: _____

Replacement Address _____

Number of bedroom units

0/1 Zero or One bedroom unit _____
Two Bedroom Units _____
Three Bedroom Units _____
Four Bedroom Units _____
5+ Five or more Bedroom Units _____

Date units will be available: _____

Date of any exception agreement: _____

Appendix B - Displacement

IDIS cdbg 15

Indicate the census tract of origin _____

Indicate the City _____

	Displaced		Remain		Relocated	
Race & Code	All	Hisp	All	Hisp	All	Hisp
White (11):	0	0	0	0	0	0
Black/African American (12):	0	0	0	0	0	0
Asian (13):	0	0	0	0	0	0
American Indian/Alaskan Native (14):	0	0	0	0	0	0
Nat.Hawaiian/Oth Pacific Isl (15):	0	0	0	0	0	0
Am. Indian/Alaskan Nat. &White (16):	0	0	0	0	0	0
Asian & White (17):	0	0	0	0	0	0
Black/African Am. & White (18):	0	0	0	0	0	0
Am.Indian/Alskn & Blck/Afrcn (19):	0	0	0	0	0	0
Other Multi-Racial (20):	0	0	0	0	0	0

Indicate the census tract of those relocated _____

Indicate the City _____

	Displaced		Remain		Relocated	
Race & Code	All	Hisp	All	Hisp	All	Hisp
White (11):	0	0	0	0	0	0
Black/African American (12):	0	0	0	0	0	0
Asian (13):	0	0	0	0	0	0
American Indian/Alaskan Native (14):	0	0	0	0	0	0
Nat.Hawaiian/Oth Pacific Isl (15):	0	0	0	0	0	0
Am. Indian/Alaskan Nat. &White (16):	0	0	0	0	0	0
Asian & White (17):	0	0	0	0	0	0
Black/African Am. & White (18):	0	0	0	0	0	0
Am.Indian/Alskn & Blck/Afrcn (19):	0	0	0	0	0	0
Other Multi-Racial (20):	0	0	0	0	0	0

If there is more than one census track, indicate the additional census tract and race distribution of those relocated.

Indicate the City _____

1. Presumed Benefit

IDIS User Guide 8-73

If the activity is funded under a National Objective Code of Low and Moderate Income Clientele, indicate the number of beneficiaries that fall into one or more of the following categories. Use the following income levels when reporting on the beneficiaries race and income on other pages of the GPR.

Number of:

☐ Abused Children	Extreme Low Income
☐ Battered Spouses	Low Income
☐ Severely Disabled Adults (Per Census Definition)	Low Income
☐ Illiterate Adults	Low Income
☐ Persons with Aids	Low Income
☐ Homeless Persons	Extreme Low Income
☐ Migrant Farm workers	Low Income
☐ Elderly Persons	Use Moderate Income if at a center with services, if not center based, use Low Income

2. Nature and Location

IDIS cdbg 10

Provide a narrative description of how the nature/location of this activity benefits low and moderate persons:

ORGANIZATION CARRYING OUT ACTIVITY

IDIS cdbg 3

Indicate if the activity will be carried out by one of the following:

- ☐ Grantee employees
- ☐ Contractors
- ☐ Grantee employees & contractors
- ☐ By others under a Sub-recipient Agreement

If you are using a Sub-recipient Agreement, indicate the name of the Organization:

_____

Activity is being carried out by:

- ☐ A 105 (a) (15) entity as defined under the Housing and Development Act
- ☐ Another unit of local government
- ☐ Another public agency

IDIS cdbg 4

Indicate all that applies to this organization:

- ☐ Non-profit organization
- ☐ For-profit entity
- ☐ A faith-based organization
- ☐ An institution of higher education

Code Section 105(a) (15) is from the Housing and Development Act and provides the provision of assistance to neighborhood-based nonprofit organizations, local development corporations, and nonprofit organizations serving the development needs of communities in non-entitlement areas to carry out neighborhood revitalization, community economic development or energy conservation projects.

Appendix E - Slum & Blight Area

IDIS cdbg 12

Provide a description of the boundaries of the designated area
Not the census tract/block data required for LMA)

Boundaries:

Percent of Deteriorated Buildings/Qualified Properties: _____ %

Public Improvement/Type Condition:
Provide a brief description identifying each type of improvement / type of condition

Slum/Blight Designation Year _____

Grantee Performance Report	Report Period	Standard Agreement
Public Improvement in Support of Housing	July 1, 2014-Dec. 31, 2014	10-EDEF-7271

This section applies to activities with a National Objective of Low and Moderate Housing (LMH) and consists of one of the following. Check off what activity you are reporting. If more than one activity is being reported on this page, you will need to create a duplicate sheet.

- ☐ Public Facilities & Improvements (03)*
- ☐ Solid Waste Disposal (03H)*
- ☐ Flood Drainage Improvement (03I)*
- ☐ Water/Sewer Improvements (03J)*
- ☐ Street Improvements (03K)*
- ☐ Sidewalk Improvements (03L)*
- ☐ Planting
- ☐ Privately Owned Utilities (11)*

*Report only activities that include housing. Activities with an asterisk (*) may also report under a different National Objective under Public Facilities and Improvements page 6.*

Program Description IDIS cdbg 6

Check all statements that are applicable to this activity. This activity will include:

a. One-for-One Replacement (Reconstruction) complete Appendix A. ☐
b. Public improvement activity for which a Special Assessment will be levied. ☐
c. Displacement of household, business, farms, nonprofits, complete Appendix B. ☐
d. Creating a new Revolving Fund/Revolving Loan Account (RLA). ☐
e. The designation of an economic development "Favored activity". ☐
f. The funding of Colonia(s). ☐
g. Brownfield Activity Indicate the number of remediated acres: _____ ☐
h. Historic Preservation Area. ☐
i. Presidential Declared Disaster. ☐
j. Multi-Unit Housing (2+ Units/structure). ☐
k. Rental Housing. ☐
l. Limited Clientele by Nature/Location or Presumed Benefit, complete Appendix C. ☐
m. A Subrecipient Agreement for this activity, complete Appendix D. ☐
n. The designation of Slum and Blight, complete Appendix E. ☐

Section 3
Economic Opportunities for Low & Very Low Income

Check box if the grant award is over $200,000 in CDBG funds. ☐
Check box if you have a construction contract or subcontract greater than $100,000. ☐

If both boxes are checked, you are required to comply with Section 3 reporting requirements pursuant to HUD (24 CFR 135). Attach a Section 3 report and submit the report with this GPR.

Minority Contractor Information

Provide the total dollar amount of this activity that will be directed towards

Firms owned wholly or in substantial part by:	Value of Contract
Minority group members	_____
Women	_____
Other (Specify) _____	_____

TYPE OF ASSISTANCE

IDIS cdbg 5

1. What type of financing was provided to the beneficiaries: Grants ☐ Loans ☐ No loans or grants ☐

2. Indicate the number of grants and/or loans provided this Report Period:
   Grants _____ Loans _____

3. Indicate the total number of grants and/or loans provided to date (entire contract term):
   Grants _____ Loans _____

4. When assistance is provided in the form of loans, enter the terms of financing:

	Interest Rate (%)	Number of Months (#)	Loan Amounts ($)
a. Amortized Loan:			
b. Deferred Payment/ Forgiveness Loan:			

DIRECT BENEFIT

IDIS cdbg 8

This page allows you to report on beneficiaries race/ethnicity and income levels for the fiscal year:

	HOUSING ACTIVITIES			
	Owner		Renter	
Race & Code	All	Hisp	All	Hisp
White (11):	0	0	0	0
Black/African American (12):	0	0	0	0
Asian (13):	0	0	0	0
American Indian/Alaskan Native (14):	0	0	0	0
Native Hawaiian/Other Pacific Isl. (15):	0	0	0	0
Am. Indian/Alaskan Native & White (16):	0	0	0	0
Asian & White (17):	0	0	0	0
Black/African Am. & White (18):	0	0	0	0
Am. Indian/Alaskan & Blck/Afrcn (19):	0	0	0	0
Other Multi-Racial (20):	0	0	0	0
TOTALS	**0**	**0**	**0**	**0**

Number of Female Head of Households _____ _____

INCOME LEVELS

IDIS cdbg 13

Number of households benefiting based on Income:

	Owner	Renter	Total all years
Extremely Low (<30%)	0	0	0
Low (31%-50%)	0	0	0
Moderate (51%-80%)	0	0	0
Non-Low/Moderate Income (+80%)	0	0	0
Totals	0	0	0

PUBLIC FACILITIES AND IMPROVEMENTS IN SUPPORT OF HOUSING

IDIS cdbg 17B

1. Indicate the number of households assisted, according to the following:
   a. Total benefiting for the program year _____
   b. Now have new access to this public facility (community facility) or public improvement (public works): _____
   c. Now have improved access to this type of public facility (community facility) or public improvement (public works): _____
   d. That are served by the public facility (community facility) or public improvement (public works) that is no longer substandard: _____
2. a. What number of homeless persons were given overnight shelter: _____
   b. Indicate the number of beds created in overnight shelter or other emergency housing: _____

If this activity includes multi-unit housing with (2+ units) complete the following questions:

MULTI-UNIT HOUSING

IDIS cdbg 14

THIS REPORTING PERIOD	Total	Occupied	Occupied Low/Mod
Number of Units at Start:	0	0	0
Number of Units Expected at Completion:	0	0	0

FOR TOTAL GRANT TERM	Total	Occupied	Occupied Low/Mod
Number of Units Completed:	0	0	0

Appendix A - One for One Replacement

Replacement Housing

If multiple locations, please duplicate and make additional forms as necessary. IDIS cdbg 16

Indicate the address of the units to be demolished-converted:

Demolished/Converted Address _____

_____

Indicate the number and type of bedroom units

0/1 Zero or One bedroom unit _____

Two Bedroom Units _____

Three Bedroom Units _____

Four Bedroom Units _____

5+ Five or more Bedroom Units _____

Grant or Loan Agreement Executed Date: _____

Demolition or Conversion Agreement Date: _____

Replacement Address _____

_____

Number of bedroom units

0/1 Zero or One bedroom unit _____

Two Bedroom Units _____

Three Bedroom Units _____

Four Bedroom Units _____

5+ Five or more Bedroom Units _____

Date units will be available: _____

Date of any exception agreement: _____

Appendix B - Displacement

IDIS cdbg 15

Indicate the census tract of origin

Indicate the City

	Displaced		Remain		Relocated	
Race & Code	All	Hisp	All	Hisp	All	Hisp
White (11):	0	0	0	0	0	0
Black/African American (12):	0	0	0	0	0	0
Asian (13):	0	0	0	0	0	0
American Indian/Alaskan Native (14):	0	0	0	0	0	0
Nat.Hawaiian/Oth Pacific Isl (15):	0	0	0	0	0	0
Am. Indian/Alaskan Nat. &White (16):	0	0	0	0	0	0
Asian & White (17):	0	0	0	0	0	0
Black/African Am. & White (18):	0	0	0	0	0	0
Am.Indian/Alskn & Blck/Afrcn (19):	0	0	0	0	0	0
Other Multi-Racial (20):	0	0	0	0	0	0

Indicate the census tract of those relocated

Indicate the City

	Displaced		Remain		Relocated	
Race & Code	All	Hisp	All	Hisp	All	Hisp
White (11):	0	0	0	0	0	0
Black/African American (12):	0	0	0	0	0	0
Asian (13):	0	0	0	0	0	0
American Indian/Alaskan Native (14):	0	0	0	0	0	0
Nat.Hawaiian/Oth Pacific Isl (15):	0	0	0	0	0	0
Am. Indian/Alaskan Nat. &White (16):	0	0	0	0	0	0
Asian & White (17):	0	0	0	0	0	0
Black/African Am. & White (18):	0	0	0	0	0	0
Am.Indian/Alskn & Blck/Afrcn (19):	0	0	0	0	0	0
Other Multi-Racial (20):	0	0	0	0	0	0

If there is more than one census track, indicate the additional census tract and race distribution of those relocated.

Indicate the City

1. Presumed Benefit

IDIS User Guide 8-73

If the activity is funded under a National Objective Code of Low and Moderate Income Clientele, indicate the number of beneficiaries that fall into one or more of the following categories. Use the following income levels when reporting on the beneficiaries race and income on other pages of the GPR.

Number of:	
☐ Abused Children	Extreme Low Income
☐ Battered Spouses	Low Income
☐ Severely Disabled Adults (Per Census Definition)	Low Income
☐ Illiterate Adults	Low Income
☐ Persons with Aids	Low Income
☐ Homeless Persons	Extreme Low Income
☐ Migrant Farm workers	Low Income
☐ Elderly Persons	Use Moderate Income if at a center with services, if not center based, use Low Income

2. Nature and Location

IDIS cdbg 10

Provide a narrative description of how the nature/location of this activity benefits low and moderate persons:

ORGANIZATION CARRYING OUT ACTIVITY

IDIS cdbg 3

Indicate if the activity will be carried out by one of the following:

- ☐ Grantee employees
- ☐ Contractors
- ☐ Grantee employees & contractors
- ☐ By others under a Sub-recipient Agreement

If you are using a Sub-recipient Agreement, indicate the name of the Organization:

_____

Activity is being carried out by:

- ☐ A 105 (a) (15) entity as defined under the Housing and Development Act
- ☐ Another unit of local government
- ☐ Another public agency

IDIS cdbg 4

Indicate all that applies to this organization:

- ☐ Non-profit organization
- ☐ For-profit entity
- ☐ A faith-based organization
- ☐ An institution of higher education

Code Section 105(a) (15) is from the Housing and Development Act and provides the provision of assistance to neighborhood-based nonprofit organizations, local development corporations, and nonprofit organizations serving the development needs of communities in non-entitlement areas to carry out neighborhood revitalization, community economic development or energy conservation projects.

Provide a description of the boundaries of the designated area
Not the census tract/block data required for LMA)

Boundaries:

Percent of Deteriorated Buildings/Qualified Properties: _____ %

Public Improvement/Type Condition:
Provide a brief description identifying each type of improvement / type of condition

Slum/Blight Designation Year _____

Grantee Performance Report

Report Period	Standard Agreement
July 1, 2014- Dec. 31, 2014	10-EDEF-7271

Housing Rehabilitation

This section applies to activities with a National Objective of Low and Moderate Housing (LMH) and Slums and Blight Area (SBA) or Slum and Blight Spot (SBS) or Urgent Need (URG) for the following. Check off what activity you are reporting. If more than one activity is being reported on this page, you will need to create a duplicate sheet.

- ☐ Rehabilitation - Single Unit Residential (Matrix 14A)
- ☐ Rehabilitation - Multi - Unit Residential (Matrix 14B)
- ☐ Public Housing Modernization (Matrix 14C)
- ☐ Energy Efficiency Improvements (Matrix 14F)
- ☐ Rehabilitation - Publicly-Owner Residential Buildings (Matrix 14D)
- ☐ Acquisition for Rehabilitation (Matrix 14G)
- ☐ Lead Based Paint, Hazards Test Abatement (14I)
- ☐ Residential Historic Preservation (16A)

Program Description IDIS cdbg 6

Check all statements that are applicable to this activity. This activity will include:

a. One-for-One Replacement (Reconstruction) complete Appendix A. ☐
b. Public improvement activity for which a Special Assessment will be levied. ☐
c. Displacement of household, business, farms, nonprofits, complete Appendix B. ☐
d. Creating a new Revolving Fund/Revolving Loan Account (RLA). ☐
e. The designation of an economic development "Favored activity". ☐
f. The funding of Colonia(s). ☐
g. Brownfield Activity Indicate the number of remediated acres: _____ ☐
h. Historic Preservation Area. ☐
i. Presidential Declared Disaster. ☐
j. Multi-Unit Housing (2+ Units/structure). ☐
k. Rental Housing. ☐
l. Limited Clientele by Nature/Location or Presumed Benefit, complete Appendix C. ☐
m. A Subrecipient Agreement for this activity, complete Appendix D. ☐
n. The designation of Slum and Blight, complete Appendix E. ☐

Section 3
Economic Opportunities for Low & Very Low Income

Check box if the grant award is over $200,000 in CDBG funds. ☐
Check box if you have a construction contract or subcontract greater than $100,000. ☐

If both boxes are checked, you are required to comply with Section 3 reporting requirements pursuant to HUD (24 CFR 135). Attach a Section 3 report and submit the report with this GPR.

Minority Contractor Information

Provide the total dollar amount of this activity that will be directed towards

Firms owned wholly or in substantial part by:	Value of Contract
Minority group members	_____
Women	_____
Other (Specify) _____	_____

TYPE OF ASSISTANCE

IDIS cdbg 5

1. What type of financing was provided to the beneficiaries: Grants ☐ Loans ☐ No loans or grants ☐

2. Indicate the number of grants and/or loans provided this Report Period:
   Grants _____ Loans _____

3. Indicate the total number of grants and/or loans provided to date (entire contract term):
   Grants _____ Loans _____

4. When assistance is provided in the form of loans, enter the terms of financing:

	Interest Rate (%)	Number of Months (#)	Loan Amounts ($)
a. Amortized Loan:			
b. Deferred Payment/ Forgiveness Loan:			

DIRECT BENEFIT

IDIS cdbg 8

This page allows you to report on beneficiaries race/ethnicity and income levels for the fiscal year:

	HOUSING ACTIVITIES			
	Owner		Renter	
Race & Code	All	Hisp	All	Hisp
White (11):	0	0	0	0
Black/African American (12):	0	0	0	0
Asian (13):	0	0	0	0
American Indian/Alaskan Native (14):	0	0	0	0
Native Hawaiian/Other Pacific Isl. (15):	0	0	0	0
Am. Indian/Alaskan Native & White (16):	0	0	0	0
Asian & White (17):	0	0	0	0
Black/African Am. & White (18):	0	0	0	0
Am. Indian/Alaskan & Blck/Afrcn (19):	0	0	0	0
Other Multi-Racial (20):	0	0	0	0
TOTALS	**0**	**0**	**0**	**0**

Number of Female Head of Households _____ _____

INCOME LEVELS

IDIS cdbg 13

Number of households benefiting based on Income:

	Owner	Renter	Total all years
Extremely Low (<30%)	0	0	0
Low (31%-50%)	0	0	0
Moderate (51%-80%)	0	0	0
Non-Low/Moderate Income (+80%)	0	0	0
Totals	0	0	0

DIRECT BENEFIT AND INCOME LEVELS MUST BE EQUAL

LEAD PAINT

APPLICABLE LEAD PAINT REQUIREMENT:

Housing constructed before 1978	
*Exempt: housing constructed 1978 or later	
**Otherwise exempt	
Exempt: Hard costs <= $5,000	
Total	0

* A residential property for which construction was completed on or after January 1, 1978,or, in the case of jurisdictions which banned the sale or residential use of lead-containing paint prior to 1978, an earlier date as HUD may designate (see §35.160).

* Exempt:
1. 0 bedroom
2. Elderly/Disabled with no children under 6

3. Lead-based paint free, and/or
4. Used no more than 100 days in a year

Lead Hazard Remediation Actions: (For rehabilitation only)

Lead Safe Work Practices (24 CFR 35.930(b)) (Hard costs ,<= $5,000)	
Interim Controls or Standard Practices (24 CFR 35.930 ©)) (Hard costs $5,000 - $25,000	
Abatement (24 CFR 35.930(d)) (Hard costs > $25,000)	
Total	0

REHABILITATION OF UNITS

IDIS cdbg 9

1. Indicate if the rehabilitation was offering a program with these specific services:
   (May apply for activities with an national objective LMH with Matrix Code 14a, 14b,14c,14d,14f,14g or 16a)
   a. Installing security devices ☐
   b. Installing smoke detectors ☐
   c. Performing emergency housing repairs ☐
   d. Providing supplies and equipment for painting houses ☐
   e. Operating a tool lending library ☐

REHABILITATION OF THE OWNER UNITS

IDIS cdbg 24

1. Enter the total number of owner units rehabilitated: _____
2. Of the total number of owner-occupied units rehabilitated, specify the number of:
   a. Units occupied by elderly: _____
   b. Units brought from substandard to standard (Meeting HQS or local code): _____
   c. Units qualified as Energy Star: _____
   d. Units made accessible: _____
   e. Units in compliance with lead safety rules (24 CFR Part 35): _____

If this activity includes multi-unit housing with (2+ units) complete the rest of the following questions:

MULTI-UNIT HOUSING

IDIS cdbg 14

THIS REPORTING PERIOD	Total	Occupied	Occupied Low/Mod
Number of Units at Start:	0	0	0
Number of Units Expected at Completion:	0	0	0

FOR TOTAL GRANT TERM	Total	Occupied	Occupied Low/Mod
Number of Units Completed:	0	0	0

(Complete the following questions if the activity includes the Rehabilitation of Rental Units)

REHABILITATION OF RENTAL UNITS

IDIS cdbg 20 & 21

1. What is the total number of rental units: _____
2. Of the total rental units, what number are:
   a. Affordable units: _____
   b. Section 504 accessible units: _____
   c. Changed from a substandard to a standard condition, (Meeting HQS or local code requirements): _____
3. What number of units qualified as Energy Star: _____
4. What number of units are in compliance with lead safety rules (24 CFR Part 35): _____
5. What number of units were created through conversion of a non-residential to residential building: _____
6. Of the number of rehabilitated rental units designated affordable, specify:
   a. Number of units occupied by elderly: _____
   b. The number of years there will be affordability restrictions: _____
   c. Units subsidized with project-based rental assistance by another federal, State or local program: _____
7. What number of affordable units were designated for persons with HIV/AIDS including units receiving assistance for operations: _____
   a. Of those, what number are for chronically homeless: _____
8. What number of affordable units are permanent housing units for homeless persons and families, including units receiving assistance for operations: _____
   a. Of those, the number for the chronically homeless: _____

Accomplishment Narrative (Please provide Activity Accomplishment Narrative)

Appendix A - One for One Replacement

Replacement Housing

If multiple locations, please duplicate and make additional forms as necessary. **IDIS cdbg 16**

Indicate the address of the units to be demolished-converted:

Demolished/Converted Address _____

_____

Indicate the number and type of bedroom units

0/1 Zero or One bedroom unit _____

Two Bedroom Units _____

Three Bedroom Units _____

Four Bedroom Units _____

5+ Five or more Bedroom Units _____

Grant or Loan Agreement Executed Date: _____

Demolition or Conversion Agreement Date: _____

Replacement Address _____

_____

Number of bedroom units

0/1 Zero or One bedroom unit _____

Two Bedroom Units _____

Three Bedroom Units _____

Four Bedroom Units _____

5+ Five or more Bedroom Units _____

Date units will be available: _____

Date of any exception agreement: _____

Appendix B - Displacement

IDIS cdbg 15

Indicate the census tract of origin _____

Indicate the City _____

	Displaced		Remain		Relocated	
Race & Code	All	Hisp	All	Hisp	All	Hisp
White (11):	0	0	0	0	0	0
Black/African American (12):	0	0	0	0	0	0
Asian (13):	0	0	0	0	0	0
American Indian/Alaskan Native (14):	0	0	0	0	0	0
Nat.Hawaiian/Oth Pacific Isl (15):	0	0	0	0	0	0
Am. Indian/Alaskan Nat. &White (16):	0	0	0	0	0	0
Asian & White (17):	0	0	0	0	0	0
Black/African Am. & White (18):	0	0	0	0	0	0
Am.Indian/Alskn & Blck/Afrcn (19):	0	0	0	0	0	0
Other Multi-Racial (20):	0	0	0	0	0	0

Indicate the census tract of those relocated _____

Indicate the City _____

	Displaced		Remain		Relocated	
Race & Code	All	Hisp	All	Hisp	All	Hisp
White (11):	0	0	0	0	0	0
Black/African American (12):	0	0	0	0	0	0
Asian (13):	0	0	0	0	0	0
American Indian/Alaskan Native (14):	0	0	0	0	0	0
Nat.Hawaiian/Oth Pacific Isl (15):	0	0	0	0	0	0
Am. Indian/Alaskan Nat. &White (16):	0	0	0	0	0	0
Asian & White (17):	0	0	0	0	0	0
Black/African Am. & White (18):	0	0	0	0	0	0
Am.Indian/Alskn & Blck/Afrcn (19):	0	0	0	0	0	0
Other Multi-Racial (20):	0	0	0	0	0	0

If there is more than one census track, indicate the additional census tract and race distribution of those relocated.

Indicate the City _____

1. Presumed Benefit

IDIS User Guide 8-73

If the activity is funded under a National Objective Code of Low and Moderate Income Clientele, indicate the number of beneficiaries that fall into one or more of the following categories. Use the following income levels when reporting on the beneficiaries race and income on other pages of the GPR.

Number of:	
☐ Abused Children	Extreme Low Income
☐ Battered Spouses	Low Income
☐ Severely Disabled Adults (Per Census Definition)	Low Income
☐ Illiterate Adults	Low Income
☐ Persons with Aids	Low Income
☐ Homeless Persons	Extreme Low Income
☐ Migrant Farm workers	Low Income
☐ Elderly Persons	Use Moderate Income if at a center with services, if not center based, use Low Income

2. Nature and Location

IDIS cdbg 10

Provide a narrative description of how the nature/location of this activity benefits low and moderate persons:

ORGANIZATION CARRYING OUT ACTIVITY

IDIS cdbg 3

Indicate if the activity will be carried out by one of the following:

- ☐ Grantee employees
- ☐ Contractors
- ☐ Grantee employees & contractors
- ☐ By others under a Sub-recipient Agreement

If you are using a Sub-recipient Agreement, indicate the name of the Organization:

_____

Activity is being carried out by:

- ☐ A 105 (a) (15) entity as defined under the Housing and Development Act
- ☐ Another unit of local government
- ☐ Another public agency

IDIS cdbg 4

Indicate all that applies to this organization:

- ☐ Non-profit organization
- ☐ For-profit entity
- ☐ A faith-based organization
- ☐ An institution of higher education

Code Section 105(a) (15) is from the Housing and Development Act and provides the provision of assistance to neighborhood-based nonprofit organizations, local development corporations, and nonprofit organizations serving the development needs of communities in non-entitlement areas to carry out neighborhood revitalization, community economic development or energy conservation projects.

Appendix E - Slum & Blight Area

IDIS cdbg 12

Provide a description of the boundaries of the designated area
Not the census tract/block data required for LMA)

Boundaries:

Percent of Deteriorated Buildings/Qualified Properties: _____ %

Public Improvement/Type Condition:
Provide a brief description identifying each type of improvement / type of condition

Slum/Blight Designation Year _____

Grantee Performance Report

Report Period	Standard Agreement
July 1, 2014- Dec. 31, 2014	10-EDEF-7271

Housing Services

This section applies to activities with a National Objective of Low and Moderate Housing (LMH) and Slums and Blight Area (SBA) or Slum and Blight Spot (SBS) or Urgent Need (URG) for the following. Check off what activity you are reporting. If more than one activity is being reported on this page, you will need to create a duplicate sheet.

- ☐ Rental Housing Subsidies (05S)
- ☐ Security Deposits (05T)
- ☐ Relocation - Housing (08)
- ☐ Loss of Rental Income (09)
- ☐ Operation and Repair Foreclosed Property (19E)

*Housing Counseling (05U), Emergency Subsistence Payments (05Q) or Legal Services (05C) are reported under a public services, in addition Relocation (08) and Loss of Rental Income (09) that are Non-housing activities are all reported under public services page 7. (Page 7) For Foreclosed Property (19E) under LMA, report this activity on this page.

Program Description IDIS cdbg 6

Check all statements that are applicable to this activity. This activity will include:

a. One-for-One Replacement (Reconstruction) complete Appendix A. ☐
b. Public improvement activity for which a Special Assessment will be levied. ☐
c. Displacement of household, business, farms, nonprofits, complete Appendix B. ☐
d. Creating a new Revolving Fund/Revolving Loan Account (RLA). ☐
e. The designation of an economic development "Favored activity". ☐
f. The funding of Colonia(s). ☐
g. Brownfield Activity Indicate the number of remediated acres: _____ ☐
h. Historic Preservation Area. ☐
i. Presidential Declared Disaster. ☐
j. Multi-Unit Housing (2+ Units/structure). ☐
k. Rental Housing. ☐
l. Limited Clientele by Nature/Location or Presumed Benefit, complete Appendix C. ☐
m. A Subrecipient Agreement for this activity, complete Appendix D. ☐
n. The designation of Slum and Blight, complete Appendix E. ☐

Section 3
Economic Opportunities for Low & Very Low Income

Check box if the grant award is over $200,000 in CDBG funds. ☐
Check box if you have a construction contract or subcontract greater than $100,000. ☐

If both boxes are checked, you are required to comply with Section 3 reporting requirements pursuant to HUD (24 CFR 135). Attach a Section 3 report and submit the report with this GPR.

Minority Contractor Information

Provide the total dollar amount of this activity that will be directed towards

Firms owned wholly or in substantial part by:	Value of Contract
Minority group members	_____
Women	_____
Other (Specify) _____	_____

TYPE OF ASSISTANCE

IDIS cdbg 5

1. What type of financing was provided to the beneficiaries: Grants ☐ Loans ☐ No loans or grants ☐

2. Indicate the number of grants and/or loans provided this Report Period:
   Grants _____ Loans _____

3. Indicate the total number of grants and/or loans provided to date (entire contract term):
   Grants _____ Loans _____

4. When assistance is provided in the form of loans, enter the terms of financing:

	Interest Rate (%)	Number of Months (#)	Loan Amounts ($)
a. Amortized Loan:			
b. Deferred Payment/ Forgiveness Loan:			

DIRECT BENEFIT

IDIS cdbg 8

This page allows you to report on beneficiaries race/ethnicity and income levels for the fiscal year:
For non-housing activities, use the column on the right.

☐ Households ☐ Persons

	HOUSING ACTIVITIES				Non-HOUSING	
	Owner		Renter		Totals	
Race & Code	All	Hisp	All	Hisp	All	Hisp
White (11):	0	0	0	0	0	0
Black/African American (12):	0	0	0	0	0	0
Asian (13):	0	0	0	0	0	0
American Indian/Alaskan Native (14):	0	0	0	0	0	0
Native Hawaiian/Other Pacific Isl. (15):	0	0	0	0	0	0
Am. Indian/Alaskan Native & White (16):	0	0	0	0	0	0
Asian & White (17):	0	0	0	0	0	0
Black/African Am. & White (18):	0	0	0	0	0	0
Am. Indian/Alaskan & Blck/Afrcn (19):	0	0	0	0	0	0
Other Multi-Racial (20):	0	0	0	0	0	0
TOTALS	**0**	**0**	**0**	**0**	**0**	**0**

Number of Female Head of Households _____ _____

INCOME LEVELS

IDIS cdbg 13

Number of households or persons benefiting based on Income:
For non-housing activities use the column on the right.

☐ Households ☐ Persons

	Owner	Renter	Persons	Total all years
Extremely Low (<30%)	0	0	0	0
Low (31%-50%)	0	0	0	0
Moderate (51%-80%)	0	0	0	0
Non-Low/Moderate Income (+80%)	0	0	0	0
Totals	0	0	0	0

If this activity includes multi-unit housing, indicate the number or units and any changes to units.

MULTI-UNIT HOUSING IDIS cdbg 14

THIS REPORTING PERIOD	Total	Occupied	Occupied Low/Mod
Number of Units at Start:	0	0	0
Number of Units Expected at Completion:	0	0	0

FOR TOTAL GRANT TERM	Total	Occupied	Occupied Low/Mod
Number of Units Completed:	0	0	0

The following three sections request performance measurement information that is only required for Rental Housing Subsidies (05S) and Security Deposits (05T).

HOUSING & PUBLIC SERVICE IDIS cdbg 17A

Indicate the number of persons/households assisted, according to the following:

1. a. Total being served for the program year: _____
   b. Now have new access to this type of service or benefit: _____
   c. Now have improved access to this type of service or benefit: _____
   d. Now receive a service or benefit that is no longer substandard: _____
2. a. What number of homeless persons were given overnight shelter: _____
   b. Indicate the number of beds created in overnight shelter or other emergency housing: _____

RENTAL HOUSING SUBSIDIES (Tenant Based Rental Assistance) IDIS cdbg 30

If this activity includes Rental Housing Subsidies (05S), address the following:

1. Enter the total number of households receiving rental assistance: _____
2. Of the total households assisted, specify the number on short-term rental assistance (not more than 3 months) : _____
3. What number of households assisted were previously homeless: _____
4. Of those homeless, what number were chronically homeless: _____

HOMELESS PREVENTION IDIS cdbg 31

If this activity offering Security Deposits (05T) and helps the homeless:

1. Indicate the total number of homeless that are benefiting from this activity: _____
2. Of the persons assisted, enter the number that:
   a. Receive emergency financial assistance to prevent homelessness: _____
   b. Received emergency legal assistance to prevent homelessness: _____

Appendix A - One for One Replacement

Replacement Housing

If multiple locations, please duplicate and make additional forms as necessary. **IDIS cdbg 16**

Indicate the address of the units to be demolished-converted:

Demolished/Converted Address _____

Indicate the number and type of bedroom units

0/1 Zero or One bedroom unit _____
Two Bedroom Units _____
Three Bedroom Units _____
Four Bedroom Units _____
5+ Five or more Bedroom Units _____

Grant or Loan Agreement Executed Date: _____

Demolition or Conversion Agreement Date: _____

Replacement Address _____

Number of bedroom units

0/1 Zero or One bedroom unit _____
Two Bedroom Units _____
Three Bedroom Units _____
Four Bedroom Units _____
5+ Five or more Bedroom Units _____

Date units will be available: _____

Date of any exception agreement: _____

Appendix B - Displacement

IDIS cdbg 15

Indicate the census tract of origin _____

Indicate the City _____

	Displaced		Remain		Relocated	
Race & Code	All	Hisp	All	Hisp	All	Hisp
White (11):	0	0	0	0	0	0
Black/African American (12):	0	0	0	0	0	0
Asian (13):	0	0	0	0	0	0
American Indian/Alaskan Native (14):	0	0	0	0	0	0
Nat.Hawaiian/Oth Pacific Isl (15):	0	0	0	0	0	0
Am. Indian/Alaskan Nat. &White (16):	0	0	0	0	0	0
Asian & White (17):	0	0	0	0	0	0
Black/African Am. & White (18):	0	0	0	0	0	0
Am.Indian/Alskn & Blck/Afrcn (19):	0	0	0	0	0	0
Other Multi-Racial (20):	0	0	0	0	0	0

Indicate the census tract of those relocated _____

Indicate the City _____

	Displaced		Remain		Relocated	
Race & Code	All	Hisp	All	Hisp	All	Hisp
White (11):	0	0	0	0	0	0
Black/African American (12):	0	0	0	0	0	0
Asian (13):	0	0	0	0	0	0
American Indian/Alaskan Native (14):	0	0	0	0	0	0
Nat.Hawaiian/Oth Pacific Isl (15):	0	0	0	0	0	0
Am. Indian/Alaskan Nat. &White (16):	0	0	0	0	0	0
Asian & White (17):	0	0	0	0	0	0
Black/African Am. & White (18):	0	0	0	0	0	0
Am.Indian/Alskn & Blck/Afrcn (19):	0	0	0	0	0	0
Other Multi-Racial (20):	0	0	0	0	0	0

If there is more than one census track, indicate the additional census tract and race distribution of those relocated.

Indicate the City _____

1. Presumed Benefit

IDIS User Guide 8-73

If the activity is funded under a National Objective Code of Low and Moderate Income Clientele, indicate the number of beneficiaries that fall into one or more of the following categories. Use the following income levels when reporting on the beneficiaries race and income on other pages of the GPR.

Number of:	
☐ Abused Children	Extreme Low Income
☐ Battered Spouses	Low Income
☐ Severely Disabled Adults (Per Census Definition)	Low Income
☐ Illiterate Adults	Low Income
☐ Persons with Aids	Low Income
☐ Homeless Persons	Extreme Low Income
☐ Migrant Farm workers	Low Income
☐ Elderly Persons	Use Moderate Income if at a center with services, if not center based, use Low Income

2. Nature and Location

IDIS cdbg 10

Provide a narrative description of how the nature/location of this activity benefits low and moderate persons:

ORGANIZATION CARRYING OUT ACTIVITY

IDIS cdbg 3

Indicate if the activity will be carried out by one of the following:

- ☐ Grantee employees
- ☐ Contractors
- ☐ Grantee employees & contractors
- ☐ By others under a Sub-recipient Agreement

If you are using a Sub-recipient Agreement, indicate the name of the Organization:

_____

Activity is being carried out by:

- ☐ A 105 (a) (15) entity as defined under the Housing and Development Act
- ☐ Another unit of local government
- ☐ Another public agency

IDIS cdbg 4

Indicate all that applies to this organization:

- ☐ Non-profit organization
- ☐ For-profit entity
- ☐ A faith-based organization
- ☐ An institution of higher education

Code Section 105(a) (15) is from the Housing and Development Act and provides the provision of assistance to neighborhood-based nonprofit organizations, local development corporations, and nonprofit organizations serving the development needs of communities in non-entitlement areas to carry out neighborhood revitalization, community economic development or energy conservation projects.

Appendix E - Slum & Blight Area

Provide a description of the boundaries of the designated area
Not the census tract/block data required for LMA)

Boundaries:

Percent of Deteriorated Buildings/Qualified Properties: _____ %

Public Improvement/Type Condition:
Provide a brief description identifying each type of improvement / type of condition

Slum/Blight Designation Year _____

Grantee Performance Report

Report Period	Standard Agreement
July 1, 2014- Dec. 31, 2014	10-EDEF-7271

Public Facilities and Improvements

This section applies to activities with a National Objective of Low and Moderate Area (LMA) or Low and Moderate Clientele (LMC) or Slum and Blight Area (SBA). Do not use this page for housing activities (LMH). Check off what activity you are reporting. If more than one activity is being reported on this page, you will need to create a duplicate sheet.

- ☐ Public Facilities and Improvements (03)
- ☐ Senior Centers (03A)
- ☐ Handicapped Centers (03B)
- ☐ Homeless Facilities (03C)
- ☐ Youth Centers (03D)
- ☐ Neighborhood Facilities (03E)
- ☐ Parks, Recreation Facilities (03F)
- ☐ Parking Facilities (03G)
- ☐ Solid Waste Disposal Imp. (03H)*
- ☐ Flood Drainage Improvement (03I)*
- ☐ Water/Sewer Improvements (03J)*
- ☐ Street Improvements (03K)*
- ☐ Sidewalk Improvements (03L)*
- ☐ Child Care Centers (03M)
- ☑ Tree Planting (03N)
- ☐ Fire Station/Equipment (03O)
- ☐ Health Facilities (03P)
- ☐ Abused and Neglected Children Facilities (03Q)
- ☐ Asbestos Removal (03R)
- ☐ Facilities for Aids Patients (03S)
- ☐ Operating Costs of Homeless/Aids (03T)
- ☐ Non-Residential Historic Preservation (16B)
- ☐ Privately Owned Utilities (11)*

*Report only non-housing activities. Activities with an asterisk (*) may also report under National Objective* Low and Moderate Housing LMH - In Support of Housing.

Program Description IDIS cdbg 6

Check all statements that are applicable to this activity. This activity will include:

a. One-for-One Replacement (Reconstruction) complete Appendix A. ☐
b. Public improvement activity for which a Special Assessment will be levied. ☐
c. Displacement of household, business, farms, nonprofits, complete Appendix B. ☐
d. Creating a new Revolving Fund/Revolving Loan Account (RLA). ☐
e. The designation of an economic development "Favored activity". ☐
f. The funding of Colonia(s). ☐
g. Brownfield Activity Indicate the number of remediated acres: _____ ☐
h. Historic Preservation Area. ☐
i. Presidential Declared Disaster. ☐
j. Multi-Unit Housing (2+ Units/structure). ☐
k. Rental Housing. ☐
l. Limited Clientele by Nature/Location or Presumed Benefit, complete Appendix C. ☐
m. A Subrecipient Agreement for this activity, complete Appendix D. ☐
n. The designation of Slum and Blight, complete Appendix E. ☐

Section 3
Economic Opportunities for Low & Very Low Income

Check box if the grant award is over $200,000 in CDBG funds. ☐
Check box if you have a construction contract or subcontract greater than $100,000. ☐

If both boxes are checked, you are required to comply with Section 3 reporting requirements pursuant to HUD (24 CFR 135). Attach a Section 3 report and submit the report with this GPR.

Minority Contractor Information

Provide the total dollar amount of this activity that will be directed towards

Firms owned wholly or in substantial part by:	Value of Contract
Minority group members	_____
Women	_____
Other (Specify) _____	_____

TYPE OF ASSISTANCE

IDIS cdbg 5

1. What type of financing was provided to the beneficiaries: Grants ☐ Loans ☐ No loans or grants ☐

2. Indicate the number of grants and/or loans provided this Report Period:
   Grants _____ Loans _____

3. Indicate the total number of grants and/or loans provided to date (entire contract term):
   Grants _____ Loans _____

4. When assistance is provided in the form of loans, enter the terms of financing:

	Interest Rate (%)	Number of Months (#)	Loan Amounts ($)
a. Amortized Loan:			
b. Deferred Payment/ Forgiveness Loan:			

DIRECT BENEFIT

IDIS cdbg 8

This page allows you to report on beneficiaries race/ethnicity and income levels for the fiscal year:

	Persons Totals	
Race & Code	All	Hisp
White (11):	0	0
Black/African American (12):	0	0
Asian (13):	0	0
American Indian/Alaskan Native (14):	0	0
Native Hawaiian/Other Pacific Isl. (15):	0	0
Am. Indian/Alaskan Native & White (16):	0	0
Asian & White (17):	0	0
Black/African Am. & White (18):	0	0
Am. Indian/Alaskan & Blck/Afrcn (19):	0	0
Other Multi-Racial (20):	0	0
TOTALS	**0**	**0**

Number of Female Head of Households _____

INCOME LEVELS

IDIS cdbg 13

Number of persons benefiting based on income:

	Persons	Total all years
Extremely Low (<30%)	0	0
Low (31%-50%)	0	0
Moderate (51%-80%)	0	0
Non-Low/Moderate Income (+80%)	0	0
Totals	0	0

Public Facilities and Improvements IDIS cdbg 17B

1. Indicate the number of households assisted, according to the following:
   a. Total benefiting for the program year: _____
   b. Now have new access to this public facility (community facility) or public improvement (public works): _____
   c. Now have improved access to this type of public facility (community facility) or public improvement (public works): _____
   d. That are served by the public facility (community facility) or public improvement (public works) that is no longer substandard: _____
2. a. What number of homeless persons were given overnight shelter: _____
   b. Indicate the number of beds created in overnight shelter or other emergency housing: _____

Appendix A - One for One Replacement

Replacement Housing

If multiple locations, please duplicate and make additional forms as necessary. IDIS cdbg 16

Indicate the address of the units to be demolished-converted:

Demolished/Converted Address _____

Indicate the number and type of bedroom units

0/1 Zero or One bedroom unit _____
Two Bedroom Units _____
Three Bedroom Units _____
Four Bedroom Units _____
5+ Five or more Bedroom Units _____

Grant or Loan Agreement Executed Date: _____

Demolition or Conversion Agreement Date: _____

Replacement Address _____

Number of bedroom units

0/1 Zero or One bedroom unit _____
Two Bedroom Units _____
Three Bedroom Units _____
Four Bedroom Units _____
5+ Five or more Bedroom Units _____

Date units will be available: _____

Date of any exception agreement: _____

Appendix B - Displacement

IDIS cdbg 15

Indicate the census tract of origin _____

Indicate the City _____

	Displaced		Remain		Relocated	
Race & Code	All	Hisp	All	Hisp	All	Hisp
White (11):	0	0	0	0	0	0
Black/African American (12):	0	0	0	0	0	0
Asian (13):	0	0	0	0	0	0
American Indian/Alaskan Native (14):	0	0	0	0	0	0
Nat.Hawaiian/Oth Pacific Isl (15):	0	0	0	0	0	0
Am. Indian/Alaskan Nat. &White (16):	0	0	0	0	0	0
Asian & White (17):	0	0	0	0	0	0
Black/African Am. & White (18):	0	0	0	0	0	0
Am.Indian/Alskn & Blck/Afrcn (19):	0	0	0	0	0	0
Other Multi-Racial (20):	0	0	0	0	0	0

Indicate the census tract of those relocated _____

Indicate the City _____

	Displaced		Remain		Relocated	
Race & Code	All	Hisp	All	Hisp	All	Hisp
White (11):	0	0	0	0	0	0
Black/African American (12):	0	0	0	0	0	0
Asian (13):	0	0	0	0	0	0
American Indian/Alaskan Native (14):	0	0	0	0	0	0
Nat.Hawaiian/Oth Pacific Isl (15):	0	0	0	0	0	0
Am. Indian/Alaskan Nat. &White (16):	0	0	0	0	0	0
Asian & White (17):	0	0	0	0	0	0
Black/African Am. & White (18):	0	0	0	0	0	0
Am.Indian/Alskn & Blck/Afrcn (19):	0	0	0	0	0	0
Other Multi-Racial (20):	0	0	0	0	0	0

If there is more than one census track, indicate the additional census tract and race distribution of those relocated.

Indicate the City _____

1. Presumed Benefit

IDIS User Guide 8-73

If the activity is funded under a National Objective Code of Low and Moderate Income Clientele, indicate the number of beneficiaries that fall into one or more of the following categories. Use the following income levels when reporting on the beneficiaries race and income on other pages of the GPR.

Number of:	
☐ Abused Children	Extreme Low Income
☐ Battered Spouses	Low Income
☐ Severely Disabled Adults (Per Census Definition)	Low Income
☐ Illiterate Adults	Low Income
☐ Persons with Aids	Low Income
☐ Homeless Persons	Extreme Low Income
☐ Migrant Farm workers	Low Income
☐ Elderly Persons	Use Moderate Income if at a center with services, if not center based, use Low Income

2. Nature and Location

IDIS cdbg 10

Provide a narrative description of how the nature/location of this activity benefits low and moderate persons:

ORGANIZATION CARRYING OUT ACTIVITY

IDIS cdbg 3

Indicate if the activity will be carried out by one of the following:

- ☐ Grantee employees
- ☐ Contractors
- ☐ Grantee employees & contractors
- ☐ By others under a Sub-recipient Agreement

If you are using a Sub-recipient Agreement, indicate the name of the Organization:

_____

Activity is being carried out by:

- ☐ A 105 (a) (15) entity as defined under the Housing and Development Act
- ☐ Another unit of local government
- ☐ Another public agency

IDIS cdbg 4

Indicate all that applies to this organization:

- ☐ Non-profit organization
- ☐ For-profit entity
- ☐ A faith-based organization
- ☐ An institution of higher education

Code Section 105(a) (15) is from the Housing and Development Act and provides the provision of assistance to neighborhood-based nonprofit organizations, local development corporations, and nonprofit organizations serving the development needs of communities in non-entitlement areas to carry out neighborhood revitalization, community economic development or energy conservation projects.

Appendix E - Slum & Blight Area

IDIS cdbg 12

Provide a description of the boundaries of the designated area
Not the census tract/block data required for LMA)

Boundaries:

Percent of Deteriorated Buildings/Qualified Properties: _____ %

Public Improvement/Type Condition:
Provide a brief description identifying each type of improvement / type of condition

Slum/Blight Designation Year _____

Grantee Performance Report

Report Period	Standard Agreement
July 1, 2014- Dec. 31, 2014	10-EDEF-7271

Public Service

This section applies to activities with a National Objective of Low and Moderate Area (LMA) or Low and Moderate Clientele (LMC) or Slum and Blight Area (SBA), Urgent Need (URG). Check off what activity you are reporting. If more than one activity is being reported on this page, you will need to create a duplicate sheet.

- ☐ Public Services - General (05)
- ☐ Senior Services (05A)
- ☐ Handicapped Services (05B)
- ☐ Legal Services (05C)
- ☐ Youth Services (05D)
- ☐ Transportation Services (05E)
- ☐ Substance Abuse Services (05F)
- ☐ Battered and Abused Spouses (05G)
- ☐ Employment Training (05H)
- ☐ Crime Awareness (05I)
- ☐ Fair Housing Activities (05J)
- ☐ Tenant/Landlord Counseling (05K)
- ☐ Child Care Services (05L)
- ☐ Health Services (05M)
- ☐ Abused & Neglected Children (05N)
- ☐ Mental Health Services (05O)
- ☐ Screening Lead Paint & Hazards (05P)
- ☐ Subsistence Payments (05Q)
- ☐ Housing Counseling (05U)
- ☐ Interim Assistance (06)
- ☐ Relocation (08)*
- ☐ Loss of Rental Income (09)*
- ☐ Code Enforcement (15)

* For LMH activities, report on Housing Services page.

Program Description IDIS cdbg 6

Check all statements that are applicable to this activity. This activity will include:

a. One-for-One Replacement (Reconstruction) complete Appendix A. ☐
b. Public improvement activity for which a Special Assessment will be levied. ☐
c. Displacement of household, business, farms, nonprofits, complete Appendix B. ☐
d. Creating a new Revolving Fund/Revolving Loan Account (RLA). ☐
e. The designation of an economic development "Favored activity". ☐
f. The funding of Colonia(s). ☐
g. Brownfield Activity Indicate the number of remediated acres: _____ ☐
h. Historic Preservation Area. ☐
i. Presidential Declared Disaster. ☐
j. Multi-Unit Housing (2+ Units/structure). ☐
k. Rental Housing. ☐
l. Limited Clientele by Nature/Location or Presumed Benefit, complete Appendix C. ☐
m. A Subrecipient Agreement for this activity, complete Appendix D. ☐
n. The designation of Slum and Blight, complete Appendix E. ☐

Section 3
Economic Opportunities for Low & Very Low Income

Check box if the grant award is over $200,000 in CDBG funds. ☐
Check box if you have a construction contract or subcontract greater than $100,000. ☐

If both boxes are checked, you are required to comply with Section 3 reporting requirements pursuant to HUD (24 CFR 135). Attach a Section 3 report and submit the report with this GPR.

Minority Contractor Information

Provide the total dollar amount of this activity that will be directed towards

Firms owned wholly or in substantial part by:	Value of Contract
Minority group members	_____
Women	_____
Other (Specify) _____	_____

TYPE OF ASSISTANCE

IDIS cdbg 5

1. What type of financing was provided to the beneficiaries: Grants ☐ Loans ☐ No loans or grants ☐

2. Indicate the number of grants and/or loans provided this Report Period:
   Grants _____ Loans _____

3. Indicate the total number of grants and/or loans provided to date (entire contract term):
   Grants _____ Loans _____

4. When assistance is provided in the form of loans, enter the terms of financing:

	Interest Rate (%)	Number of Months (#)	Loan Amounts ($)
a. Amortized Loan:			
b. Deferred Payment/ Forgiveness Loan:			

DIRECT BENEFIT

IDIS cdbg 8

This page allows you to report on beneficiaries race/ethnicity and income levels for the fiscal year:

	Persons Totals	
Race & Code	All	Hisp
White (11):	0	0
Black/African American (12):	0	0
Asian (13):	0	0
American Indian/Alaskan Native (14):	0	0
Native Hawaiian/Other Pacific Isl. (15):	0	0
Am. Indian/Alaskan Native & White (16):	0	0
Asian & White (17):	0	0
Black/African Am. & White (18):	0	0
Am. Indian/Alaskan & Blck/Afrcn (19):	0	0
Other Multi-Racial (20):	0	0
TOTALS	**0**	**0**

Number of Female Head of Households _____

INCOME LEVELS

IDIS cdbg 13

Number of persons benefiting based on income:

	Persons	Total all years
Extremely Low (<30%)	0	0
Low (31%-50%)	0	0
Moderate (51%-80%)	0	0
Non-Low/Moderate Income (+80%)	0	0
Totals	0	0

The following sections do not apply to Relocation (08), Loss of Rental Income (09) and Code Enforcement (15), however the information is still required for all other activities.

PUBLIC SERVICE

IDIS cdbg 17A

1. Indicate the number of persons/households assisted, according to the following:
   a. Total being served for the program year: _____
   b. Now have new access to this type of service or benefit: _____
   c. Now have improved access to this type of service or benefit: _____
   d. Now receive a service or benefit that is no longer substandard: _____

2. a. What number of homeless persons were given overnight shelter: _____
   b. Indicate the number of beds created in overnight shelter or other emergency housing: _____

HOMELESS PREVENTION

IDIS cdbg 31

If this activity also includes the following services, address the following questions if applicable.
Legal Services (05C) Subsistence Payments (05Q)

1. Indicate the total number of homeless that are benefiting from this activity: _____
2. Of the persons assisted, enter the number that:
   a. Receive emergency financial assistance to prevent homelessness: _____
   b. Received emergency legal assistance to prevent homelessness: _____

EMERGENCY ASSISTANCE (Subsistence Payments)

IDIS cdbg 30

If this activity also includes the following services, address the following questions if applicable.
Legal Services (05C) Subsistence Payments (05Q)

1. Enter the total number of households receiving rental assistance: _____
2. Of the total households assisted, specify the number on short-term rental assistance (not more than 3 months) : _____
3. What number of households assisted were previously homeless: _____
4. Of those homeless, what number were chronically homeless: _____

Appendix A - One for One Replacement

Replacement Housing

If multiple locations, please duplicate and make additional forms as necessary. **IDIS cdbg 16**

Indicate the address of the units to be demolished-converted:

Demolished/Converted Address _____

Indicate the number and type of bedroom units

0/1 Zero or One bedroom unit _____
Two Bedroom Units _____
Three Bedroom Units _____
Four Bedroom Units _____
5+ Five or more Bedroom Units _____

Grant or Loan Agreement Executed Date: _____

Demolition or Conversion Agreement Date: _____

Replacement Address _____

Number of bedroom units

0/1 Zero or One bedroom unit _____
Two Bedroom Units _____
Three Bedroom Units _____
Four Bedroom Units _____
5+ Five or more Bedroom Units _____

Date units will be available: _____

Date of any exception agreement: _____

Appendix B - Displacement

IDIS cdbg 15

Indicate the census tract of origin _____

Indicate the City _____

Race & Code	Displaced All	Displaced Hisp	Remain All	Remain Hisp	Relocated All	Relocated Hisp
White (11):	0	0	0	0	0	0
Black/African American (12):	0	0	0	0	0	0
Asian (13):	0	0	0	0	0	0
American Indian/Alaskan Native (14):	0	0	0	0	0	0
Nat.Hawaiian/Oth Pacific Isl (15):	0	0	0	0	0	0
Am. Indian/Alaskan Nat. &White (16):	0	0	0	0	0	0
Asian & White (17):	0	0	0	0	0	0
Black/African Am. & White (18):	0	0	0	0	0	0
Am.Indian/Alskn & Blck/Afrcn (19):	0	0	0	0	0	0
Other Multi-Racial (20):	0	0	0	0	0	0

Indicate the census tract of those relocated _____

Indicate the City _____

Race & Code	Displaced All	Displaced Hisp	Remain All	Remain Hisp	Relocated All	Relocated Hisp
White (11):	0	0	0	0	0	0
Black/African American (12):	0	0	0	0	0	0
Asian (13):	0	0	0	0	0	0
American Indian/Alaskan Native (14):	0	0	0	0	0	0
Nat.Hawaiian/Oth Pacific Isl (15):	0	0	0	0	0	0
Am. Indian/Alaskan Nat. &White (16):	0	0	0	0	0	0
Asian & White (17):	0	0	0	0	0	0
Black/African Am. & White (18):	0	0	0	0	0	0
Am.Indian/Alskn & Blck/Afrcn (19):	0	0	0	0	0	0
Other Multi-Racial (20):	0	0	0	0	0	0

If there is more than one census track, indicate the additional census tract and race distribution of those relocated. _____

Indicate the City _____

1. Presumed Benefit

IDIS User Guide 8-73

If the activity is funded under a National Objective Code of Low and Moderate Income Clientele, indicate the number of beneficiaries that fall into one or more of the following categories. Use the following income levels when reporting on the beneficiaries race and income on other pages of the GPR.

Number of:	
☐ Abused Children	Extreme Low Income
☐ Battered Spouses	Low Income
☐ Severely Disabled Adults (Per Census Definition)	Low Income
☐ Illiterate Adults	Low Income
☐ Persons with Aids	Low Income
☐ Homeless Persons	Extreme Low Income
☐ Migrant Farm workers	Low Income
☐ Elderly Persons	Use Moderate Income if at a center with services, if not center based, use Low Income

2. Nature and Location

IDIS cdbg 10

Provide a narrative description of how the nature/location of this activity benefits low and moderate persons:

ORGANIZATION CARRYING OUT ACTIVITY

IDIS cdbg 3

Indicate if the activity will be carried out by one of the following:

- ☐ Grantee employees
- ☐ Contractors
- ☐ Grantee employees & contractors
- ☐ By others under a Sub-recipient Agreement

If you are using a Sub-recipient Agreement, indicate the name of the Organization:

_____

Activity is being carried out by:

- ☐ A 105 (a) (15) entity as defined under the Housing and Development Act
- ☐ Another unit of local government
- ☐ Another public agency

IDIS cdbg 4

Indicate all that applies to this organization:

- ☐ Non-profit organization
- ☐ For-profit entity
- ☐ A faith-based organization
- ☐ An institution of higher education

Code Section 105(a) (15) is from the Housing and Development Act and provides the provision of assistance to neighborhood-based nonprofit organizations, local development corporations, and nonprofit organizations serving the development needs of communities in non-entitlement areas to carry out neighborhood revitalization, community economic development or energy conservation projects.

Appendix E - Slum & Blight Area

Provide a description of the boundaries of the designated area
Not the census tract/block data required for LMA)

Boundaries:

Percent of Deteriorated Buildings/Qualified Properties: _____ %

Public Improvement/Type Condition:
Provide a brief description identifying each type of improvement / type of condition

Slum/Blight Designation Year _____

Grantee Performance Report
ECONOMIC DEVELOPMENT

Report Period	Standard Agreement
July 1, 2014- Dec. 31, 2014	10-EDEF-7271

Business Assistance & Infrastructure

This section applies to Economic Development activities that facilitate the creation of business and jobs. Check off the activity you are reporting. If more than one activity is being reported, you will need to create a duplicate sheet. Do not use this page to report on Micro Enterprise activities, use page nine (9).

Page 9

- ☐ Rehabilitation Publicly/Private Commercial Industry (14E)
- ☐ Commercial/Industrial Land Acquisition/Disposition (17A)
- ☐ Commercial Industrial Infrastructure Development (17B)
- ☐ Building Acquisition, Construction, Rehabilitation (17C)
- ☐ Other Commercial/Industrial Improvements (17D)
- ☑ ED Direct Financial Assistance for For-Profits (18A)
- ☐ Health Facilities - Jobs (03P)

Program Description

IDIS cdbg 6

Check all statements that are applicable to this activity. This activity will include:

a.	One-for-One Replacement (Reconstruction) complete Appendix A.	☐
b.	Public improvement activity for which a Special Assessment will be levied.	☐
c.	Displacement of household, business, farms, nonprofits, complete Appendix B.	☐
d.	Creating a new Revolving Fund/Revolving Loan Account (RLA).	☑
e.	The designation of an economic development "Favored activity".	☐
f.	The funding of Colonia(s).	☐
g.	Brownfield Activity Indicate the number of remediated acres: _____	☐
h.	Historic Preservation Area.	☐
i.	Presidential Declared Disaster.	☐
l.	Limited Clientele by Nature/Location or Presumed Benefit, complete Appendix C.	☐
m.	A Subrecipient Agreement for this activity, complete Appendix D.	☑
n.	A designation of Slum and Blight, complete Appendix E.	☐

Section 3
Economic Opportunities for Low & Very Low Income

Check box if the grant award is over $200,000 in CDBG funds. ☐
Check box if you have a construction contract or subcontract greater than $100,000. ☐

If both boxes are checked, you are required to comply with Section 3 reporting requirements pursuant to HUD (24 CFR 135). Attach a Section 3 report and submit the report with this GPR.

Minority Contractor Information

Provide the total dollar amount of this activity that will be directed towards

Firms owned wholly or in substantial part by:	Value of Contract
Minority group members	N/A
Women	
Other (Specify) _____	

TYPE OF ASSISTANCE

1. What type of financing was provided to the beneficiaries: Grants ☐ Loans ☐ No loans or grants ☑

2. Indicate the number of grants and/or loans provided this Report Period:
   Grants _____ Loans 0

3. Indicate the total number of grants and/or loans provided for the entire contract term:
   Grants _____ Loans 0

4. When assistance is provided in the form of loans, enter the terms of financing:

	Interest Rate (%)	Number of Months (#)	Loan Amounts ($)
a. Amortized Loan:	N/A	N/A	N/A
b. Deferred Payment/ Forgiveness Loan:			

DIRECT BENEFIT

This page allows you to report on race/ethnicity and income levels of employees for LMJ activities and people for an LMA service area :

	Totals	
Race & Code	All	Hisp
White (11):	0	0
Black/African American (12):	0	0
Asian (13):	0	0
American Indian/Alaskan Native (14):	0	0
Native Hawaiian/Other Pacific Isl. (15):	0	0
Am. Indian/Alaskan Native & White (16):	0	0
Asian & White (17):	0	0
Black/African Am. & White (18):	0	0
Am. Indian/Alaskan & Blck/Afrcn (19):	0	0
Other Multi-Racial (20):	0	0
TOTALS	**0**	**0**

Number of Female Head of Households _____

INCOME LEVELS

The number of employees based on income levels:

Employees Total all years

Extremely Low (<30%)	0	0
Low (31%-50%)	0	0
Moderate (51%-80%)	0	0
Non-Low/Moderate Income (+80%)	0	0
Totals	0	0

Jobs

		Full Time		Part Time Weekly Hours	
1	**Proposed:**	Total	Low & Mod	Total	Low & Mod
	Expected to Create:	8	5	0	0
	Expect to Retain:	0	0	0	0

		Full Time		Part Time Weekly Hours	
2	**Actual:**	Total	Low & Mod	Total	Low & Mod
	Created:	0	0	0	0
	Retained:	0	0	0	0

3 What number of jobs have employer sponsored health care benefits:
Created: 0 Retained: 0

4 What number were unemployed prior to the jobs created under this activity: _____

5 Indicate the type of jobs being created or retained:

	Type of Jobs Created:	**Jobs Retained:**
Officials and Managers	0	0
Professional	0	0
Technicians	0	0
Sales	0	0
Office and Clerical	0	0
Craft Workers (skilled)	0	0
Operatives (semi-skilled)	0	0
Laborers (unskilled)	0	0
Service Workers	0	0

Business Assistance

1 **Businesses assisted:**

Number of Existing:	0
Number of New:	0
Total:	0

2 **Of the EXISTING Businesses assisted:**

Number expanding:	0
Number relocating:	0

3 The number of businesses assisted with commercial façade treatment/business building rehab: 0

4 If the activity is serving a Low and Moderate Area, indicate the number of businesses that provide goods or services to meet the needs of a service area, neighborhood or community 0

5 Specify Duns number for each business assisted:

Name of Business Assisted	**DUNS Number**
No businesses were assisted this period	

Accomplishment Narrative (Please provide Activity Accomplishment Narrative

The County of Yuba and Yuba-Sutter Economic Development Corporation (YSEDC) conducted significant efforts over the past three (3) years in the overall administration of this grant. A marketing program, which included, press releases, public service announcements (PSA), field calls, loan applicant interviews (91 interviews) and mail solicitations (251 pieces), was conducted. A total of ten applications were received and underwritten during the term of this grant, none of which resulted in a loan from the grant.

PUBLIC FACILITIES AND IMPROVEMENTS IN SUPPORT OF JOBS

If the activity has a matrix code from the 03 series (03A-03T) and creates jobs, than complete the following questions:

1. Indicate the number of households assisted, according to the following:
   a. Total benefiting for the program year _____
   b. Now have new access to this public facility (community facility) or infrastructure improvement (public works): _____
   c. Now have improved access to this type of public facility (community facility) or infrastructure improvement (public works): _____
   d. That are served by the public facility (community facility) or infrastructure improvement (public works) that is no longer substandard: _____
2. If the activity provides beds and shelter to the homeless,
   a. What number of homeless persons were given overnight shelter: _____
   b. Indicate the number of beds created in overnight shelter or other emergency housing: _____

Grantee Performance Report
Appendix A - One for One Replacement

Report Period	Standard Agreement
0	0

Replacement Housing

If multiple locations, please duplicate and make additional forms as necessary.
Indicate the address of the units to be demolished-converted:

Demolished/Converted Address _____

Indicate the number and type of bedroom units

0/1 Zero or One bedroom unit _____
Two Bedroom Units _____
Three Bedroom Units _____
Four Bedroom Units _____
5+ Five or more Bedroom Units _____

Grant or Loan Agreement Exectuted Date: _____

Demolition or Conversion Agreement Date: _____

Replacement Address _____

Number of bedroom units

0/1 Zero or One bedroom unit _____
Two Bedroom Units _____
Three Bedroom Units _____
Four Bedroom Units _____
5+ Five or more Bedroom Units _____

Date units will be available: _____

Date of any exception agreement: _____

Grantee Performance Report
Appendix B - Displacement

Report Period	Standard Agreement
0	0

Indicate the census tract of origin: _____
Indicate the City: _____

Race & Code	Displaced All	Displaced Hisp	Remain All	Remain Hisp	Relocated All	Relocated Hisp
White (11):	0	0	0	0	0	0
Black/African American (12):	0	0	0	0	0	0
Asian (13):	0	0	0	0	0	0
American Indian/Alaskan Native (14):	0	0	0	0	0	0
Nat.Hawaiian/Oth Pacific Isl (15):	0	0	0	0	0	0
Am. Indian/Alaskan Nat. &White (16):	0	0	0	0	0	0
Asian & White (17):	0	0	0	0	0	0
Black/African Am. & White (18):	0	0	0	0	0	0
Am.Indian/Alskn & Blck/Afrcn (19):	0	0	0	0	0	0
Other Multi-Racial (20):	0	0	0	0	0	0

Indicate the census tract of those relocated: _____
Indicate the City: _____

Race & Code	Displaced All	Displaced Hisp	Remain All	Remain Hisp	Relocated All	Relocated Hisp
White (11):	0	0	0	0	0	0
Black/African American (12):	0	0	0	0	0	0
Asian (13):	0	0	0	0	0	0
American Indian/Alaskan Native (14):	0	0	0	0	0	0
Nat.Hawaiian/Oth Pacific Isl (15):	0	0	0	0	0	0
Am. Indian/Alaskan Nat. &White (16):	0	0	0	0	0	0
Asian & White (17):	0	0	0	0	0	0
Black/African Am. & White (18):	0	0	0	0	0	0
Am.Indian/Alskn & Blck/Afrcn (19):	0	0	0	0	0	0
Other Multi-Racial (20):	0	0	0	0	0	0

If there is more than one census track, indicate the additional census tract and race distribution of those relocated.
Indicate the City _____

Grantee Performance Report
Appendix C - Presumed Benefit & Nature and Location

Report Period	Standard Agreement
0	0

1. Presumed Benefit

IDIS

If the activity is funded under a National Objective Code of Low and Moderate Income Clientele, indicate the number of beneficiaries that fall into one or more of the following categories. Use the following income levels when reporting on the beneficiaries race and income on other pages of the GPR.

Number of:

☐ Abused Children	Extreme Low Income
☐ Battered Spouses	Low Income
☐ Severely Disabled Adults (Per Census Definition)	Low Income
☐ Illiterate Adults	Low Income
☐ Persons with Aids	Low Income
☐ Homeless Persons	Extreme Low Income
☐ Migrant Farm workers	Low Income
☐ Elderly Persons	Use Moderate Income if at a center with services, if not center based, use Low Income

2. Nature and Location

Provide a narrative description of how the nature/location of this activity benefits low and moderate persons:

Grantee Performance Report
Appendix D - Sub-recipient Agreement

Report Period	Standard Agreement
0	0

ORGANIZATION CARRYING OUT ACTIVITY

Indicate if the activity will be carried out by one of the following:

- ☐ Grantee employees
- ☐ Contractors
- ☐ Grantee employees & contractors
- ☑ By others under a Sub-recipient Agreement

If you are using a Sub-recipient Agreement, indicate the name of the Organization:

Yuba-Sutter Economic Development Corporation

Activity is being carried out by:

- ☐ A 105 (a) (15) entity as defined under the Housing and Development Act
- ☐ Another unit of local government
- ☐ Another public agency

Indicate all that applies to this organization:

- ☑ Non-profit organization
- ☐ For-profit entity
- ☐ A faith-based organization
- ☐ An institution of higher education

Code Section 105(a) (15) is from the Housing and Development Act and provides the provision of assistance to neighborhood-based nonprofit organizations, local development corporations, and nonprofit organizations serving the development needs of communities in non-entitlement areas to carry out neighborhood revitalization, community economic development or energy conservation projects.

Provide a description of the boundaries of the designated area
Not the census tract/block data required for LMA)

Boundaries:

Percent of Deteriorated Buildings/Qualified Properties: _____ %

Public Improvement/Type Condition:
Provide a brief description identifying each type of improvement / type of condition

Slum/Blight Designation Year _____

Grantee Performance Report
ECONOMIC DEVELOPMENT

Report Period	Standard Agreement
July 1, 2014- Dec. 31, 2014	10-EDEF-7271

Micro-Enterprise

Use this page to report on any Micro-enterprise Technical Assistance activity and/or loans to Micro-enterprise Business Owners. Jurisdictions are required to provide information on race and income levels of all participants.

☐ Micro-Enterprise Assistance (18C)

Program Description IDIS cdbg 6

Check all statements that are applicable to this activity. This activity will include:

a. One-for-One Replacement (Reconstruction) complete Appendix A. ☐
b. Public improvement activity for which a Special Assessment will be levied. ☐
c. Displacement of household, business, farms, nonprofits, complete Appendix B. ☐
d. Creating a new Revolving Fund/Revolving Loan Account (RLA). ☐
e. The designation of an economic development "Favored activity". ☐
f. The funding of Colonia(s). ☐
g. Brownfield Activity Indicate the number of remediated acres: _____ ☐
h. Historic Preservation Area. ☐
i. Presidential Declared Disaster. ☐
j. A Subrecipient Agreement for this activity, complete Appendix D. ☐

Section 3
Economic Opportunities for Low & Very Low Income

Check box if the grant award is over $200,000 in CDBG funds. ☐
Check box if you have a construction contract or subcontract greater than $100,000. ☐

If both boxes are checked, you are required to comply with Section 3 reporting requirements pursuant to HUD (24 CFR 135). Attach a Section 3 report and submit the report with this GPR.

Minority Contractor Information

Provide the total dollar amount of this activity that will be directed towards

Firms owned wholly or in substantial part by:	Value of Contract
Minority group members	_____
Women	_____
Other (Specify) _____	_____

Micro-Enterprise Financing IDIS cdbg 5

1. Indicate the number of loans provided to businesses this Report Period:
   Loans _____
2. Indicate the total number of loans provided to date (entire contract term):
   Loans _____
3. Enter the terms of financing:

	Interest Rate (%)	Number of Months (#)	Loan Amounts ($)
Amortized Loan:	_____	_____	_____

DIRECT BENEFIT

IDIS cdbg 8

This page allows you to report on the race/ethnicity and the income levels of all micro-enterprise or persons assisted

Race & Code	Business Owners Totals All	Hisp
White (11):	0	0
Black/African American (12):	0	0
Asian (13):	0	0
American Indian/Alaskan Native (14):	0	0
Native Hawaiian/Other Pacific Isl. (15):	0	0
Am. Indian/Alaskan Native & White (16):	0	0
Asian & White (17):	0	0
Black/African Am. & White (18):	0	0
Am. Indian/Alaskan & Blck/Afrcn (19):	0	0
Other Multi-Racial (20):	0	0
TOTALS	**0**	**0**

Number of Female Head of Households _____

INCOME LEVELS

IDIS cdbg 13

The income levels of micro-enterprise program participants:

	Persons	To Date Total all years
Extremely Low (<30%)	0	0
Low (31%-50%)	0	0
Moderate (51%-80%)	0	0
Non-Low/Moderate Income (+80%)	0	0
Totals	0	0

Jobs

IDIS cdbg 11

	Full Time		Part Time Weekly Hours	
1 **Proposed:**	Total	Low & Mod	Total	Low & Mod
Expected to Create:	0	0	0	0
Expect to Retain:	0	0	0	0

	Full Time		Part Time Weekly Hours	
2 **Actual:**	Total	Low & Mod	Total	Low & Mod
Created:	0	0	0	0
Retained:	0	0	0	0

3 What number of jobs have employer sponsored health care benefits: IDIS cdbg 26 & 27

Created: 0 Retained: 0

4 What number were unemployed prior to the jobs created under this activity: _____

5 Indicate the type of jobs being created or retained

	Type of Jobs Created:	Jobs Retained:
Officials and Managers	0	0
Professional	0	0
Technicians	0	0
Sales	0	0
Office and Clerical	0	0
Craft Workers (skilled)	0	0
Operatives (semi-skilled)	0	0
Laborers (unskilled)	0	0
Service Workers	0	0

Micro-Enterprise Business Assistance

1 **Businesses assisted:** IDIS cdbg 28

Number of Existing: 0
Number of New: 0
Total: 0

2 **Of the EXISTING Businesses assisted:**

Number expanding: 0
Number relocating: 0

3 The number of businesses assisted with commercial façade treatment/business building rehab: 0

4 The number of businesses that provide goods or services to meet the needs of a service area, neighborhood or community 0

5 Specify Duns number for each business assisted:

Duns Number	

Appendix A - One for One Replacement

Replacement Housing

If multiple locations, please duplicate and make additional forms as necessary. **IDIS cdbg 16**

Indicate the address of the units to be demolished-converted:

Demolished/Converted Address _____

Indicate the number and type of bedroom units

0/1 Zero or One bedroom unit _____
Two Bedroom Units _____
Three Bedroom Units _____
Four Bedroom Units _____
5+ Five or more Bedroom Units _____

Grant or Loan Agreement Executed Date: _____

Demolition or Conversion Agreement Date: _____

Replacement Address _____

Number of bedroom units

0/1 Zero or One bedroom unit _____
Two Bedroom Units _____
Three Bedroom Units _____
Four Bedroom Units _____
5+ Five or more Bedroom Units _____

Date units will be available: _____

Date of any exception agreement: _____

Appendix B - Displacement

IDIS cdbg 15

Indicate the census tract of origin: _____

Indicate the City: _____

	Displaced		Remain		Relocated	
Race & Code	All	Hisp	All	Hisp	All	Hisp
White (11):	0	0	0	0	0	0
Black/African American (12):	0	0	0	0	0	0
Asian (13):	0	0	0	0	0	0
American Indian/Alaskan Native (14):	0	0	0	0	0	0
Nat.Hawaiian/Oth Pacific Isl (15):	0	0	0	0	0	0
Am. Indian/Alaskan Nat. &White (16):	0	0	0	0	0	0
Asian & White (17):	0	0	0	0	0	0
Black/African Am. & White (18):	0	0	0	0	0	0
Am.Indian/Alskn & Blck/Afrcn (19):	0	0	0	0	0	0
Other Multi-Racial (20):	0	0	0	0	0	0

Indicate the census tract of those relocated _____

Indicate the City _____

	Displaced		Remain		Relocated	
Race & Code	All	Hisp	All	Hisp	All	Hisp
White (11):	0	0	0	0	0	0
Black/African American (12):	0	0	0	0	0	0
Asian (13):	0	0	0	0	0	0
American Indian/Alaskan Native (14):	0	0	0	0	0	0
Nat.Hawaiian/Oth Pacific Isl (15):	0	0	0	0	0	0
Am. Indian/Alaskan Nat. &White (16):	0	0	0	0	0	0
Asian & White (17):	0	0	0	0	0	0
Black/African Am. & White (18):	0	0	0	0	0	0
Am.Indian/Alskn & Blck/Afrcn (19):	0	0	0	0	0	0
Other Multi-Racial (20):	0	0	0	0	0	0

If there is more than one census track, indicate the additional census tract and race distribution of those relocated. _____

Indicate the City _____

ORGANIZATION CARRYING OUT ACTIVITY

IDIS cdbg 3

Indicate if the activity will be carried out by one of the following:

- ☐ Grantee employees
- ☐ Contractors
- ☐ Grantee employees & contractors
- ☐ By others under a Sub-recipient Agreement

If you are using a Sub-recipient Agreement, indicate the name of the Organization:

_____

Activity is being carried out by:

- ☐ A 105 (a) (15) entity as defined under the Housing and Development Act
- ☐ Another unit of local government
- ☐ Another public agency

IDIS cdbg 4

Indicate all that applies to this organization:

- ☐ Non-profit organization
- ☐ For-profit entity
- ☐ A faith-based organization
- ☐ An institution of higher education

Code Section 105(a) (15) is from the Housing and Development Act and provides the provision of assistance to neighborhood-based nonprofit organizations, local development corporations, and nonprofit organizations serving the development needs of communities in non-entitlement areas to carry out neighborhood revitalization, community economic development or energy conservation projects.

THIS PAGE INTENTIONALLY LEFT BLANK

The County of Yuba

Community Development & Services Agency

Kevin Mallen, Director
Phone - (530) 749-5430 • Fax - (530) 749-5434
915 8th Street, Suite 123
Marysville, California 95901
www.co.yuba.ca.us

BUILDING
749-5440 • Fax 749-5616

CODE ENFORCEMENT
749-5455 • Fax 749-5464

ENVIRONMENTAL HEALTH • CUPA
749-5450 • Fax 749-5454

HOUSING AND COMMUNITY SERVICES
749-5460 • Fax 749-5464

PLANNING
749-5470 • Fax 749-5434

PUBLIC WORKS • SURVEYOR
749-5420 • Fax 749-5424

TO: BOARD OF SUPERVISORS

FROM: Michael G. Lee, Director of Public Works

SUBJECT: Amend Chapter 7.50 to Title VII of the Yuba County Ordinance Code relating to Stormwater Quality

DATE: December 9, 2014

Recommendation

That the Board amend Chapter 7.50 to Title VII of the Yuba County Ordinance Code relating to Stormwater Quality.

Background

The National Pollution Discharge Elimination System (NPDES) program regulates storm water discharges as mandated by the federal Clean Water Act. In California, the State Water Resources Control Board regulates storm water quality by issuing NPDES permits to industries, construction sites, and municipalities. On February 5, 2013, the State Water Resources Control Board issued a new General Permit for the Discharge of Storm Water from small municipal separate storm sewer systems (MS4s); this permit covers smaller municipalities with populations less than 100,000. The Small MS4 General Permit (WQ Order No. 2013-0001-DWQ) became effective on July 1, 2013, and requires small municipalities to update their storm water quality ordinances to control pollutant discharges pursuant to the new permit standards.

Discussion

The federal Clean Water Act (CWA) was amended in 1987 to address urban stormwater runoff pollution of the nation's waters. In 1990, US EPA established a permitting program that applies to storm drain systems owned and operated by cities, towns and unincorporated local governments. This permitting program requires storm drain system operators like a city or county to implement a stormwater management program as a means to control polluted discharges from the storm drain system.

In California, small (less than 100,000 population) municipalities and unincorporated counties are required to obtain coverage under a statewide NPDES municipal general stormwater

permit (Phase II Permit) issued by the State Water Resources Control Board (State Water Board). The County of Yuba is subject to the conditions of the regulations described in the current Phase II Permit. The Phase II Permit currently requires the county to implement its Stormwater Management Plan with the goal of reducing the discharge of pollutants to the maximum extent practicable (MEP). MEP is the performance standard specified in Section 402(p) of the Clean Water Act. The Stormwater Management Plan specifies the best management practices (BMPs) used to address the Phase II Permit program areas. The program areas include public education and outreach; public information and participation; illicit discharge detection and elimination; construction and post-construction stormwater controls for development projects; and good housekeeping for municipal operations.

The new Phase II Permit regulations dramatically increase permit requirements for cities and counties statewide. The permit includes seven general program elements and requires the county to perform and report on 97 different water quality activities. The new permit elements include a greatly expanded public outreach effort, mandatory certifications for staff, and a requirement for post-construction best management practices (BMPs) for projects that create or replace 5,000 square feet or more of impervious surface.

Fiscal Impact:

The fiscal impact of updating the county's stormwater quality ordinance is minimal as the ordinance revisions primarily update definitions and define the statewide permit requirements for best management practices associated with development and construction activities. However, the fiscal impact of complying with the new General Permit is estimated to require between $150,000 and $200,000 in annual funding for future fiscal years.

COUNTY OF YUBA
SUMMARY OF ADOPTED ORDINANCE
AMENDING
CHAPTER 7.50 TO TITLE VII OF
THE YUBA COUNTY ORDINANCE CODE
RELATING TO STORMWATER QUALITY

The following is a summary of an adopted ordinance which amended Chapter 7.50 to Title VII of the Yuba County Ordinance Code relating to Stormwater Quality which was adopted by the Board of Supervisors of the County of Yuba on _____ _____2014.

The ordinance amends Chapter 7.50 by incorporating the changes required by the new Statewide National Pollutant Discharge Elimination System (NPDES) which is the primary permitting program under the Clean Water Act.

The complete text of the proposed ordinance may be reviewed in the Office of the Clerk of the Board of Supervisors of Yuba County.

AYES:
NOES:
ABSENT:
ABSTAIN:

The complete text of the ordinance may be reviewed in the Office of the Clerk of the Board of Supervisors of Yuba County.

s/sDonna Stottlemeyer
Clerk of the Board of Supervisors

Ordinance 7.50

STORMWATER QUALITY

Section

7.50.010 Title.

7.50.020 Purpose and Intent.

7.50.030 Findings.

7.50.040 Applicability.

7.50.050 Definitions.

7.50.060 Responsibility for Administration.

7.50.070 Conflicts with other laws.

7.50.080 Discharge prohibitions.

7.50.090 Exemptions to prohibited discharges.

7.50.100 Discharge in violation of existing NPDES permit.

7.50.110 Discharge in violation of County's NPDES permit—Indemnification.

7.50.120 Acts potentially resulting in violation of Federal Clean Water Act and/or Porter-Cologne Act.

7.50.130 ~~Right of entry—Inspections.~~Authority to Inspect

7.50.140 Concealment and Abetting.

7.50.150 Reduction of pollutants in stormwater, Best Management Practices.

7.50.160 Containment and notification of illicit discharges.

7.50.170 Coordination with hazardous materials inventory and response program.

7.50.180 Enforcement.

7.50.190 Violation.

7.50.200 Penalty

7.50.210 Administrative appeals.

7.50.220 Civil actions.

7.50.230 Nuisance abatement—Urgency abatement.

7.50.240 Regulatory fee structure authorized.

7.50.010 Title.

The ordinance codified in this ordinance shall be known as the "Yuba County Stormwater Quality Ordinance" of the County of Yuba, and may be so cited.

7.50.020 Purpose and Intent.

A. The purpose of this ordinance is to ensure that Yuba County is compliant with state and federal laws and fulfills its requirements to:

Protect the health, safety, and general welfare of the citizens of Yuba County; enhance and protect the quality of waters of the state in Yuba County by reducing pollutants in stormwater discharges to the maximum extent practicable and controlling nonstormwater discharges to the storm drain system; to cause the use of best management practices (Section 7.50.050) by the County and its citizens that will reduce the adverse effects of polluted runoff discharges on waters of the state~~, and; to ensure the county is compliant with applicable state and federal law~~.

B. This chapter is intended to assist in the protection and enhancement of the water quality of watercourses, water bodies and wetlands in a manner pursuant to and consistent with the Federal Clean Water Act (33 U.S.C. Sections 1251 et seq.) and any subsequent amendments thereto, by reducing pollutants in storm water discharges to the maximum extent practicable and by prohibiting non-storm water discharges into the storm drain system. This chapter is also intended to assist in meeting the requirements of the California State Water Resources Control Board Order No. 2013-0001-DWQ and any subsequent amendments thereto.

C. This ordinance seeks to promote these purposes by:

Prohibiting illicit discharges to the storm drain system; establishing authority to adopt requirements for stormwater management, including source control requirements, to reduce pollution to the maximum extent practicable; establishing authority to adopt requirements for development projects to reduce stormwater pollution and erosion both during construction and after the project is complete, and; establishing authority that will enable the county to implement and enforce any stormwater management plan adopted by the county.

7.50.030 Findings.

The Yuba County Board of Supervisors has determined that the health, safety, and general welfare of the citizens of Yuba County are adversely affected by the discharge of pollution into storm drain systems and waters of the state. The Board of Supervisors further finds that any violation of this ordinance constitutes a public nuisance.

7.50.040 Applicability.

This ordinance applies to all unincorporated areas of the county. However, some provisions of this ordinance only apply to those areas within the Phase II MS4 permit boundary as delineated on the most current permit boundary map as approved by the California State Water Resources Control Board.

7.50.050 Definitions.

As used in this ordinance:

"Best Management Practices (BMP's)" means schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent the discharge of pollution directly or indirectly into stormwater, receiving waters, or stormwater conveyance systems. BMP's also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

"Construction Activity" means any public or private projects involving roadwork, paving, utility installation, structural construction (new or redevelopment), demolition, grading, excavation, or landscaping that has soil disturbance or has pollutants exposed to stormwater. It does not include routine maintenance to maintain original line and grade, hydraulic capacity, or original purposes of a facility, nor does it include emergency construction activities required to immediately protect public health and safety.

"Construction Site" means any project, including projects requiring coverage under the General Construction Permit, that involves soil disturbing activities including, but not limited to, clearing, grading, paving, disturbances to ground such as stockpiling, and excavation.

"County" means the County of Yuba.

"Development" means any activity that moves soils or substantially alters the pre-existing vegetated or man-made cover of any land. Development includes any activity that may be considered new development or redevelopment. This also includes, but is not limited to, grading, digging, cutting, scraping, stockpiling or excavating of soil, placement of fill materials, paving, pavement removal, exterior construction, substantial removal of vegetation where soils are disturbed including but not limited to removal by clearing or grubbing, or any activity which bares soil or rock or involves streambed alterations or the diversion or piping of any watercourse. Development does not include

routine maintenance to maintain original line and grade, hydraulic capacity, or the original purpose of the facility, nor does it include emergency construction activities (i.e., land disturbances) required to protect public heath and safety.

"Discharge" means the release, threatened release, or placement of any material into the County's storm drain system, including but not limited to stormwater, wastewater, solid materials, liquids, hazardous waste, raw materials, debris, litter, or any other substance.

"Enforcement Agency." The Yuba County department of Public Works is the primary Enforcement Agency for the purposes of this ordinance. The Enforcement Agency shall coordinate program activities with and authorize personnel of other departments to serve as Enforcement Officials to effectuate the purposes of this ordinance.

"Enforcement Official" means any agent of the County authorized by the ~~Enforcement Agency~~Yuba County Director of Public Works to enforce compliance with this chapter.

"Hazardous waste" means any material, including any substance, waste or combination thereof, that because of its quality, concentration or physical, chemical or infectious characteristics, may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property or the environment, when improperly treated, stored, transported, disposed of, or otherwise managed. As defined in California Health and Safety Code Section 25117.

"Illicit connection." An illicit connection is defined by either of the following:

1. Any drain or water conveyance facility, either surface or subsurface, which allows an illicit discharge to enter the storm drain system, including but not limited to any conveyances which allow any nonstormwater discharge including sewage, process wastewater, and wash water to enter the storm drain system and any connection to the storm drain system from indoor drains and sinks, regardless of whether such drain or connection has been previously allowed, permitted, or approved by a government agency,

Or

2. Any drain or conveyance connected from a commercial or industrial land use to the storm drain system which has not been documented in plans, maps, or equivalent records and approved by the County.

"Illicit discharge" means any direct or indirect nonstormwater discharge to the county's municipal storm drain system, except as otherwise exempted, including the introduction of pollution into the storm drain system.

"Industrial activity" means activities subject to NPDES permits as defined in 40 CFR 122.26(b)(14).

"Maximum Extent Practicable (MEP)" means a technology-based standard established by Congress in the Clean Water Act Section 402(p)(3)(B)(iii) for stormwater discharge to apply to all small municipal separate storm sewer system (MS4) operators regulated under the NPDES program. MEP is generally the result of emphasizing pollution prevention and source control best management practices (BMP's) as the preferred method of preventing water pollution. The MEP approach is an ever-evolving, flexible and advancing concept, which considers technical and economic feasibility. As knowledge about controlling urban runoff continues to evolve, so does what constitutes MEP.

"Municipal Separate Storm Sewer System (MS4)" means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) owned by a state, county, city, town, or other public body, that is designed or used for collecting or conveying stormwater, which is not a combined sewer, and which is not a part of a publicly owned treatment works.

"National Pollutant Discharge Elimination System (NPDES)" means the primary permitting program under the Clean Water Act (33 U.S.C. Section 1251 et seq.) which regulates most discharges to surface water.

"Noncommercial vehicle washing" means the washing and rinsing of passenger vehicles on private property in which no commercial enterprise or non-profit fundraising is being conducted in the washing of those vehicles.

"Nonstormwater Discharge" means a discharge to the storm drain system that is not composed entirely of stormwater and that has been polluted, as defined in this section.

"Pollutant" means anything which causes or contributes to pollution, as defined in this section. Pollutants include, but are not limited to: paints, varnishes, solvents, oil, automotive fluids, yard wastes, refuse, rubbish, garbage, litter, discarded or abandoned objects, floatable materials, pesticides, herbicides, fertilizers, detergents, soaps, hazardous substances, hazardous waste, sewage, fecal coliform and pathogens, dissolved and particulate metals, animal wastes, wastes and residues that result from constructing a building or structure (including but not limited to sediments, slurries, and concrete rinsates), and noxious or offensive matter of any kind.

"Pollution" means the human-made or human-induced alteration of the quality of waters to a degree that causes or contributes to an exceedance of water quality standards contained in the statewide water quality control plan, the California Toxics Rule, or in the applicable regional water quality control board basin plan.

"Porter-Cologne Act" means the Porter-Cologne Water Quality Control Act, as amended (California Water Code Section 13000 et seq.).

"Property owner" means any person, entity, company, and/or authorized representative having title to real property within the geographic area affected by this ordinance.

"Regional Water Quality Control Board (RWQCB)" means the Central Valley Regional Water Quality Control Board or the California Regional Water Quality Control Board.

"Storm Drain System," also "Municipal Storm Drain System~~,~~" or "Stormwater conveyance system" means facilities owned or operated by the county by which stormwater is collected and/or conveyed, including but not limited to any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drain, pumping facilities, impervious surfaces used for parking, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures which are within the county and are not part of a publicly owned treatment works as defined at 40 CFR Section 122.2.

"Stormwater" means any surface flow, runoff, and drainage consisting entirely of water from precipitation events, which has not been polluted.

"Stormwater Pollution Prevention Plan (SWPPP)" means ~~the construction site's water quality management plan required by the state's construction general stormwater permit~~a document that describes the best management practices to be implemented by the owner or operator of a business, commercial development, residential development, or construction project, to eliminate non-stormwater discharges and/or to reduce them to the maximum extent practicable (as defined by the State of California Regional Water Quality Control Board), pollutant discharges to the stormwater conveyance system.

"Surface water" means all water naturally open to the atmosphere (which includes, but is not limited to rivers, lakes, reservoirs, ponds, streams, impoundments, seas, estuaries, etc.) and all springs, wells, or other collectors directly influenced by surface water.

"Urgency Abatement." Urgency involves the discharge or a threatened discharge condition which causes or threatens to cause an imminent threat to public health, safety, welfare, the environment, or a violation of a NPDES permit.

"Watercourse" means any natural stream, whether flowing continuously or not, that is fed from permanent or natural sources, and includes, without limitation, rivers, creeks, runs and rivulets.

"Waters of the State" means all surface watercourses and water bodies, including lakes, bays, ponds, impounding reservoirs, springs, wells, rivers, streams, creeks, marshes, inlets, canals, and all other bodies of surface waters (Porter Cologne Section 13050(e)), and which are within the County of Yuba. This definition includes, but is broader than, waters of the United States.

"Waters of the United States" means surface watercourses and water bodies as defined at 40 CFR Section 122.2, including all natural waterways and definite channels and depressions in the earth that may carry water, even though such waterways may only carry water during rains and storms and may not carry stormwater at and during all times and seasons.

Any term(s) defined in the Federal Clean Water Act, as amended, and/or defined in the regulations for the stormwater discharge permitting program issued by the Environmental Protection Agency, as amended, and which are not specifically defined in this section, shall, when used in this ordinance, have the same meaning as set forth in such act or regulation.

7.50.060 Responsibility for Administration.

The Director of Public Works of the county of Yuba shall administer the provisions of this ordinance. Any duties herein may be performed by other departments of the county.

7.50.070 Conflicts with other laws.

In the event of any conflict between this chapter and any Federal or State law or regulation, that requirement which establishes the higher standard for public health or safety shall govern. To the extent permitted by law, nothing in this ordinance shall preclude enforcement of any other applicable law, regulation, order, permit, or county ordinance.

7.50.080 Discharge prohibitions.

Except as provided in Section 7.50.090 of this ordinance, it is unlawful for any person to make or cause to be made any illicit discharge into the storm drain system.

Notwithstanding the exemptions provided by Section 7.50.090, if the Enforcement Agency determines any otherwise exempt discharge causes or significantly contributes to violations of any plan standard, or conveys significant quantities of pollutants to surface water(s) or watercourse(s), or is a danger to public health or safety, such discharge shall be prohibited from entering the storm drain system.

7.50.090 Exemptions to prohibited discharges.

Subject to the authority granted by the Regional Water Quality Control Board and the enforcement official, ~~Discharges from~~ the following dischargesactivities shall not be prohibited except as otherwise provided by this ordinance:

A. Water line flushing and discharges from potable water sources;

~~B.~~ ~~Landscape~~ Incidental and minimal runoff from landscape irrigation and lawn watering;

C. Diverted stream flows and irrigation water;

D. Springs, rising groundwater, and flows from riparian habitat and wetlands;

E. Uncontaminated groundwater infiltration (as defined at 40 Code of Federal Regulation Section 35.2005(b)(20));

F. Uncontaminated pumped groundwater, foundation drains, footing drains, and water from crawl space pumps;

G. Air conditioning condensation;

~~H.~~ Individual residential car washing on private property in which no commercial enterprise or non-profit fundraising is being conducted in the washing of those vehicles;

I. Dechlorinated swimming pool discharges;

J. Firefighting flows;

K. Any discharge not containing wastes as defined in California Water Code Section 13050(d) and California Health & Safety Code Section 25117; and

L. Any discharge regulated under a NPDES permit issued to the discharger and administered by the state, provided that the discharger is in compliance with all requirements of the permit and other applicable laws.

7.50.100 Discharge in violation of existing NPDES permit.

~~Any person subject to any individual and/or industrial NPDES stormwater discharge permit shall comply with all provisions of such permit and any regulations or ordinances promulgated thereto, including requirements of the Excavations, Fills, Borrow-pits, and Borrow-Areas Ordinance of Yuba County (Chapter 11.25). Proof of compliance with such permit may be required in a form acceptable to the Enforcement Agency prior to or as a condition of a subdivision map, site plan, building permit, or development, redevelopment, or improvement plan; upon inspection of the facility; during any enforcement proceeding or action; or for any other reasonable cause.~~It is unlawful for any person to cause, either individually or jointly, any discharge to the stormwater conveyance system that results in or contributes to a violation of this chapter or the county's MS4 NPDES permit.

The construction, use, maintenance or continued existence of illicit connections is prohibited. This prohibition includes illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of the connections. Upon final adoption of this ordinance, any property owner or lessee who maintains an illicit connection shall, within thirty (30) days from the effective date of this ordinance, disconnect and discontinue use of such connection.

7.50.110 Discharge in violation of County's NPDES permit—Indemnification.

Any discharge that would result in or contribute to a violation of any NPDES permit for stormwater discharges to the county issued by the California State Water Resources Control Board or Regional Water Quality Control Board and any amendment, revision or reissuance thereof, either separately considered or when combined with other discharges, is prohibited. Liability for any such discharge shall be the responsibility of the person(s) so causing or responsible for the discharge, and such person(s) shall defend, indemnify and hold harmless the county in any administrative or judicial enforcement action relating to such discharge.

7.50.120 Acts potentially resulting in violation of Federal Clean Water Act and/or Porter-Cologne Act.

The standards set forth herein and promulgated pursuant to this ordinance are minimum standards. This ordinance does not intend or imply that compliance to these minimum standards will ensure that there will be no contamination, pollution, nor unauthorized discharge of pollutants into the waters of the state. This ordinance shall not create liability on the part of the county, or any agent or employee thereof for any

damage that results from any discharger's reliance upon this ordinance or any administrative decision made thereunder.

7.50.130 ~~Right of entry—Inspections~~Authority to Inspect.

A. The Enforcement Official is authorized to enter any building or premises for the purpose of making an inspection to enforce this ordinance, using the provisions of Ordinance 7.36.830 of this code.

B. The Enforcement Official may conduct inspections related to purposes of implementing this chapter on private or public property. Inspections shall be based upon such reasonable selection processes as may be deemed necessary to carry out the objectives of this ordinance, including, but not limited to, visual evidence, complaints received, knowledge or physical evidence of industrial activities or other pollutant sources, random sampling, sampling in areas with evidence of stormwater contamination, illicit connections, discharge of nonstormwater to the county storm drain system, or similar factors.

C. During any inspection, the Enforcement Official may take samples as necessary in order to implement and enforce the provisions of this chapter. This authority may include the installation of sampling and metering devices on private property, or requiring the person owning or occupying the premises to supply samples.

D. The Enforcement Official may require monitoring, analysis and reporting of discharges from any premises to the stormwater conveyance system. The burden, including cost, of these activities, analyses and reports incurred in complying with the requirement shall, to the extent permitted by law, be borne by the property owner or occupant of the facility or activity for which testing and monitoring has been requested.

7.50.140 Concealment and Abetting.

Causing, permitting, aiding, abetting, or concealing a violation of any provision of this ordinance shall constitute a violation.

7.50.150 Reduction of pollutants in stormwater, Best Management Practices.

A. General Requirements. Any person engaging in activities that may result in pollutants entering the storm drain system shall implement best management practices to the maximum extent practicable to prevent and reduce such pollutants.

B. ~~Maintenance. All BMP's shall be protected and maintained to ensure continuous and fully effective performance as designed~~Business-related Activities.

1. Stormwater Pollution Prevention Plan. For businesses within the county's MS4 permit boundary that are engaged in activities which may result in pollutant discharges, the enforcement official may require the development and implementation of a storm water pollution prevention plan. This Stormwater Pollution Prevention Plan shall include an employee training program. An employee training program is a documented employee training program that may be required to be implemented by a business pursuant to a storm water pollution prevention plan, for the purpose of educating its employees on methods of reducing discharge of pollutants to the storm water conveyance system. Business activities that may require a storm water pollution prevention plan include, but are not limited to, maintenance, storage, manufacturing, assembly, equipment operations, vehicle loading or fueling, or cleanup procedures carried out partially or wholly out of doors.

2. Businesses within the county's MS4 permit boundary that are also required to have a hazardous materials release response and inventory plan, under Chapter 6.95 (commencing with Section 25500) of Division 20 of the California Health and Safety Code, shall include in that plan provisions for compliance with this chapter, including the provisions prohibiting non-storm water discharges and illegal discharges, and requiring the release of pollutants to be reduced to the maximum extent practicable.

3. Businesses within the county's MS4 permit boundary that are also required to have a hazardous waste generator contingency plan and emergency procedures, pursuant to California Code of Regulations, Title 22, Sections 66265.51 to 66265.56, shall include in that plan provisions for compliance with this chapter, including the provisions prohibiting non-storm water discharge and illegal discharges, and requiring the release of pollutants to be reduced to the maximum extent practicable.

C. Construction Activities.

1. Any person performing construction activities in the county shall prevent pollutants from entering the storm water conveyance system and comply with all applicable Federal, State and local laws, ordinances or regulations, including but not limited to, the current California NPDES General Permit for storm water discharges associated with construction activity (Construction General Permit) and applicable county ordinances. All construction projects within the county's MS4 permit boundary, regardless of size, having soil disturbance or activities exposed to storm water must, at a minimum, implement BMPs for erosion and sediment controls, soil stabilization, dewatering, source controls, pollution prevention measures, and prohibited discharges.

2. Any person subject to a construction activity NPDES storm water discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the enforcement official prior to, or as a condition of, a subdivision map, site plan, building permit, grading permit, or development or improvement plan, upon inspection of the facility, during any enforcement proceeding or action, or for any other reasonable cause. Prior to issuance of a construction permit or approval of the proposed improvement plans, for projects subject

to the State's current Construction NPDES General Permit, the WDID number and the Storm Water Pollution Prevention Plan shall be submitted to the county. For projects within the county's MS4 permit boundary that involve less than an acre of soil disturbance or otherwise not subject to the Construction General Permit, an Erosion and Sediment Control Plan must be submitted to the county.~~Illicit Connection. The construction, use, maintenance or continued existence of illicit connections is prohibited. This prohibition includes illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of the connections. Upon final adoption of this ordinance, any property owner or lessee who maintains an illicit connection shall, within thirty (30) days from the effective date of this ordinance, disconnect and discontinue use of such connection.~~

D. Waste Disposal. No person shall throw, deposit, leave, maintain, keep, or permit to be thrown, deposited, left, or maintained in or upon any public or private property, driveway, parking area, street, alley, sidewalk, component of the storm drain system, or waters of the state, any refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordinances, and accumulations, so that the same may cause or contribute to pollution.

E. Construction Activities. Any person performing construction work within the county shall implement appropriate BMP's to prevent the discharge from the site of soil or construction wastes or debris, including contaminants from construction materials, tools, and equipment to the stormwater drainage system.

F. Sidewalks. Every property owner or any tenant in legal possession of the property upon which there is a paved sidewalk shall maintain that portion of the sidewalk on the property free of dirt or litter to the maximum extent practicable. Sweepings from the sidewalk shall not be swept into or otherwise allowed to enter the gutter or roadway, storm drain system, or any waters of the state, but shall instead be disposed of in receptacles maintained as required for proper disposal of solid waste.

G. Watercourse Protection. Every person owning property through which a watercourse passes, or such person's lessee, shall keep and maintain that part of the watercourse within the property reasonably free of trash, debris, and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the watercourse. Any owner or lessee that conducts development as defined in this ordinance shall maintain existing privately owned structures within or adjacent to a watercourse such that the effective functioning and physical integrity of the watercourse is protected, and in a manner which does not cause pollution.

H. Development within the county's MS4 permit boundary. The Enforcement Official may require controls as appropriate to minimize the long- term, post-construction activity discharge of storm water pollutants from new development(s) or modifications to existing development(s). Controls may include source control measures to prevent pollution of storm water, treatment controls designed to remove pollutants from storm water, low impact development measures, and/or

hydromodification measures to offset the difference between the pre and post-construction peak flow runoff rates and volumes. Proponents of all applicable development and redevelopment projects will be required to meet the requirements and design standards specified in the current State of California Phase II MS4 NPDES Permit and as may be described in further detail in the county's Design Standards.

At the earliest planning stages, project proponents shall assess and evaluate how site conditions, such as soils, vegetation, and flow paths will influence the placement of buildings and paved surfaces. The evaluation will be used to optimize the site layout to meet the goals of capturing and treating runoff. Each project proponent will submit a map of the project dividing the site into discrete drainage management areas to show in each how runoff will be managed using site design measures, source controls, treatment controls, and hydromodification measures as defined by the current MS4 permit. All site design measures, source controls, treatment controls, and hydromodification measures must be selected, sized, and situated in accordance with the guidance provided in the current MS4 permit and the county's Design Standards. Documentation of the site's post-construction storm water design measures must be submitted to the county's Public Works Department for review and approval prior to the commencement of the project.

Project proponents must sign an operation and maintenance agreement in which they legally bind themselves to maintain the installed post-construction design measures in an effective and good operational condition until the property ownership is transferred. A written operation and maintenance plan for the proposed storm water design measures is required to be submitted to and approved by the County with the signed agreement. The agreement will be recorded with the deed by the County Clerk making it transferrable to the new owner; or, when there are multiple property owners responsible for the maintenance of the control measures, the agreement will consist of a legally binding covenant between the County and the homeowners association or maintenance district. The owner or association responsible for the maintenance of the control measures may be required by the County to submit an annual self-certification that the storm water control measures are effective and are being maintained in accordance with the submitted and approved Operation and Maintenance Plan.~~Development. The County may incorporate appropriate BMPs to control the volume, rate, and potential pollutant loading of stormwater runoff from development. These required BMPs will be contained in any land use entitlement and construction or building-related permit to be issued relative to such development or redevelopment. The owner and developer shall comply with the terms, provisions, and conditions of such land use entitlements and building permits as required in this ordinance.~~

I. Compliance with Industrial or Construction Activity Storm Water Permit.

1. Any person subject to the State's current Industrial NPDES General Permit for storm water discharge shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the enforcement official upon inspection of the facility; during any enforcement proceeding or action; or for any other reasonable cause.

2. Any person subject to the State's current Construction NPDES General Permit for storm water discharge shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the enforcement official prior to or as a condition of a subdivision map, site plan, building permit, and development or improvement plan; upon inspection of the facility; during any enforcement proceeding or action; or for any other reasonable cause.

J. Paved Areas. Persons owning, operating, or maintaining a paved area, including the paved areas of a parking lot, gas station, paved private street, road, or driveway, and related storm drain systems shall clean those structures as frequently and as thoroughly as practicable in a manner that does not result in discharge of pollutants to the storm drain system.

7.50.160 Containment and notification of illicit discharges.

Any person owning or occupying a premises who has knowledge of any ~~illicit discharge~~release of pollutants or non-stormwater discharge from or across those premises which might enter the storm drain system, except as provided in Section 7.50.090 of this ordinance, shall:

A. Immediately take all reasonable action to contain and abate the ~~illicit~~ release of pollutants or non-stormwater discharge, and;

B. Notify the Enforcement Agency or its designated contact person within twenty-four (24) hours of the illicit discharge. The Enforcement Agency may require the owner of the property and/or the responsible person to take corrective actions within a specified time pursuant to this ordinance.

7.50.170 Coordination with hazardous materials inventory and response program.

Any business subject to the Yuba County Hazardous Materials Emergency Response Plan (Area Plan) shall include, at the first opportunity for revision, provisions in that plan for compliance with this ordinance.

7.50.180 Enforcement.

Any person who violates a provision of this ordinance may be subject to administrative, civil, or criminal liability as provided in this ordinance.

A. **Primary Authority**. The Enforcement Agency is empowered to use any of the provisions of Sections 7.50.190 through 7.50.230 of this code where appropriate to correct violations of, and secure compliance with the provisions of this ordinance.

B. **Warning Not Required.** Issuance of a warning shall not be a requirement prior to using any enforcement provision of this ordinance. Violations of this code are not tiered and are subject to citations without Notice of Noncompliance.

This section is to establish procedures for enforcement of the provisions of this code and is intended to support timely correction of nuisances and violations of the provisions of this code while assuring due process of law in the abatement or correction of such nuisances and violations.

It shall be the duty of the Enforcement Official to enforce the provisions of this code and the Enforcement Official has the following responsibilities and authorities in the enforcement and administration of the provisions of this chapter:

A. To review with affected individuals the provisions of this code through initiation of administrative hearings and other methods to support voluntary compliance with its provisions;

B. To issue citations for violations of this code, and to issue stop work orders pursuant to the provisions of the Uniform Building Code;

C. To initiate necessary proceedings to forfeit bonds or cash deposits;

D. To initiate proceedings to revoke land use permits and other entitlements granted under any Yuba County code;

E. To initiate and conduct nuisance abatement proceedings and to carry out additional abatement responsibilities regarding violations of this code;

F. To carry out any other special enforcement programs initiated by ordinance, order or resolution of the Board of Supervisors, and any other responsibilities and authorities specified by this subchapter or this code;

G. To recover enforcement investigation and processing costs.

7.50.190 Violation.

A. **Informal Warning.** Whenever the Enforcement Official determines that a violation of a provision of this ordinance has occurred or may occur, the Enforcement Agency may provide a warning to any person and/or owner responsible for the condition giving rise to such violation or potential violation. Such warning may include the distribution of educational materials to assist in future compliance with this ordinance. This warning may be provided in person or in a written Notice of Correction.

B. **Notice of Noncompliance**. Whenever the Enforcement Official determines that a violation has occurred, the Enforcement Official may serve a Notice of Noncompliance to any person and/or owner responsible for the violation. Each Notice of Noncompliance shall contain the following information:

1. The date of the violation;

2. The address or a definite description of the location where the violation occurred;

3. The ordinance section violated and a description of the violation;

4. A time limit by which the violation shall be corrected, after which further enforcement and/or corrective actions may be taken by the County if the violation is not fully corrected;

5. The name and signature of the individual preparing the Notice of Noncompliance; and

6. Notice to the violator of potential liability under the Federal Clean Water Act or State Porter Cologne Water Quality Act.

C. **Administrative Compliance Order**. Whenever the Enforcement Official determines that a violation has occurred, the Enforcement Official may serve an Administrative Compliance Order to any person and/or owner responsible for the violation. Each Administrative Compliance Order shall contain the following information:

1. The date of the violation;

2. The address or a definite description of the location where the violation occurred;

3. The ordinance section violated and a description of the violation;

4. An order to either cease all activities or correct all deficiencies which are believed to be causing the violation;

5. A time limit by which the violation shall be corrected, after which corrective actions will be taken by the county if the violation is not fully corrected;

6. A statement that the County will charge the person and/or owner for all administrative costs associated with enforcement actions;

7. An order prohibiting the continuation or repeated occurrence of the violation;

8. The name and signature of the individual preparing the citation;

9. A statement outlining the procedure for appeal of the order; and

10. Notice to the violator of potential liability under the Federal Clean Water Act or State Porter Cologne Water Quality Act.

D. **Citation**. The Enforcement Official is authorized to issue citations for infractions of this section using the provisions found in this code.

E. **Misdemeanor**. Any violation of this ordinance is a misdemeanor and may be punishable using the provisions of this code.

F. **Service**. The Enforcement Officer is authorized to use the provisions of this code to serve a Notice of Correction, Notice of Noncompliance, Administrative Compliance Order, and/or Citations to effectuate the provisions of this ordinance.

G. **Separate Violation**—Intent.

1. Each day in which a violation occurs and each separate failure to comply with any provision of this ordinance is a separate offense and punishable by penalties in accordance with this ordinance.

2. A violation of the provisions of this ordinance shall occur irrespective of the negligence or intent of the violator to construct, maintain, operate, or utilize an illicit connection, or to cause, allow or facilitate any discharge or threatened discharge.

7.50.200 Penalty

A. For any violations of the ordinance, the penalty shall be punishment by either a fine not exceeding two thousand dollars ($2,000.00) per occurrence, or imprisonment in the county jail for a term not exceeding six months, or by both such fine and imprisonment (misdemeanor), or as an infraction, with a fine not to exceed five hundred dollars ($500.00) per violation. The penalty imposed for a conviction under this section may include probation and/or conditional sentence.

B. The Enforcement Official is authorized to issue citations for infractions of this section using the provisions found in this code.

C. Civil Penalty. In addition to any other penalty provided, any person who willfully violates any of the provisions of this code shall be liable for civil penalties of up to five hundred dollars ($500.00) per day per violation for each day's violation of this code, ordinance, or regulation, not to exceed a total civil penalty of one hundred thousand dollars ($100,000.00) per violation and not to exceed a total for all violations of two hundred fifty thousand dollars ($250,000.00).

(1) This penalty shall be recovered in a civil action brought by the Yuba County Counsel or the Yuba County District Attorney.

(2) The provisions of this subsection shall be applicable to all violations, and each day's violation thereof, of any offense committed after the effective date of the ordinance codified in this subsection.

(3) As to offenses committed prior to the effective date of this subsection, the provisions of said ordinance shall be applicable to continuing violations thereof which occur from and after the effective date of said ordinance.

D. Each day's violation of this code, ordinance or regulation, shall constitute a separate and distinct offense.

E. When pronouncing sentence on any matter involving a violation of this code, the court is authorized, as a condition of sentence or condition of probation, to award costs of enforcement in addition to any fines imposed, and/or to order that the property be brought into compliance with all applicable laws, and/or such other orders as the court may deem proper.

F. The remedies enumerated in this section are cumulative and in addition to any and all other remedies provided by law.

7.50.210 Administrative appeals.

A. Any person receiving an Administrative Compliance Order under Section 7.50.190(C) of this ordinance, or any person required to perform monitoring, analysis, reporting or corrective activities by any Enforcement Official and who is aggrieved by this decision of the Enforcement Official may appeal the decision in writing to the Director of Public Works within ten (10) days following the effective date of the decision. Upon receipt of such appeal, the Director of Public Works shall request a report and recommendation from the authorized county employee and shall set the matter for hearing at the earliest practical date. At such hearing, the Director of Public Works may base his or her decision on additional evidence, and may reject, affirm or modify the Enforcement Official's decision.

B. The decision of the Director of Public Works may be appealed to the Board of Supervisors by filing a notice of appeal with the clerk of the Board of Supervisors within ~~fifteen (15)~~ten (10) days of receipt of the decision of the Director of Public Works. Such appeal shall be in writing and shall set forth fully the grounds for the appeal. The board shall thereupon fix a time and place for a public hearing of such appeal. The Clerk of the Board shall give notice to the appellant of the time and place of hearing by serving it personally or by depositing it in the U.S. Post Office, postage prepaid, addressed to the appellant at his/her last known address at least five days prior thereto.

C. At the hearing before the Board of Supervisors, the appellant may appear in person or by counsel and present any relevant evidence relating to the grievance; the Enforcement Agency may present evidence in rebuttal thereof. The hearing may be continued from time to time, not to exceed thirty (30) days in all. The Board of Supervisors shall conduct a hearing and make findings as appropriate. The decision of the Board of Supervisors shall be final.

7.50.220 Civil actions.

In addition to any other remedies provided in this section, any violation of this ordinance may be enforced by civil action brought by the county. In any such action, the county may seek, as appropriate and allowed by law, any or all of the following remedies:

A. A temporary restraining order, preliminary and permanent injunction;

B. Reimbursement for the costs of any investigation, inspection or monitoring survey which led to the establishment of the violation, and for the reasonable costs of preparing and bringing action under this division;

C. Costs incurred in removing, correcting or terminating the adverse effect(s) resulting from the violation;

D. Compensatory damages for loss or destruction of water quality, wildlife, fish and aquatic life. Costs and damages under this subsection shall be paid to the county and shall be used exclusively for costs associated with monitoring and establishing stormwater discharge pollution control system and/or implementing or enforcing the provisions of this division.

7.50.230 Nuisance abatement—Urgency abatement.

A. Nuisance Abatement. The Enforcement Agency may, in addition to other authorized procedures set forth in this ordinance, take action to abate any nuisance in accordance with the procedures found in this code. The costs of any such abatement undertaken by the County shall be borne by the owner and shall be collectable in accordance with the provisions of Chapter 7.36 of the Yuba County Ordinance Code.

B. Urgency Abatement. The Enforcement Agency may, in addition to other authorized procedures, take immediate action to abate any discharge or threatened discharge from any source to the storm drain system when, in the discretion of the Enforcement Agency, the discharge or threatened discharge causes or threatens to cause a condition which presents an imminent danger to the public health, safety, or welfare, or the environment, or a violation of an NPDES permit. The Enforcement Agency must first make reasonable attempts to contact and compel the responsible person and/or owner to abate the discharge or threatened discharge in a satisfactory manner. Any expense related to such remediation undertaken by the County shall be fully reimbursed by the property owner~~The costs of any such abatement shall be borne by the owner~~ and shall be collectable in accordance with the provisions of Chapter 7.36 of the Yuba County Ordinance Code.

7.50.240 Regulatory fee structure authorized.

The Enforcement Agency shall collect such fees as may be authorized by the Board of Supervisors to establish and collect regulatory costs, which include routine inspections and other regulatory functions associated with this ordinance. Any such fees shall be established by resolution of the Board of Supervisors or by Ordinance.

524-14

The County of Yuba

Community Development & Services Agency

Kevin Mallen, Director
Phone - (530) 749-5430 • Fax - (530) 749-5434
915 8th Street, Suite 123
Marysville, California 95901
www.co.yuba.ca.us

BUILDING
749-5440 • Fax 749-5616

CODE ENFORCEMENT
749-5455 • Fax 749-5464

ENVIRONMENTAL HEALTH • CUPA
749-5450 • Fax 749-5454

HOUSING AND COMMUNITY SERVICES
749-5460 • Fax 749-5464

PLANNING
749-5470 • Fax 749-5434

PUBLIC WORKS • SURVEYOR
749-5420 • Fax 749-5424

TO: Board of Supervisors

FROM: Michael G. Lee, Director of Public Works

SUBJECT: Update Ordinance Code Chapter 10.30, Floodplain Management

DATE: November 18, 2014

Recommendation

That the Board repeal and re-enact Ordinance Code Title X, Chapter 10.30 in its entirety to better address the requirements of the National Flood Insurance Program and the Community Rating System.

Background

The National Flood Insurance Program (NFIP) provides flood insurance and disaster relief to property owners who live in participating communities. Participation in the NFIP is voluntary; Yuba County joined the NFIP in 1983. Participants in the NFIP have to meet certain minimum standards for construction and floodplain management, and also have to adopt a floodplain management ordinance that specifies the County's floodplain management requirements. The State of California provides a template for floodplain management ordinances; this template reflects the minimum standards required by the NFIP.

Discussion

The NFIP also encourages communities to implement higher standards under the Community Rating System (CRS) program. The CRS program provides incentives in the form of premium discounts for communities to go beyond the minimum floodplain management requirements by developing extra flood protection measures. A community's CRS classification determines the premium discount for policyholders. There are ten CRS classifications: Class "1" requires the most credit points and gives the greatest premium discount (45%); while Class "10" receives no discount. Yuba County is a Class "6" community, and receives a 20% discount on flood insurance premiums. The standards for achieving discounts changed in 2013, so Yuba County needs to adjust its floodplain management standards accordingly. The proposed changes clarify NFIP minimum requirements, remove the existing prohibition against having enclosed

APPROVED NOV 18 2014 Waived Reading

areas below the lowest floor elevation, update references, and remove other minor inconsistencies within the chapter.

Committee Action:

The Land and Public Works Committee reviewed this request on October 28, 2014 and recommended approval.

Fiscal Impact:

The fiscal impact of updating ordinance code chapter 10.30 is anticipated to be negligible.

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE X, CHAPTER 10.30 OF THE YUBA COUNTY ORDINANCE CODE BY REPEALING AND REENACTING CHAPTER 10.30 AS AMENDED RELATING TO FLOODPLAIN MANAGEMENT

The following ordinance consisting of three (3) sections was duly and regularly passed and adopted by the Board of Supervisors of the County of Yuba, State of California, at a regular meeting of the Board of Supervisors held on _____ day of _____, 20____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Chairman of the Board of Supervisors
of the County of Yuba, State of California

ATTEST: DONNA STOTTLEMEYER
Clerk of the Board of Supervisors

By:_____

APPROVED AS TO FORM
ANGIL MORRIS-JONES
Yuba County Counsel

By: Angil P. Morris-Jones

THE BOARD OF SUPERVISORS OF THE COUNTY OF YUBA, STATE OF CALIFORNIA DOES ORDAIN AS FOLLOWS:

Section 1. This ordinance shall take effect Thirty (30) days after its passage, and before the expiration of fifteen (15) days after its passage a summary shall be published with the names of the members voting for and against the same, once in a local newspaper of general circulation in the County of Yuba, State of California.

Section 2. Chapter 10.30 of Title X of the Yuba County Ordinance Code is hereby repealed and Chapter 10.30 is hereby reenacted as amended and set forth herein below:

CHAPTER 10.30

FLOODPLAIN MANAGEMENT

Sections

10.30.010 STATUTORY AUTHORIZATION
10.30.020 FINDINGS OF FACT
10.30.030 STATEMENT OF PURPOSE
10.30.040 METHODS OF REDUCING FLOOD LOSSES
10.30.050 DEFINITIONS
10.30.060 GENERAL PROVISIONS
10.30.070 ADMINISTRATION
10.30.080 PROVISIONS FOR FLOOD HAZARD REDUCTION
10.30.090 VARIANCE PROCEDURES

10.30.010 STATUTORY AUTHORIZATION. The Legislature of the State of California has in Government Code Sections 65302, 65560, and 65800 conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the County of Yuba does hereby adopt the following floodplain management regulations.

10.30.020 FINDINGS OF FACT.

(a) The flood hazard areas of Yuba County are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.

(b) These flood losses are caused by uses that are inadequately elevated, floodproofed, or protected

from flood damage. The cumulative effect of obstructions in areas of special flood hazards which increase flood heights and velocities also contributes to flood losses.

10.30.030 STATEMENT OF PURPOSE. It is the purpose of this ordinance to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by legally enforceable regulations applied uniformly throughout the community to all publicly and privately owned land within flood prone, mudslide [i.e. mudflow] or flood related erosion areas. These regulations are designed to:

(a) Protect human life and health;

(b) Minimize expenditure of public money for costly flood control projects;

(c) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;

(d) Minimize prolonged business interruptions;

(e) Minimize damage to public facilities and utilities such as water and gas mains; electric, telephone and sewer lines; and streets and bridges located in areas of special flood hazard;

(f) Help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future blighted areas caused by flood damage;

(g) Ensure that potential buyers are notified that property is in an area of special flood hazard; and

(h) Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

10.30.040 METHODS OF REDUCING FLOOD LOSSES. In order to accomplish its purposes, this ordinance includes regulations to:

(a) Restrict or prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or flood heights or velocities;

(b) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction, and mitigated to prevent future losses for existing structure;

(c) Control the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel floodwaters;

(d) Control filling, grading, dredging, and other development which may increase flood damage; and

(e) Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or

which may increase flood hazards in other areas.

10.30.050 DEFINITIONS. Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

(a) "A zone" - see "Special flood hazard area".

(b) "Accessory structure" means a structure that is either:

i. Solely for the parking of no more than 2 cars; or

ii. A small, low cost shed for limited storage, less than 450 square feet and $2,500 in value.

(c) "Accessory use" means a use which is incidental and subordinate to the principal use of the parcel of land on which it is located.

(d) "Alluvial fan" means a geomorphologic feature characterized by a cone or fan-shaped deposit of boulders, gravel, and fine sediments that have been eroded from mountain slopes, transported by flood flows, and then deposited on the valley floors, and which is subject to flash flooding, high velocity flows, debris flows, erosion, sediment movement and deposition, and channel migration.

(e) "Apex" means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

(f) "Appeal" means a request for a review of the Floodplain Administrator's interpretation of any provision of this ordinance.

(g) "Area of shallow flooding" means a designated AO or AH Zone on the Flood Insurance Rate Map (FIRM). The base flood depths range from one to three feet; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

(h) "Area of special flood hazard" - See "Special flood hazard area."

(i) "Base flood" means a flood which has a one percent chance of being equaled or exceeded in any given year (also called the "100-year flood"). Base flood is the term used throughout this ordinance.

(j) "Base flood elevation" (BFE) means the elevation shown on the Flood Insurance Rate Map for Zones AE, AH, A1-30, VE and V1-V30 that indicates the water surface elevation resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year.

(k) "Basement" means any area of the building having its floor subgrade - i.e., below ground level - on all sides.

(l) "Building" - see "Structure".

(m) "Development" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials. For the purposes of this ordinance, the following activities shall not be considered development:

1. Normal farming activities; or
2. Residential and commercial landscape maintenance.

(n) "Encroachment" means the advance or infringement of uses, plant growth, fill, excavation, buildings, permanent structures or development into a floodplain which may impede or alter the flow capacity of a floodplain.

(o) "Existing manufactured home park or subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before May 17, 1982.

(p) "Expansion to an existing manufactured home park or subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

(q) "Flood, flooding, or flood water" means:

i. A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters; the unusual and rapid accumulation or runoff of surface waters from any source; and/or mudslides (i.e., mudflows); and

ii. The condition resulting from flood-related erosion.

(r) "Flood Boundary and Floodway Map (FBFM)" means the official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the areas of special flood hazards and the floodway.

(s) "Flood Insurance Rate Map (FIRM)" means the official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

(t) "Flood Insurance Study" means the official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Insurance Rate Map, the Flood Boundary and Floodway Map, and the water surface elevation of the base flood.

(u) "Floodplain or flood-prone area" means any land area susceptible to being inundated by water from any source - see "Flooding."

(v) "Floodplain Administrator" is the community official designated by title to administer and enforce the floodplain management regulations.

(w) "Floodplain management" means the operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing, where possible, natural resources in the floodplain, including but not limited to emergency preparedness plans, flood control works, floodplain management regulations, and open space plans.

(x) "Floodplain management regulations" means this ordinance and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as grading and erosion control) and other application of police power which control development in flood-prone areas. This term describes federal, state or local regulations in any combination thereof which provide standards for preventing and reducing flood loss and damage.

(y) "Floodproofing" means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents. For guidelines on dry and wet floodproofing, see FEMA Technical Bulletins TB 1-93, TB 3-93, and TB 7-93.

(z) "Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot. Also referred to as "Regulatory Floodway."

(aa) "Floodway fringe" is that area of the floodplain on either side of the "Regulatory Floodway" where encroachment may be permitted.

(bb) "Fraud and victimization" as related to Section 10.30.090 of this ordinance, means that the variance granted must not cause fraud on or victimization of the public. In examining this requirement, the County of Yuba will consider the fact that every newly constructed building adds to government responsibilities and remains a part of the community for fifty to one-hundred years. Buildings that are permitted to be constructed below the base flood elevation are subject during all those years to increased risk of damage from floods, while future owners of the property and the community as a whole are subject to all the costs, inconvenience, danger, and suffering that those increased flood damages bring. In addition, future owners may purchase the property, unaware that it is subject to potential flood damage, and can be insured only at very high flood insurance rates.

(cc) "Functionally dependent use" means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, and does not include long-term storage or related

manufacturing facilities.

(dd) "Governing body" is the local governing unit, i.e. county or municipality, that is empowered to adopt and implement regulations to provide for the public health, safety and general welfare of its citizenry.

(ee) "Hardship" as related to Section 10.30.090 of this ordinance means the exceptional hardship that would result from a failure to grant the requested variance. The County of Yuba requires that the variance be exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is not exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means without granting a variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.

(ff) "Highest adjacent grade" means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

(gg) "Historic structure" means any structure that is:

i. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

ii. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

iii. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or

iv. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program as determined by the Secretary of the Interior or directly by the Secretary of the Interior in states without approved programs.

(hh) "Levee" means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding.

(ii) "Levee system" means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

(jj) "Lowest floor" means the lowest floor of the lowest enclosed area, including basement (see "Basement" definition).

i. An unfinished or flood resistant enclosure below the lowest floor that is usable solely for parking of vehicles, building access or storage in an area other than a basement area, is not considered a building's lowest floor provided it conforms to applicable non-elevation design requirements, including, but not limited to:

1. The flood openings standard in Section 10.30.080(a)(iii)(3);

2. The anchoring standards in Section 10.30.080(a)(i);

3. The construction materials and methods standards in Section 10.30.080(a)(ii); and

4. The standards for utilities in Section 10.30.080(b).

ii. For residential structures, all subgrade enclosed areas are prohibited as they are considered to be basements (see "Basement" definition). This prohibition includes below-grade garages and storage areas.

(kk) "Manufactured home" means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

(ll) "Manufactured home park or subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

(mm) "Market value" shall be determined by estimating the cost to replace the structure in new condition and adjusting that cost figure by the amount of depreciation which has accrued since the structure was constructed.

i. The cost of replacement of the structure shall be based on a square foot cost factor determined by reference to a building cost estimating guide recognized by the building construction industry.

ii. The amount of depreciation shall be determined by taking into account the age and physical deterioration of the structure and functional obsolescence as approved by the Floodplain Administrator, but shall not include economic or other forms of external obsolescence.

Use of replacement costs or accrued depreciation factors different from those contained in recognized building cost estimating guides may be considered only if such factors are

included in a report prepared by an independent professional appraiser and supported by a written explanation of the differences.

(nn) "Mean sea level" means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988, or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

(oo) "New construction", for floodplain management purposes, means structures for which the "start of construction" commenced on or after May 17, 1982, and includes any subsequent improvements to such structures.

(pp) "New manufactured home park or subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after May 17, 1982.

(qq) "Normal Farming Activities" means plowing, seeding, cultivating, minor drainage, harvesting, field leveling outside defined watercourses, contouring, and planting.

(rr) "Obstruction" includes, but is not limited to, any dam, wall, wharf, embankment, levee, dike, pile, abutment, protection, excavation, channelization, bridge, conduit, culvert, building, wire, fence, rock, gravel, refuse, fill, structure, vegetation or other material in, along, across or projecting into any watercourse which may alter, impede, retard or change the direction and/or velocity of the flow of water, or due to its location, its propensity to snare or collect debris carried by the flow of water, or its likelihood of being carried downstream.

(ss) "One-hundred-year flood" or "100-year flood" - see "Base flood."

(tt) "Program deficiency" means a defect in a community's floodplain management regulations or administrative procedures that impairs effective implementation of those floodplain management regulations.

(uu) "Public safety and nuisance" as related to Section 10.30.090 of this ordinance, means that the granting of a variance must not result in anything which is injurious to safety or health of an entire community or neighborhood, or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin.

(vv) "Recreational vehicle" means a vehicle which is:

i. Built on a single chassis;

ii. 400 square feet or less when measured at the largest horizontal projection;

iii. Designed to be self-propelled or permanently towable by a light-duty truck; and

iv. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

(ww) "Regulatory floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

(xx) "Remedy a violation" means to bring the structure or other development into compliance with State or local floodplain management regulations, or if this is not possible, to reduce the impacts of its noncompliance. Ways that impacts may be reduced include protecting the structure or other affected development from flood damages, implementing the enforcement provisions of the ordinance or otherwise deterring future similar violations, or reducing State or Federal financial exposure with regard to the structure or other development.

(yy) "Riverine" means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

(zz) "Sheet flow area" - see "Area of shallow flooding."

(aaa) "Special flood hazard area (SFHA)" means an area in the floodplain subject to a 1 percent or greater chance of flooding in any given year. It is shown on an FBFM or FIRM as Zone A, AO, A1-A30, AE, A99, AR or, AH.

(bbb) "Start of construction" includes substantial improvement and other proposed new development and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days from the date of the permit. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

(ccc) "Structure" means a walled and roofed building that is principally above ground; this includes a gas or liquid storage tank or a manufactured home. For the purposes of this ordinance, "walled and roofed" means that the structure has two or more rigid walls and a fully secured roof.

(ddd) "Substantial damage" means:

i. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred; or

ii. Flood-related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred. This is also known as "repetitive loss."

(eee) "Substantial improvement" means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

i. Any project for improvement of a structure to correct existing violations or state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or

ii. Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."

(fff) "Variance" means a grant of relief from the requirements of this ordinance which permits construction in a manner that would otherwise be prohibited by this ordinance.

(ggg) "Violation" means the failure of a structure or other development to be fully compliant with this ordinance. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.

(hhh) "Water surface elevation" means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988, or other datum, of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

(iii) "Watercourse" means a lake, river, creek, stream, wash, arroyo, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

10.30.060 GENERAL PROVISIONS.

(a) LANDS TO WHICH THIS ORDINANCE APPLIES. This ordinance shall apply to all areas of special flood hazards within the jurisdiction of Yuba County.

(b) BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD. The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in the "Flood Insurance Study (FIS) for Yuba County, California" dated November 17, 1981 or subsequent versions currently effective, with accompanying Flood Insurance Rate Maps (FIRM's) and Flood Boundary and Floodway Maps (FBFM's), dated May 17, 1982 or subsequent versions currently effective, and all subsequent amendments and/or revisions, are hereby adopted by reference and declared to be a part of this ordinance. This FIS and attendant mapping is the minimum area of applicability of this ordinance and may be supplemented by studies for other areas which allow implementation of this ordinance and which are recommended to the County of Yuba by the Floodplain Administrator. The study, FIRM's and FBFM's are on file at the Community Development and Services Agency, 915 8th Street, Marysville, CA.

(c) COMPLIANCE. No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the requirements (including violations of conditions and safeguards) shall constitute a misdemeanor. Nothing herein shall prevent the County of Yuba from taking such lawful action as is necessary to prevent or remedy any violation.

(d) ABROGATION AND GREATER RESTRICTIONS. This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

(e) INTERPRETATION. In the interpretation and application of this ordinance, all provisions shall be:

i. Considered as minimum requirements;

ii. Liberally construed in favor of the governing body; and

iii. Deemed neither to limit nor repeal any other powers granted under state statutes.

(f) WARNING AND DISCLAIMER OF LIABILITY. The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of Yuba County, any officer or employee thereof, the State of California, or the Federal Emergency Management Agency, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

(g) SEVERABILITY. This ordinance and the various parts thereof are hereby declared to be severable. Should any section of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any portion thereof other than the section so declared to be unconstitutional or invalid.

10.30.070 ADMINISTRATION.

(a) DESIGNATION OF THE FLOODPLAIN ADMINISTRATOR. The Community Development and Services Agency Director or designee is hereby appointed to administer, implement, and enforce this ordinance by granting or denying development permits in accord with its provisions.

(b) DUTIES AND RESPONSIBILITIES OF THE FLOODPLAIN ADMINISTRATOR. The duties and responsibilities of the Floodplain Administrator shall include, but not be limited to the following:

i. Permit Review.

Review all development permits to determine:

1. Permit requirements of this ordinance have been satisfied, including determination of substantial improvement and substantial damage of existing structures;

2. All other required state and federal permits have been obtained;

3. The site is reasonably safe from flooding;

4. The proposed development does not adversely affect the carrying capacity of areas where base flood elevations have been determined but a floodway has not been designated. This means that the cumulative effect of the proposed development when combined with all other existing and anticipated development will not increase the water surface elevation of the base flood more than 1 foot at any point within the County of Yuba nor adversely affect adjacent property owners; and

5. All Letters of Map Revision (LOMR's) for flood control projects are approved prior to the issuance of building permits. Building Permits must not be issued based on Conditional Letters of Map Revision (CLOMR's). Approved CLOMR's allow construction of the proposed flood control project and land preparation as specified in the "start of construction" definition.

ii. Development of Substantial Improvement and Substantial Damage Procedures.

The County shall utilize FEMA publication FEMA P-758,"Substantial Improvement / Substantial Damage Desk Reference" or its successor document for identifying and administering requirements relating to substantial improvement and substantial damage.

iii. Review, Use and Development of Other Base Flood Data.

When base flood elevation data has not been provided by FEMA in accordance with Section 10.30.060(b), the Floodplain Administrator shall require the development permit applicant to

present for review base flood elevation and floodway data from a federal or state agency, or other source, in order to administer Section 10.30.080. If a base flood elevation is not available, a base flood elevation shall be developed by the applicant using the detailed methods as described in the most current edition of FEMA publication, FEMA 265, "Managing Floodplain Development in Approximate Zone A Areas – A Guide for Obtaining and Developing Base (100-year) Flood Elevations". The simplified methods presented in FEMA 265 may be utilized for projects less than 5 acres or 50 lots, whichever is lesser, or for development permit applications for agricultural uses. If the floodplain administrator determines that developing data to establish the base flood elevation would be excessively expensive, the floodplain administrator may at his/her discretion alternatively approve a lowest floor elevation which is five feet above the highest adjacent grade.

iv. Notification of Other Agencies.

1. Alteration or relocation of a watercourse:

   a. Notify adjacent communities and the California Department of Water Resources prior to alteration or relocation;

   b. Submit evidence of such notification to the Federal Emergency Management Agency; and

   c. Assure that the flood carrying capacity within the altered or relocated portion of said watercourse is maintained.

2. Base Flood Elevation changes due to physical alterations:

   Within 6 months of information becoming available or project completion, whichever comes first, the Floodplain Administrator shall submit or assure that the permit applicant submits technical or scientific data to FEMA for a Letter of Map Revision (LOMR).

3. Changes in corporate boundaries:

   Notify FEMA in writing whenever the corporate boundaries have been modified by annexation or other means and include a copy of a map of the community clearly delineating the new corporate limits.

v. Documentation of Floodplain Development.

Obtain and maintain for public inspection and make available as needed the following:

1. Certification required by Section 10.30.080(a)(iii)(1) and Section 10.30.080(d) (Lowest floor elevation of residential structures);

2. Certification required by Section 10.30.080(a)(iii)(2) (Lowest floor elevation or

floodproofing of nonresidential structures);

3. Certification required by Section 10.30.080(d) (Lowest floor elevation of manufactured homes).

4. Certification required by Section 10.30.080(a)(iii)(3) (Flood Openings);

5. Certification of elevation required by Section 10.30.080(c)(i)(3) (Subdivisions and Other Proposed Development);

6. Certification required by Section 10.30.080(f)(ii) (Floodways); and

7. Maintain a record of all variance actions, including justification for their issuance, and report such variances issued in its biennial report submitted to the Federal Emergency Management Agency.

vi. Map Determination.

Make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazard, where there appears to be a conflict between a mapped boundary and actual field conditions. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section 10.30.090.

vii. Remedial Action.

Take action to remedy violations of this ordinance as specified in Section 10.30.060(c).

viii. Planning.

Assure Yuba County General Plan is consistent with floodplain management objectives contained in Chapter 10.30.

ix. Non-conversion of EnclosedAreas Below the Lowest Floor.

Non-Conversion of Enclosed Areas below Lowest Floor: As a condition of receiving a building permit, owners of proposed structures with enclosed areas below the lowest floor must sign a non-conversion agreement, promising not to improve, finish, or otherwise convert the area below the lowest floor and granting the County of Yuba the right to inspect the enclosed area upon prior notice of at least 72 hours. To ensure that the areas below the BFE shall not be finished for use as human habitation, the Floodplain Administrator shall:

1. Determine which applicants for new construction and/or substantial improvements have areas below the lowest floor that are 4 (four) feet or higher;

2. Enter into a "NON-CONVERSION AGREEMENT FOR CONSTRUCTION WITHIN FLOOD HAZARD AREAS" or equivalent with the County of Yuba. The agreement shall be recorded with the Yuba County Recorder as a deed restriction. The NON-

CONVERSION agreement shall be in a form acceptable to the Floodplain Administrator and County Counsel; and

3. Have the authority to inspect any area of a structure below the base flood elevation to ensure compliance upon prior notice of at least 72 hours.

(c) DEVELOPMENT PERMIT. A development permit shall be obtained before any construction or other development, including manufactured homes, within any area of special flood hazard established in Section 10.30.060. Application for a development permit shall be made on forms furnished by the County of Yuba. The applicant shall provide the following minimum information:

i. Plans in duplicate, drawn to scale, showing:

1. Location, dimensions, and elevation of the area in question, existing or proposed structures, storage of materials and equipment and their location;
2. Proposed locations of water supply, sanitary sewer, and other utilities;
3. Grading information showing existing and proposed contours, any proposed fill, and drainage facilities;
4. Location of the regulatory floodway when applicable;
5. Base flood elevation information as specified in Section 10.30.060 or Section 10.30.070(b)(iii);
6. Proposed elevation in relation to mean sea level, of the lowest floor (including basement) of all structures; and
7. Proposed elevation in relation to mean sea level to which any nonresidential structure will be floodproofed, as required in Section 10.30.080(a)(iii)(2) of this ordinance and detailed in FEMA Technical Bulletin TB 3-93.

ii. Certification from a registered civil engineer or architect that the nonresidential floodproofed building meets the floodproofing criteria in Section 10.30.080(a)(iii)(2).

iii. For a crawl-space foundation, location and total net area of foundation openings as required in Section 10.30.080(a)(iii)(3) of this ordinance and detailed in FEMA Technical Bulletins 1-93 and 7-93.

iv. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

v. All appropriate certifications listed in Section 10.30.070(b)(v) of this ordinance.

vi. For improvements and repairs to existing structures with the lowest floor below the BFE in a

Special Flood Hazard Area (SFHA), applicant must provide evidence that such proposed improvements or repairs do not constitute substantial improvements or repairs to the structure prior to obtaining a building permit. For repairs to structures damaged by flood, fire, or other disasters, such evidence must be in accordance with FEMA P-758 "Substantial Improvement / Substantial Damage Desk Reference."

(d) APPEALS. The Board of Supervisors of Yuba County shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the enforcement or administration of this ordinance.

Any person who wishes to appeal the decision of the Floodplain Administrator may, within ten (10) days after such decision is rendered, file an appeal with the Clerk of the Board of Supervisors. The appeal shall be in writing and shall set forth the grounds upon which relief is requested. The decision of the Board of Supervisors shall be final with respect to any variance of appeal.

10.30.080 PROVISIONS FOR FLOOD HAZARD REDUCTION.

(a) STANDARDS OF CONSTRUCTION. In all areas of special flood hazards the following standards are required:

i. Anchoring.

All new construction and substantial improvements of structures, including manufactured homes, shall be adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

ii. Construction Materials and Methods.

All new construction and substantial improvements of structures, including manufactured homes, shall be constructed:

1. With flood resistant materials, and utility equipment resistant to flood damage for areas less than one foot above the base flood elevation;

2. Using methods and practices that minimize flood damage;

3. With electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding; and

4. Within Zones AH or AO, so that there are adequate drainage paths around structures on slopes to guide flood waters around and away from proposed structures.

5. If fill is placed at a site to elevate a building pad above the base flood elevation, then buildings constructed within flood hazard areas must be constructed on compacted fill in accordance with the construction specifications or at least 90 density per ASTM-D698 or equivalent, and extending at least five feet beyond the building foundation walls before dropping below the base flood elevation and shall include appropriate protection from erosion and scour. The design of the fill must be approved by a registered professional engineer.

iii. Elevation and Floodproofing.

1. Residential Construction. All new construction or substantial improvements of residential structures shall have the lowest floor, including basement:

   a. In AE, AH, A1-30 Zones, elevated one foot above the base flood elevation.

   b. In an AO zone, elevated above the highest adjacent grade to a height one foot above the depth number specified in feet on the FIRM, or elevated at least three feet above the highest adjacent grade if no depth number is specified.

   c. In an A zone, without BFE's specified on the FIRM (unnumbered A zone), elevated one foot above the base flood elevation, as determined under Section 10.30.070(b)(iii). If the floodplain administrator determines that developing data to establish the base flood elevation would be excessively expensive, the floodplain administrator may at his/her discretion alternatively approve a lowest floor elevation which is five feet above the highest adjacent grade.

   Upon the completion of the structure, the elevation of the lowest floor, including basement, shall be certified by a registered civil engineer or licensed land surveyor, and verified by the community building inspector to be properly elevated. Such certification and verification shall be in the form of a National Flood Insurance Program – Elevation Certificate and shall be provided to the Floodplain Administrator.

2. Nonresidential Construction. All new construction or substantial improvements of nonresidential structures shall either be elevated to conform with Section 10.30.080(a)(iii)(1) or:

   a. Be floodproofed, together with attendant utility and sanitary facilities, below the elevation recommended under Section 10.30.080(a)(iii)(1), so that the structure is watertight with walls substantially impermeable to the passage of water;

   b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and

   c. Be certified by a registered civil engineer or architect that the standards of Sections 10.30.080(a)(iii)(2)(a&b) are satisfied. Such certification shall be provided to the

Floodplain Administrator.

3. Flood Openings. All new construction and substantial improvements of structures with fully enclosed areas below the lowest floor (excluding basements) that are usable solely for parking of vehicles, building access or storage, and which are subject to flooding, shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwater. Designs for meeting this requirement must meet the following minimum criteria:

   a. For non-engineered openings:

      1. Have a minimum of two openings on different sides having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;

      2. The bottom of all openings shall be no higher than one foot above grade;

      3. Openings must be located so that the portion of the opening intended to allow for inflow and outflow is below the BFE;

      4. Openings may be equipped with screens, louvers, valves or other coverings or devices provided that they permit the automatic entry and exit of floodwater. The measurement of the net open area must take into consideration any coverings that have solid obstructions, such as grilles, fixed louvers, or faceplates; and

      5. Buildings with more than one enclosed area must have openings on exterior walls for each area to allow flood water to directly enter; or

   b. Be certified by a registered civil engineer or architect.

4. Manufactured homes.

   a. See Section 10.30.080(d).

iv. Garages and low cost accessory structures.

1. Attached garages.

   a. A garage attached to a residential structure, constructed with the garage floor slab below the BFE, must be designed to allow for the automatic entry of flood waters. See 10.30.080(a)(iii)(3). Areas of the garage below the BFE must be constructed with flood resistant materials. See Section 10.30.080(a)(ii).

   b. A garage attached to a nonresidential structure must meet the above requirements or be dry floodproofed. For guidance on below grade parking areas, see FEMA

Technical Bulletin TB-6.

2. Detached garages and accessory structures.

a. "Accessory structures" used solely for parking (2 car detached garages or smaller) or limited storage (small, low-cost sheds), as defined in Section 10.30.050, may be constructed such that its floor is below the base flood elevation (BFE), provided the structure is designed and constructed in accordance with the following requirements:

1. Use of the accessory structure must be limited to parking or limited storage;

2. The portions of the accessory structure located below the BFE must be built using flood-resistant materials;

3. The accessory structure must be adequately anchored to prevent flotation, collapse and lateral movement;

4. Any mechanical and utility equipment in the accessory structure must be elevated or floodproofed at least one foot above the BFE;

5. The accessory structure must comply with floodplain encroachment provisions in Section 10.30.080(f);

6. The owner has first obtained a wet-floodproofing variance for the accessory structure, except that no variance is required for small, low-cost sheds; and

7. The accessory structure must be designed to allow for the automatic entry of flood waters in accordance with Section 10.30.080(a)(iii)(3).

b. Detached garages and accessory structures not meeting the above standards must be constructed in accordance with all applicable standards in Section 10.30.080(a).

v. Agricultural structures

1. Agricultural structures shall be elevated or dry-floodproofed to at least one foot above the BFE. Agricultural structures may be constructed such that its floor is below the BFE provided the owner applies for and receives a wet-floodproofing variance in accordance with Section 10.30.090.

(b) STANDARDS FOR UTILITIES.

i. All new and replacement water supply and sanitary sewage systems shall be designed to minimize or eliminate:

1. Infiltration of flood waters into the systems; and

2. Discharge from the systems into flood waters.

ii. On-site waste disposal systems shall be located to avoid impairment to them, or contamination from them during flooding.

(c) STANDARDS FOR SUBDIVISIONS AND OTHER PROPOSED DEVELOPMENT.

i. All new subdivision proposals and other proposed development, including proposals for manufactured home parks and subdivisions, greater than 50 lots or 5 acres, whichever is the lesser, shall:

1. Identify the Special Flood Hazard Areas (SFHA) and Base Flood Elevations (BFE).

2. Identify the elevations of lowest floors of all proposed structures and pads on the final plans.

3. If the site is filled above the base flood elevation, the following as-built information for each structure shall be certified by a registered civil engineer or licensed land surveyor and provided as part of an application for a Letter of Map Revision based on Fill (LOMR-F) to the Floodplain Administrator:

a. Lowest floor elevation.

b. Pad elevation.

c. Lowest adjacent grade.

ii. All subdivision proposals and other proposed development shall be consistent with the need to minimize flood damage.

iii. All subdivision proposals and other proposed development shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.

iv. All subdivisions and other proposed development shall provide adequate drainage to reduce exposure to flood hazards.

(d) STANDARDS FOR MANUFACTURED HOMES.

i. All manufactured homes that are placed or substantially improved, on sites located: (1) outside of a manufactured home park or subdivision; (2) in a new manufactured home park or subdivision; (3) in an expansion to an existing manufactured home park or subdivision; or (4) in an existing manufactured home park or subdivision upon which a manufactured home has incurred "substantial damage" as the result of a flood, shall:

1. Within Zones A1-30, AH, and AE on the community's Flood Insurance Rate Map, be

elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated one foot above the base flood elevation and be securely fastened to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

ii. All manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision within Zones A1-30, AH, and AE on the community's Flood Insurance Rate Map that are not subject to the provisions of Section 10.30.080(d)(i) will be securely fastened to an adequately anchored foundation system to resist flotation, collapse, and lateral movement, and be elevated so that either the:

1. Lowest floor of the manufactured home is at least one foot above the base flood elevation; or

2. Manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade.

Upon the completion of the structure, the elevation of the lowest floor including basement shall be certified by a registered civil engineer or licensed land surveyor, and verified by the community building inspector to be properly elevated. Such certification and verification shall be in the form of a National Flood Insurance Program – Elevation Certificate and shall be provided to the Floodplain Administrator.

(e) STANDARDS FOR RECREATIONAL VEHICLES.

i. All recreational vehicles placed in Zones A1-30, AH, and AE will either:

1. Be on the site for fewer than 180 consecutive days; or

2. Be fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or

3. Meet the permit requirements of Section 10.30.070(c) of this ordinance and the elevation and anchoring requirements for manufactured homes in Section 10.30.080(d)(i).

(f) FLOODWAYS. Since floodways are an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

i. Until a regulatory floodway is adopted, no new construction, substantial development, or other development (including fill) shall be permitted within Zones A1-30 and AE, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other development, will not increase the water surface elevation of the base flood more than 1 foot at any point within the County of Yuba.

ii. Within an adopted regulatory floodway, the County of Yuba shall prohibit encroachments, including fill, new construction, substantial improvements, and other development, unless certification by a registered civil engineer is provided demonstrating that the proposed encroachment shall not result in any increase in flood levels during the occurrence of the base flood discharge.

iii. If Sections 10.30.080(f)(i & ii) are satisfied, all new construction, substantial improvement, and other proposed new development shall comply with all other applicable flood hazard reduction provisions of Section10.30.080.

10.30.090 VARIANCE PROCEDURE.

(a) NATURE OF VARIANCES. The issuance of a variance is for floodplain management purposes only. Insurance premium rates are determined by statute according to actuarial risk and will not be modified by the granting of a variance.

The variance criteria set forth in this section of the ordinance are based on the general principle of zoning law that variances pertain to a piece of property and are not personal in nature. A variance may be granted for a parcel of property with physical characteristics so unusual that complying with the requirements of this ordinance would create an exceptional hardship to the applicant or the surrounding property owners. The characteristics must be unique to the property and not be shared by adjacent parcels. The unique characteristic must pertain to the land itself, not to the structure, its inhabitants, or the property owners.

It is the duty of the Yuba County Board of Supervisors to help protect its citizens from flooding. This need is so compelling and the implications of the cost of insuring a structure built below flood level are so serious that variances from the flood elevation or from other requirements in the flood ordinance are quite rare. The long term goal of preventing and reducing flood loss and damage can only be met if variances are strictly limited. Therefore, the variance guidelines provided in this ordinance are more detailed and contain multiple provisions that must be met before a variance can be properly granted. The criteria are designed to screen out those situations in which alternatives other than a variance are more appropriate.

(b) CONDITIONS FOR VARIANCES.

i. Generally, variances may be issued for new construction, substantial improvement, and other proposed new development to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing that the procedures of Sections 10.30.070 and 10.30.080 of this ordinance have been fully considered. As the lot size increases beyond one-half acre, the technical justification required for issuing the variance increases.

ii. Variances to allow wet floodproofing of new or substantially improved non-residential structures may be issued for the following categories of structures:
   1. Structures functionally dependent upon close proximity to water;

2. Accessory structures used solely for parking (two-car detached garages or smaller) or limited storage; and
3. Agricultural structures used exclusively in connection with the production, harvesting, storage, drying, or raising of agricultural commodities, storage of agricultural equipment, or providing temporary shelter for livestock.

iii. Variances may be issued for the repair or rehabilitation of "historic structures" (as defined in Section 10.30.050 of this ordinance) upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as an historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

iv. Variances shall not be issued within any mapped regulatory floodway if any increase in flood levels during the base flood discharge would result.

v. Variances shall only be issued upon a determination that the variance is the "minimum necessary" considering the flood hazard, to afford relief. "Minimum necessary" means to afford relief with a minimum of deviation from the requirements of this ordinance. For example, in the case of variances to an elevation requirement, this means the Yuba County Board of Supervisors need not grant permission for the applicant to build at grade, or even to whatever elevation the applicant proposes, but only to that elevation which the Yuba County Board of Supervisors believes will both provide relief and preserve the integrity of the local ordinance.

vi. Any applicant to whom a variance is granted shall be given written notice over the signature of a community official that:

1. The issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as $25 for $100 of insurance coverage, and

2. Such construction below the base flood level increases risks to life and property. It is recommended that a copy of the notice shall be recorded by the Floodplain Administrator in the Office of the Yuba County Recorder and shall be recorded in a manner so that it appears in the chain of title of the affected parcel of land.

vi. The Floodplain Administrator will maintain a record of all variance actions, including justification for their issuance, and report such variances issued in its biennial report submitted to the Federal Emergency Management Agency.

(c) BOARD GUIDELINES.

i. In hearing requests for variances, the Yuba County Board of Supervisors shall consider all technical evaluations, all relevant factors, standards specified in other sections of this ordinance, and the:

1. Danger that materials may be swept onto other lands to the injury of others;

2. Danger of life and property due to flooding or erosion damage;

3. Susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the existing individual owner and future owners of the property;

4. Importance of the services provided by the proposed facility to the community;

5. Necessity to the facility of a waterfront location, where applicable;

6. Availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;

7. Compatibility of the proposed use with existing and anticipated development;

8. Relationship of the proposed use to the comprehensive plan and floodplain management program for that area;

9. Safety of access to the property in time of flood for ordinary and emergency vehicles;

10. Expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters expected at the site; and

11. Costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water system, and streets and bridges.

ii. Variances shall only be issued upon a:

1. Showing of good and sufficient cause;

2. Determination that failure to grant the variance would result in exceptional "hardship" to the applicant; and

3. Determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense, create a nuisance (see "Public safety and nuisance"), cause “fraud and victimization” of the public, or conflict with existing local laws or ordinances.

iii. Variances may be issued for new construction, substantial improvement, and other proposed new development necessary for the conduct of a functionally dependent use provided that the provisions of Sections 10.30.090(c)(i) through 10.30.090(c)(iv) are satisfied and that the structure or other development is protected by methods that minimize flood damages during

the base flood and does not result in additional threats to public safety and does not create a public nuisance.

Upon consideration of the factors of Section 10.30.090(b)(i) and the purposes of this ordinance, the Yuba County Board of Supervisors may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.

Section 3. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

The County Of Yuba

Community Development & Services Agency

CODE ENFORCEMENT

Telephone: (530) 749-5455 Fax: (530) 749-5616

915 8th Street, Suite 123, Marysville, California 95901

Public Nuisance Cost Accounting Hearing

TO:	Yuba County Board of Supervisors
FROM:	Jeremy Strang, Code Enforcement
REGARDING:	Vacant Lot On Sun Avenue, Linda, CA APN: 019-200-088
DATE:	December 9, 2014

Statement of Facts:

The property that is subject of this hearing is Assessor Parcel Number 019-200-088; there is no situs address because the property contains no improvements. The property is located in the unincorporated area of the County of Yuba in the community of Linda and is approximately 3 miles from the main gate at Beale Air Force Base. The parcel is 1.65 acres and has a zoning designation of AE-80 (Exclusive Agriculture).

Mohammed Khan and Lucy Salva are the record owners of the parcel and have owned the property since August of 2010.

Historical Information:

Mohammed Khan owns approximately 26 properties within the unincorporated area of Yuba County. 18 of those parcels have had some type of Code Enforcement activity over the years; the number of cases total 33. 8 of those cases involved Mr. Khan as the record owner of the parcel and at least 3 of the 8 have recently been associated with marijuana cultivation.

Previous marijuana cases:

- MMJ14- 0064 Excessive Plants 8-28-14 (Notice of Violation)
- MMJ13- 0049 Excessive Plants 9-9-14 (BOS Hearing)

Current Case:

Case Number:	MMJ14-0098
Date:	9/16/2014
Complaint:	Marijuana Cultivation
Disposition:	Founded; No dwelling, cultivation of marijuana (49 plants), occupancy of a travel trailer. Notice and Order to Abate Public Nuisance issued.

Public Nuisance Declared:

On September 19, 2014, an inspection by the Yuba County Sheriff's office confirmed the cultivation of marijuana. Sheriff's Deputy Heath made contact with Alfredo Cardenas, a cultivator, and observed:

- 49 marijuana plants
- Lack of a dwelling
- Accessory uses and chattel
- An occupied 5th wheel trailer

Based on prior history with the property owner and his knowledge of the Yuba County Ordinance Code as it relates to the cultivation of marijuana, specifically including his recent involvement with marijuana cultivation on his property located on Second Avenue resulting in enforcement costs and penalties being assessed, the determination to immediately issue a Notice and Order to Abate Public Nuisance was made.

On September 24, 2014, Code Enforcement Officer John Jacenich issued a Notice and Order to Abate Public Nuisance [(Order) (see **Attachment A – Notice and Order**)]. The Order was served by U.S. Mail, both Certified Mail with Return Receipt and First Class, to the owner as it appears on the last equalized assessment roll and to the identified cultivator, Alfredo Cardenas. In addition, the Order was posted at the property; proof of service was completed (see **Attachment B – Proof of Service**).

The Order alleges the following violations:

1. **Yuba County Code § 7.36.310(a)(1)** *Anything which is injurious to health, poses a significant potential to cause economic and/or physical injury or damage to persons or property, or constitutes a significant detriment to the prevention or suppression of fire, or significantly interferes with the provision of emergency services to the public,* to wit:
   A. Cultivating marijuana in violation of the provisions set forth in Chapter 7.40 of the Yuba County Ordinance Code
   B. Emplacement and occupancy of a 5th wheel travel trailer
   C. Utilizing accessory uses without first establishing a primary use

2. **Yuba County Code § 7.36.310(a)(5)** *The maintenance or use of any real property in violation of any provision of the Yuba County Ordinance Code, State law or federal law*, to wit:
   A. Cultivating marijuana on a parcel of at least one (1) acre but not greater than five (5) acres in size in violation of Yuba County Ordinance Code Chapter 7.40 including but not limited to, the following violations:
   A.1. Cultivating marijuana on a parcel that does not have an occupied, legally established residence (7.40.200:b)
   A.2. Mature plants in excess of 18 plants (7.40.200:f)

B. Emplacement and occupancy of a 5th wheel travel trailer as a place of human habitation in violation of Chapter 10.20 of the Yuba County Ordinance Code
C. Conducting activities on a site which are not permitted uses in the Agricultural Exclusive Zone in violation of Chapter 12.01 et seq., of the Yuba County Ordinance Code as described in 1.C. above

3. **Yuba County Code § 7.36.310(a)(10)** *Anything which is indecent offensive to the senses, or an obstruction to the free use of property, so as to unreasonably interfere with the comfortable enjoyment of life or property, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, river, bay, stream, canal, or basin, or of any public park, square, street or highway, and which at the same time affects an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals and/ or property may be unequal.*

Attached and incorporated as part of this report as **Attachment C – Photographs**, are photographs taken on September 24th and 25th of 2014, by Officer John Jacenich. The photographs accurately depict the conditions of the subject properties observed by Officer Jacenich on that date and further support the existence of a public nuisance.

The Order required that the property owner abate the nuisance by removing all of the violations as listed above on, or before, September 26, 2014.

Pursuant to Chapter 7.40, Section 7.40.440, an Administrative Penalty shall be calculated based on subsection 7.40.440c, and shall begin to accrue immediately upon the issuance of an Order (7.40.440d). An Administrative Penalty, the subject of this hearing, was applied for the amount of $5,400.00 per day (see **Attachment D – Administrative Penalty Worksheet**).

On September 25, 2014, an inspection confirmed that the marijuana had been removed, but that the 5th-wheel travel trailer as well as chattel were still present. A follow-up inspection on September 26, 2014 confirmed that the remainder of violations had been removed.

The imposed Administrative Penalty accrued for two days at $5,400.00 per day and one day at $200.00.

On October 3, 2014, a Notice of NonCompliance was recorded against the parcel.

On October 6, 2014, Mohammad Khan and Lucy Salva, through their attorney Charnel James with Aurora Litigation and Consulting, filed a timely request, along with the fee deposit of $4,116.00, for hearing to appeal "the lack of notice of violation on this property (as per the Yuba City Code) and the fines that were assessed. [Sic]" (see **Attachment E – Request for Hearing**).

On October 17, 2014, Alfredo Gomez, one of the purported cultivators, came to the Government Center to make payment of the original billing invoice, number 613, for the amount of $1837.50. He stated that he was instructed to do so by a man named Roberto Martinez. He also provided information regarding the marijuana cultivation, the people that were involved, and the relationship with Mr. Khan. Mr. Gomez advised me that the primary cultivator's name was Roberto Martinez. According to Mr. Gomez, Mr. Martinez has an agreement with Mr. Khan that included payment of $6,000.00 by Mr. Martinez to Mr. Khan. Alfredo stated, through his interpreter, that his involvement was not directly with Mr. Khan, but with Mr. Martinez. Mr. Gomez's responsibilities were to pay a

portion of the initial costs associated with the cultivation including fencing and soil as well as tend to the cultivation on a daily basis. He stayed in the 5th-Wheel trailer for the purpose of security and daily operations. Mr. Gomez stated that his take for the duties performed was to be 13 of the 49 plants.

I have reason to believe, and do believe that Alfredo Gomez is Alfredo Cardenas, the same person that Deputy Heath met at the subject property during his inspection.

Applicable Law:

YUBA COUNTY ORDINANCE CODE CHAPTER 7.36, PROPERTY MAINTENANCE (1303)

Yuba County Code § 7.36.310(a). *a public nuisance shall be deemed to exist when any of the following conditions or circumstances are present:*

Yuba County Code § 7.36.310(a)(1)
Anything which is injurious to health, poses a significant potential to cause economic and/or physical injury or damage to persons or property, or constitutes a significant detriment to the prevention or suppression of fire, or significantly interferes with the provision of emergency services to the public.

Yuba County Code § 7.36.310(a)(5)
The maintenance or use of any real property in violation of any provision of the Yuba County Ordinance Code, State law or federal law.

Yuba County Code § 7.36.310(a)(10)
Anything which is indecent offensive to the senses, or an obstruction to the free use of property, so as to unreasonably interfere with the comfortable enjoyment of life or property, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, river, bay, stream, canal, or basin, or of any public park, square, street or highway, and which at the same time affects an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals and/ or property may be unequal.

YUBA COUNTY ORDINANCE CODE CHAPTER 7.40, MARIJUANA CULTIVATION (1522)

7.40.200 Conditions Creating Public Nuisance
A public nuisance shall be deemed to exist when any of the following conditions or circumstances is present:

a. *Any person owning, leasing, occupying or having charge or possession of any parcel of land within the unincorporated area of the County to cause or allow such parcel of land to be used for the cultivation of marijuana in violation of the provisions contained herein or any provisions set forth in Division 10 of the California Health and Safety Code.*
b. *The cultivation of marijuana on a parcel that does not have an occupied legally established residence in conformance with the Yuba County Ordinance Code.*
c. *The cultivation of marijuana on a parcel by anyone other than a qualified patient or a primary caregiver.*
d. *Marijuana plants in public view as defined in Section 7.40.140 of this Chapter.*

e. *Marijuana plants accessible to a minor (under the age of 18).*
f. *The cultivation of marijuana in a manner that exceeds the exceptions of Section 7.40.300 of this Chapter.*
g. *The improper use, storage and/or disposal (per the manufacturer's instructions and/or any law that governs same) of chemicals, fertilizers, gas products (CO2, butane, etc.) or any other products or equipment associated with the cultivation of marijuana.*
h. *Any violation of any Ordinance or State law or any public nuisance defined or known at common law or in equity jurisprudence.*

7.40.300 Exceptions

This ordinance shall not apply to cultivation where all of the following conditions are met:

a. *The cultivation occurs on a parcel with an occupied legally established residence, and*
b. *The cultivation is conducted by one or more qualified patients or primary caregivers and at least one of the plants being cultivated is for the qualified patient or primary caregiver who occupies the dwelling as their physical and legal place of residence, and*
c. *The defined areas of cultivation are in accordance with this section and sections 7.40.310, 7.40.320, and 7.40.330 of this Chapter, there is not more than one outdoor defined area of cultivation per parcel and not more than one indoor defined area of cultivation as allowed for in this Chapter, and*
d. *The cultivation does not exceed the marijuana plant quantities listed below:*
    1. *For parcels less than one (1) acre in size with one residence, there is a combined limit of indoor and outdoor cultivation of no more than 18 marijuana plants. Of that total, only 12 can be mature marijuana plants. A maximum of 6 of the 12 mature marijuana plants can be cultivated outdoors.*
    2. *For parcels one (1) acre but less than five (5) acres in size with one residence, there is a combined limit of indoor and outdoor cultivation of no more than 30 marijuana plants. Of that total, only 18 can be mature marijuana plants. Mature marijuana plants can all be cultivated outdoors or a combination of outdoors and indoors.*
    3. *For parcels five (5) acres but less than twenty (20) acres in size with one residence, there is a combined limit of indoor and outdoor cultivation of no more than 60 marijuana plants. Of that total, only 36 can be mature marijuana plants. Mature marijuana plants can all be cultivated outdoors or a combination of outdoors and indoors.*

7.40.320 Outdoor Cultivation

a. *Outdoor cultivation of marijuana shall not occur outside a single defined area of cultivation, shall not be in public view, shall be surrounded by a fence as required by 7.40.330, and shall not be accessible to minors.*
b. *All outdoor cultivation shall not be located on parcels in a manner that increases the potential to create a public nuisance, and shall reduce the potential by:*
    1. *First and foremost, locating the area of cultivation on the parcel as far away as possible from neighboring residences, and*
    2. *Locating the area of cultivation on the parcel as close as possible to the cultivator's residence for security purposes, but taking into consideration the need to keep the cultivation away from neighboring residences,*

c. *Outdoor cultivation of marijuana shall not be located within:*
   1. *Ten (10) feet of the property line and within three hundred (300) feet of a school, school bus stop, park, or youth-oriented facility on parcels less than one (1) acre in size.*
   2. *Fifty (50) feet of the property line and within six hundred (600) feet of a school, school bus stop, park, or youth-oriented facility on parcels one (1) acre but less than five (5) acres in size.*
   3. *One hundred (100) feet of the property line and within one thousand (1,000) feet of a school, school bus stop, park, or youth-oriented facility on parcels five (5) acres but less than twenty (20) acres in size.*
   4. *Two hundred (200) feet of the property line and within one thousand (1,000) feet of a school, school bus stop, park, or youth-oriented facility on parcels twenty (20) acres or more in size.*

d. *The distances specified in this section shall be the horizontal distance measured in a straight line to the closest area in which the medical marijuana is cultivated.*

YUBA COUNTY ORDINANCE CODE CHAPTER 12.01, (ZONING) GENERAL PROVISIONS (906)

12.01.050 Permitted Uses Only

No structure or part thereof shall be erected, altered, or enlarged nor shall any site or structure be used, designated or intended for use other than the uses hereinafter listed as permitted or conditional in the zone in which such structure, land or premises is located. Such use shall not be caused or allowed by the property owner or by any person or persons utilizing the property with or without the permission of the property owner.

YUBA COUNTY ORDINANCE CODE CHAPTER 10.20, REGULATING THE EMPLACEMENT OF TRAVEL TRAILERS AND MOTOR HOMES AS TEMPORARY RESIDENCES (1455)

10.20.030 Permit Required.

No person shall emplace or occupy as a place of human habitation any travel trailer or motor home regulated by this Chapter unless and until a travel trailer or motor home Emplacement Permit is issued by the Building Official, and only during the term of such permit.

Recommendation:

The evidence and testimony given clearly show violations of the Yuba County Ordinance Code and those violations constitute a public nuisance. I respectfully request that the Yuba County Board of Supervisors:

1. Confirm the existence of a public nuisance;
2. Confirm the Administrative Penalty;
3. Confirm enforcement costs of $13,213.82 assessed to date (see **Attachment F – Cost Accounting**) and order payment within 30 days of your decision
4. Order that where the enforcement costs go unpaid for 30 days, an abatement lien shall be recorded and a special tax assessment be placed; an additional $465.00 will be added to the accounting for recordation costs to be paid to the Recorder's Officer.

The County Of Yuba

Community Development & Services Agency

CODE ENFORCEMENT

Telephone: (530) 749-5455 Fax: (530) 749-5616

915 8th Street, Suite 123, Marysville, California 95901

NOTICE AND ORDER TO ABATE PUBLIC NUISANCE

MMJ14-0098

MOHAMMAD A KHAN & LUCY SALVA
[redacted]

ALFREDO CARDENAS
[redacted]

RE: NO ADDRESS ASSIGNED – VACANT PARCEL
APN: 019-200-088
LEGAL DESCRIPTION: L-19 HAMON AC

PLEASE TAKE NOTICE: that the use and condition of the subject property has been determined by Yuba County Code Enforcement to violate the Yuba County Ordinance Code and is therefore declared a public nuisance. The conditions that create a public nuisance on said property are as follows:

1. **Yuba County Code § 7.36.310(a)(1)** *Anything which is injurious to health, poses a significant potential to cause economic and/or physical injury or damage to persons or property, or constitutes a significant detriment to the prevention or suppression of fire, or significantly interferes with the provision of emergency services to the public,* to wit:
   A. Cultivating marijuana in violation of the provisions set forth in Chapter 7.40 of the Yuba County Ordinance Code
   B. Emplacement and occupancy of a 5th wheel travel trailer
   C. Utilizing accessory uses without first establishing a primary use

2. **Yuba County Code § 7.36.310(a)(5)** *The maintenance or use of any real property in violation of any provision of the Yuba County Ordinance Code, State law or federal law,* to wit:
   A. Cultivating marijuana on a parcel of at least one (1) acre but not greater than five (5) acres in size in violation of Yuba County Ordinance Code Chapter 7.40 including but not limited to, the following violations:
   A.1. Cultivating marijuana on a parcel that does not have an occupied, legally established residence (7.40.200:b)
   A.2. Mature plants in excess of 18 plants (7.40.200:f)

Attachment A

B. Emplacement and occupancy of a 5th wheel travel trailer as a place of human habitation in violation of Chapter 10.20 of the Yuba County Ordinance Code
C. Conducting activities on a site which are not permitted uses in the Agricultural Exclusive Zone in violation of Chapter 12.01 et seq., of the Yuba County Ordinance Code as described in 1.C. above

3. **Yuba County Code § 7.36.310(a)(10)** *Anything which is indecent offensive to the senses, or an obstruction to the free use of property, so as to unreasonably interfere with the comfortable enjoyment of life or property, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, river, bay, stream, canal, or basin, or of any public park, square, street or highway, and which at the same time affects an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals and/ or property may be unequal.*

YOU ARE HEREBY ORDERED to correct or remove all violations from subject property on or before September 26, 2014. Administrative Penalties in the amount of **$5,400.00** per day pursuant to Yuba County Code § 7.40.440 (d) have begun to accrue and will continue to accrue until the date compliance with the Order has been met and verified by the Enforcing Officer.

If you disagree with the determination that a public nuisance exists on the subject property, you have the right to a hearing to show cause, if any, why the use of said real property should not be found to be a public nuisance and abated pursuant to the Yuba County Code. You may request a hearing by filing a written request for a hearing with the Yuba County Code Enforcement office, whose address appears above, within 10 calendar days of the date of this Notice. A $4,116.00 deposit, pursuant to Yuba County Ordinance Code § 13.20.500, shall accompany the written request. Even if you do not request a hearing with respect to the existence of a public nuisance, you may contest the Administrative Penalties by filing a written request for a hearing solely to contest the imposition of the Administrative Penalties. A $4,116.00 deposit pursuant to Yuba County Ordinance Code § 13.20.500, shall accompany the written request.

If you do not request a hearing and fail to comply with the time requirements set forth, the County will abate the nuisance. If you request a hearing, and after such hearing a public nuisance is found to exist, you shall abate said violations as set forth in the Findings of Fact, Conclusions of Law, and Orders. Furthermore if the County abates the nuisance, you will be responsible for the actual costs of the abatement, and the Administrative Penalties, if any, which shall be paid within thirty (30) days from the date of the demand for payment. The "cost of abating a violation" shall include, but not be limited to, the county's attorneys' fees, the cost of the administrative hearing, the cost of prior time and expenses associated with bringing the matter to hearing, the cost associated with any appeals from the decision of the administrative hearing, the cost of judicially abating the violation, the cost of men and material necessary to physically abate the violation, and the cost of securing expert and other witnesses.

If such abatement costs are not paid within thirty (30) days of the date of the demand for payment therefore, such costs will become a lien against the subject property and will also be specially assessed against the property in the same manner as taxes. The abatement lien shall be recorded and shall have the same force and effect as an abstract of judgment, which is recorded as a money judgment obtained in a court of law. Special assessments have the same priority, for collection purposes, as other County taxes; and, if not paid, may result in a forced sale of your property.

If there is a hearing, and subject property is found to be in violation of any or all of the provisions stated above, the County will contend that you are bound by such finding at any subsequent and relative judicial action. If you fail to request a hearing, or appear at the hearing and fail to raise any defense or assert any relevant point at the time of hearing, the County will assert, in later judicial proceedings to enforce an order of abatement, that you have waived all rights to assert such defenses or such points.

IMPORTANT: READ THIS NOTICE CAREFULLY. FAILURE TO RESPOND WITHIN THE TIME SET FORTH IN THIS NOTICE WILL LIKELY RESULT IN ADMINISTRATIVE AND/OR JUDICIAL ABATEMENT AND TERMINATION OF USES OF, OR CONDITIONS ON YOUR PROPERTY WHICH THE ENFORCEMENT OFFICIAL CONTENDS ARE IN VIOLATION OF THE YUBA COUNTY ORDINANCE CODE.

CERTIFIED MAIL: **7013 1090 0000 2901 1813**
7013 1090 0000 2901 1820

DATED: **SEPTEMBER 24, 2014**

John Jacenich
Code Enforcement Officer

Encl: Excerpts from Yuba County Ordinance Code, Chapter 7.36
Billing Invoice # 613

CC: Post Property

Attachment A

County of Yuba

Code Enforcement Division
915 8th Street, Suite 123
Marysville, CA 95901
Phone: 530.749.5455

Billing Statement

DATE	INVOICE #
9/24/2014	613

BILL TO:
Mohammad A Khan
[redacted]

CASE INFORMATION

Number: MMJ14-0098
Officer: J. Jacenich
APN: 019-200-088
No Address Assigned- Vacant Parcel
Cert:7013 1090 0000 2901 1813 & 1820

TERMS	DUE DATE
Net 30	10/24/2014

SERVICE DATE	DESCRIPTION OF CHARGES	RATE	HOURS	AMOUNT
9/16/2014	Received Complaint, Opened Case	147.00	0.5	73.50
9/17/2014	Drive-by Inspection	147.00	0.5	73.50
9/18/2014	Inspection w/ YCSO	147.00	0.5	73.50
9/19/2014	Research Property Status	147.00	1	147.00
9/24/2014	Notice & Order to Abate Prep	1,470.00		1,470.00
9/24/2014	Billing Stmt, Notice & Order	0.00		0.00

FAILURE TO MAKE PAYMENT BY THE DUE DATE LISTED ABOVE WILL RESULT IN THE FOLLOWING LATE-PAYMENT PENALTIES:

Total **$1,837.50**

5 - 30 DAYS PAST DUE = 25%
31 + DAYS PAST DUE = 50%

Attachment A

FORMS OF PAYMENT ACCEPTED: CHECK, MONEY ORDER, CASHIER CHECK, CREDIT & DEBIT CARDS.
REMIT PAYMENT TO CDSA, ATTENTION: ACCOUNTS RECEIVABLE. (VISA CREDIT CARD NOT ACCEPTED)

COUNTY OF YUBA

PROOF OF SERVICE

I served a copy of the foregoing **Notice and Order No. MMJ14-0098** with attachments on the following persons by:

☐ Personally **delivering** a copy to:
Name:
Address:
Date:
Time:

☒ **Mailing,** postage prepaid, Certified/Return Receipt Requested & First Class Mail to the **property owner**:
Name: Mohammad A Khan & Lucy Salva
Address: 4911 Olivehurst Avenue, Olivehurst CA 95961
Date of Delivery to Post Office: September 24, 2014
Registration No.: 7013 1090 0000 2901 1813

☒ **Mailing**, postage prepaid, Certified/Return Receipt Requested and First Class Mail to the **cultivator**(s):
Name: Alfredo Cardenas
Address: 1787 Reed Road, Yuba City CA 95993
Date of Delivery to Post Office: September 24, 2014
Registration No.: 7013 1090 0000 2901 1820

☐ **Posting** a copy of the Notice and Order at:
Address:
APN:
Date and Time of Posting:
Location Posted:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on September 24, 2014 at Marysville, California.

Signed M LaFranchi

Community Development & Services Agency
Code Enforcement Division
Marie LaFranchi
915 8th Street, Suite #123
Marysville CA. 95901
(530) 749-5455

Attachment B

COUNTY OF YUBA

PROOF OF SERVICE

I served a copy of the foregoing **Notice and Order No. MMJ14-0098** with attachments on the following persons by:

☐ Personally **delivering** a copy to:
Name:
Address:
Date:
Time:

☐ **Mailing**, postage prepaid, Certified/Return Receipt Requested to the **property owner**:
Name:
Address:
Date of Delivery to Post Office:
Registration No.:

☐ **Mailing**, postage prepaid, Certified/Return Receipt Requested to the **tenant**(s):
Name:
Address:
Date of Delivery to Post Office:
Registration No.:

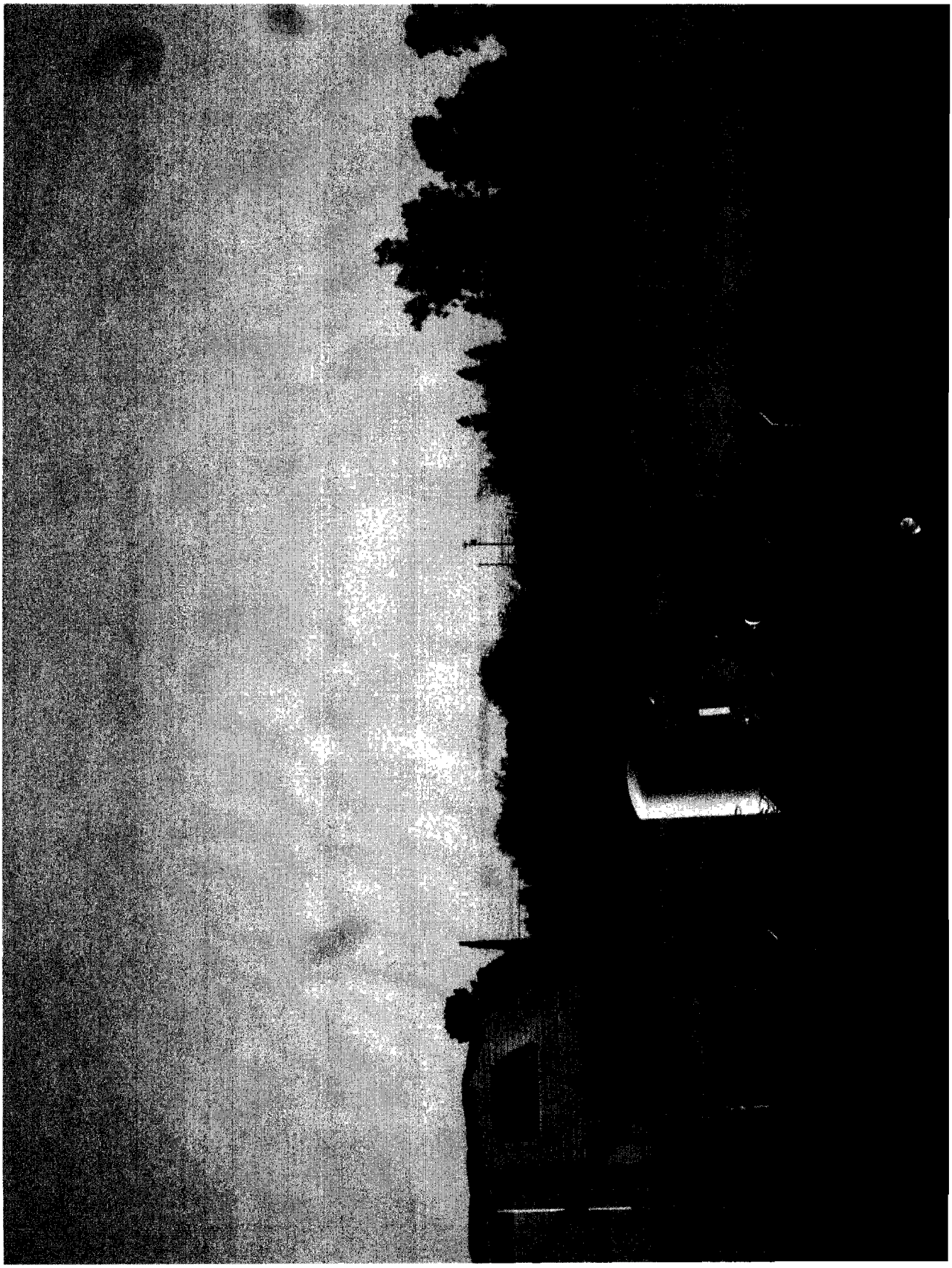
☐ **Mailing**, postage prepaid, Certified/Return Receipt Requested to the **lien holder**(s):
Name:
Address:
Date of Delivery to Post Office:
Registration No.:

☒ **Posting** a copy of the Notice and Order at:
Address: Sun Avenue, Vacant Land
APN: 019-200-088
Date and Time of Posting: September 24, 2014, 1600 Hours.
Location Posted: Gate to the entrance of the property.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on September 24, 2014 at Marysville, California.

Signed _____

John Jacenich
915 8th Street, Suite #123
Marysville CA. 95901
(530) 749-5455







ADMINISTRATIVE PENALTY WORKSHEET

Case #: MMJ14-0098
APN: 019-200-088

Owner: MOHAMMAD A KHAN & LUCY SALVA

Situs: NO ADDRESS ASSIGNED – VACANT PARCEL

Dates	7.40.440c.	Qty X Amount	Total per Day
Commenced on 9/24/14	Number of Plants	49 X $100.00	$4,900.00
	Violation of Ordinance – 7.40.200:a	$100.00	$100.00
	Lack of Dwelling – 7.40.200:b	$100.00	$100.00
	Number of Plants – 7.40.200:f	$100.00	$100.00
	Violation of Other Ordinance Occupied RV – 7.40.200:h	$100.00	$100.00
	Violation of Other Ordinance Acc Use – 7.40.200:h	$100.00	$100.00
		Total:	**$5,400.00**

Attachment D

AURORA LITIGATION & CONSULTING
A New Dawn in Legal Representation
Charnel James, Esq

October 6, 2014

RECEIVED
OCT 06 2014
COMMUNITY DEVELOPMENT
& SERVICES AGENCY

County of Yuba
Community Development & Services Agency
915 8th Street, Ste. 123
Marysville, CA 95901

RE: APN: 019-200-088; Vacant Parcel – MMJ14-0098

Dear Sirs,

I represent Mohammad Khan, the owner of the above referenced property. We have received your notice and order to abate public nuisance, dated September 24, 2014. Mr. Khan received this letter on the 24, 2014, had the unauthorized person removed from the property that day and attempted to have code compliance inspect that day, however they did not come out until the next business day to inspect.

We are appealing both the lack of notice of violation on this property (as per the Yuba City Code) and the fines that were assessed. In particular the fines that were assess as this was a significant fine for a property that is a vacant lot, had an unauthorized person on the lot, and it was abated the day of the notice, and it was the lack of timely response by code enforcement that increased this fine.

Please find the attached deposit of $4,116 pursuant to Yuba County Ordinance Code §13.20.500, that is accompanying this request for a hearing.

Sincerely,

Charnel James
Attorney at Law

500 Olive Street
Marysville, CA 95901
cjames@auroralitigation.com

main 530-219-1833
fax 530-392-4065
www.auroralitigation.com

YUBA COUNTY CODE ENFORCEMENT
COST ACCOUNTING

Date: December 9, 2014

Case #: MMJ14-0098 APN: 019-200-088

Owner: Mohammad A Khan & Lucy Salva
Situs: Vacant Lot off Sun Avenue, East Linda, CA

Date	Reason for Charge	Hours	Total
9/16/2014	Received Complaint, Opened CAse	0.50	73.50
9/17/2014	Initial Inspection	0.50	73.50
9/18/2014	Inspection with Sheriff's Department	0.50	73.50
9/19/2014	Research Property	1.00	147.00
9/24/2014	Phone Call from Tenant	0.50	73.50
9/25/2014	Inspection	0.50	73.50
9/26/2014	Inspection	0.50	73.50
10/1/2014	Demand for Payment Prep	0.50	73.50
	Total Staff Hours Billed at $147.00 per Hour	**4.5**	**$661.50**
9/24/2014	Notice & Order to Abate		1,470.00
9/24/2014	Administrative Penalties @ $5,400.00 Per Day, 2 Days		10,800.00
9/26/2014	Administrative Penalties @ $200.00 Per Day, 1 Day		200.00
10/1/2014	Notice of Non-Compliance		147.00
10/1/2014	CDSA Processing Fee, One Document		73.50
10/6/2014	Appeal Hearing Deposit Fee		4,116.00
10/6/2014	Appeal Hearing Deposit Payment Received		(4,116.00)
10/17/2014	Payment Received on Account (Invoice # 613)		(1,837.50)
12/9/2014	Public Nuisance Cost Accounting Hearing		1,470.00
12/9/2014	CDSA Support Fees		229.32
		Total	**$13,213.82**

THIS PAGE INTENTIONALLY LEFT BLANK

The County Of Yuba

Community Development & Services Agency

CODE ENFORCEMENT

Telephone: (530) 749-5455 Fax: (530) 749-5434

915 8th Street, Suite 123, Marysville, California 95901

NOTICE OF HEARING

MMJ14-0098

MOHAMMAD ARSHAD KHAN & LUCY SALVA
[redacted]

YOU ARE HEREBY NOTIFIED to appear before the Yuba County Board of Supervisors at 915 8th Street, Marysville, California, in the Board of Supervisors Chambers, on December 9th, 2014, at the hour of 9:30a.m., or as soon thereafter as the matter may be heard, to show cause, if any there may be, why a public nuisance should not be found to exist, and the administrative penalty should not be assessed, pursuant to the Notice and Order to Abate Public Nuisance, dated September 24, 2014.

If you fail to appear at the hearing or if you fail to raise any defense or assert any relevant points at the hearing, the County will assert that you have waived all rights to assert such defenses or rights.

At the hearing, you may present evidence and witnesses in your behalf and you may examine any witnesses who present evidence. You may appear personally or have a representative appear at the hearing in your behalf.

Dated: November 21, 2014

Certified Mail # 7013-1090-0000-2901-2803

ENFORCEMENT OFFICIAL FOR THE
COUNTY OF YUBA

BY: _____
Jeremy Strang

Attachment: REQUEST FOR HEARING, dated October 6, 2014

CC: Aurora Litigation & Consulting, Attn: Charnel James, 500 Olive Street, Marysville, CA 95901

COUNTY OF YUBA

PROOF OF SERVICE

I served a copy of the foregoing **Notice of Hearing** (MMJ14-0098) on the following persons by:

☐ Personally **delivering** a copy to:
Name:
Address:
Date:
Time:

☒ **Mailing**, postage prepaid, Certified/Return Receipt Requested and First Class Mail to the **property owners**:
Name: Mohammad A Khan & Lucy Salva
Address: 4911 Olivehurst Avenue, Olivehurst, CA 95961
Date of Delivery to Post Office: November 21, 2014
Registration No.: 7013-1090-0000-2901-2803

☐ **Mailing**, postage prepaid, Certified/Return Receipt Requested and First Class Mail to the **tenant**(s):
Name:
Address:
Date of Delivery to Post Office:
Registration No.:

☒ **Mailing**, postage prepaid, First Class Mail to the **attorney**(s):
Name: Aurora Litigation & Consulting, Attn: Charnel James
Address: 500 Olive Street, Marysville, CA 95901
Date of Delivery to Post Office: November 21, 2014

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on November 21, 2014 at Marysville, California.

Signed 

Community Development & Services Agency
Code Enforcement Division
Melanie Marquez
915 8th Street, Suite #123
Marysville CA. 95901
(530) 749-5455

CORRESPONDENCE



THIS PAGE INTENTIONALLY LEFT BLANK

A

541-14

RECEIVED

NOV 19 2014

Clerk/Board of Supervisors

cc: COSA

Nevada Joint Union High School District

Innovative **Educational** Communities

November 17, 2014

CERTIFIED MAIL

Yuba County Board of Supervisors
215 Fifth Street
Marysville, CA 95901

SUBJECT: School District Certification Before Issuing Building Permits

The Governing Board of the Nevada Joint Union High School District on November 12, 2014, adopted Resolution No. 07-14/15 (attached) increasing its developer fees on assessable residential construction from $2.97 per square foot to $3.36 per square foot and also increasing its fee on new commercial and industrial construction form $0.47 to $0.54 per square foot. This resolution was adopted pursuant to Education Code sections 17620 *et seq.*, and will take effect on January 12, 2015.

In the Resolution, the Board of Trustees specified that the collection of the fee is not subject to the restriction contained in Government Code section 66007(a). Accordingly, under Education Code section 17620(b), you cannot issue a building permit for any development absent certification from the District that the development project has complied with the fee levied by the District.

This letter is to inform you that the District's fee will be imposed on residential developments in the amount of $3.36 per square foot of assessable residential construction and on all new commercial and industrial development in the amount of $0.54 per square foot of chargeable covered and enclosed construction in accordance with Education Code section 17620 and Government Code section 65995.

Please alert your staff that no building permits for any residential construction or commercial/industrial construction within the boundaries of the District may be issued after January 12, 2015 unless the applicant has a certification from the District that the appropriate fee has been paid.

The District will continue to use its customary certification form and fees will be collected before the building permit is issued. Thank you for your cooperation.

Sincerely,

Karen L. Suenram
Assistant Superintendent, Business

KS:js
Attachments

BOS CORRESPONDENCE A

RESOLUTION NO. 07-14/15 (November 12, 2014, Regular Meeting)
A RESOLUTION OF THE GOVERNING BOARD OF THE NEVADA JOINT UNION HIGH SCHOOL DISTRICT INCREASING SCHOOL FACILITIES FEES AS AUTHORIZED BY GOVERNMENT CODE SECTION 65995 (b) 3

WHEREAS, Statute AB 2926 (Chapter 887/Statutes of 1986) authorizes the governing board of any school district to levy a fee, charge, dedication or other form of requirement against any development project for the reconstruction of school facilities; and,

WHEREAS, Government Code Section 65995 establishes a maximum amount of fee that may be charged against such development projects and authorizes the maximum amount set forth in said section to be adjusted for inflation every two years as set forth in the state-wide cost index for Class B construction as determined by the State Allocation Board at its January meeting; and,

WHEREAS, at its January 22, 2014, meeting, the State Allocation Board maintained the maximum fee authorized by Education Code Section 17620 to $3.36 per square foot of residential construction described in Government Code Section 65995(b)(1) and $0.54 per square foot against commercial and industrial construction described in Government Code Section 65995(b)(2); and,

WHEREAS, the purpose of this Resolution is to approve and adopt fees on residential projects in the amount of $3.36 per square foot as authorized by Education Code Section 17620; and,

WHEREAS, the purpose of this Resolution is to approve and adopt fees on commercial and industrial development projects in the amount of $0.54 per square foot as described in Government Code Section 65995(b)(2). The mini-storage category of commercial/industrial justification has less impact than the statutory $0.54 per square foot commercial/industrial justification and should be collected at the justified rate of $0.03 per square foot.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Governing Board of the Nevada Joint Union High School District as follows:

1. Procedure. This Board hereby finds that prior to the adoption of this Resolution, the Board conducted a public hearing at which oral and written presentations were made, as part of the Board's regularly scheduled October 8, 2014, meeting. Notice of the time and place of the meeting, including a general explanation of the matter to be considered, has been published twice in a newspaper in accordance with Government Code Section 66016, and a notice, including a statement that the data required by Government Code Section 66016 was available, was mailed at least 14 days prior to the meeting to any interested party who had filed a written request with the District for mailed notice of the meeting on new fees or service charges within the period specified by law. Additionally, at least 10 days prior to the meeting, the District made available to the public, data indicating the amount of the cost, or estimated cost, required to provide the service for which the fee or service charge is to be adjusted pursuant to this Resolution, and the revenue sources anticipated to provide this service. By way of such public meeting, the Board received oral and written presentations by District staff which are summarized and contained in the District's Developer Fee Implementation Study dated August 20, 2014, (hereinafter referred to as the "Plan") and which formed the basis for the action taken pursuant to this Resolution.

2. Findings. The Board has reviewed the Plan as it relates to proposed and potential development, the resulting school facilities needs, the cost thereof, and the available sources of revenue including the fees provided by this Resolution, and based thereon and upon all other written and oral presentations to the Board, hereby makes the following findings:

   A. Additional development projects within the District, whether new residential construction or residential reconstruction involving increases in assessable area greater than 500 square feet, or new commercial or industrial construction will increase the need for reconstruction of school facilities.

B. Without reconstruction of present school facilities, any further residential development projects or commercial or industrial development projects within the District will result in a significant decrease in the quality of education presently offered by the District;

C. The fees proposed in the Plan and the fees implemented pursuant to this Resolution are for the purposes of providing adequate school facilities to maintain the quality of education offered by the District;

D. The fees proposed in the Plan and implemented pursuant to this Resolution will be used for the reconstruction of school facilities as identified in the Plan;

E. The uses of the fees proposed in the Plan and implemented pursuant to this Resolution are reasonably related to the types of development projects on which the fees are imposed;

F. The fees proposed in the Plan and implemented pursuant to this Resolution bear a reasonable relationship to the need for reconstructed school facilities created by the types of development projects on which the fees are imposed;

G. The fees proposed in the Plan and implemented pursuant to this Resolution do not exceed the estimated amount required to provide funding for the reconstruction of school facilities for which the fees are levied; and in making this finding, the Board declares that it has considered the availability of revenue sources anticipated to provide such facilities, including general fund revenues;

H. The fees imposed on commercial or industrial development bear a reasonable relationship and are limited to the needs of the community for schools and are reasonably related and limited to the need for reconstructed school facilities caused by the development;

I. The fees will be collected for school facilities for which an account has been established and funds appropriated and for which the district has adopted a reconstruction schedule and/or to reimburse the District for expenditures previously made.

3. Fee. Based upon the foregoing findings, the Board hereby increases the previously levied fee to the amount of $3.36 per square foot for assessable space for new residential construction and for residential reconstruction to the extent of the resulting increase in assessable areas; and to the amount of $0.54 per square foot for new commercial or industrial construction. The mini-storage category of commercial/industrial justification has less impact than the statutory $0.54 per square foot commercial/industrial justification and should be collected at the justified rate of $0.03 per square foot.

4. Fee Adjustments and Limitation. The fees adjusted herewith shall be subject to the following:

A. The amount of the District's fees as authorized by Education Code Section 17620 shall be reviewed every two years to determine if a fee increase according to the adjustment for inflation set forth in the statewide cost index for Class B construction as determined by the State Allocation Board is justified.

B. Any development project for which a final map was approved and construction had commenced on or before September 1, 1986, is subject only to the fee, charge, dedication or other form of requirement in existence on that date and applicable to the project.

C. The term "development project" as used herein is as defined by Section 65928 of the Government Code.

5. Additional Mitigation Methods. The policies set forth in this Resolution are not exclusive and the Board reserves the authority to undertake other or additional methods to finance school facilities including but not limited to the Mello-Roos Community Facilities Act of 1982 (Government Code Section 53311, et seq.) and such other funding mechanisms. This Board reserves the authority to substitute the dedication of land or other property or other form of requirement in lieu of the fees levied by way of this Resolution at its discretion, so

long as the reasonable value of land to be dedicated does not exceed the maximum fee amounts contained herein or modified pursuant hereto.

6. Implementation. For residential, commercial or industrial projects within the District, the Superintendent, or the Superintendent's designee, is authorized to issue Certificates of Compliance upon the payment of any fee levied under the authority of this Resolution.

7. California Environmental Quality Act. The Board hereby finds that the implementation of Developer Fees is exempt from the California Environmental Quality Act (CEQA).

8. Commencement Date. The effective date of this Resolution shall be January 12, 2015 which is more than 60 days following its adoption by the Board.

9. Notification of Local Agencies. The Secretary of the Board is hereby directed to forward copies of this Resolution and a Map of the District to the Planning Commission and Board of Supervisors of Nevada County and to the Planning Commission and City Council of the City of Nevada City and Grass Valley.

10. Severability. If any portion of this Resolution is found by a Court of competent jurisdiction to be invalid, such finding shall not affect the validity of the remaining portions of this Resolution. The Board hereby declares its intent to adopt this Resolution irrespective of the fact that one or more of its provisions may be declared invalid subsequent hereto.

APPROVED, PASSED and ADOPTED by the Governing Board of the Nevada Joint Union High School District this 12th day of November, 2014, by the following vote:

AYES: 3

NOES: 1

ABSENT: 0

ABSTAIN: 1

Katy Schwarz
President, Governing Board
Nevada Joint Union High School District

ATTEST:

Louise Johnson
Louise Johnson, Ed.D.
Secretary, Governing Board

STATE OF CALIFORNIA NATURAL RESOURCES AGENCY
EDMUND G. BROWN JR., Governor
DEPARTMENT OF FISH AND WILDLIFE
WILDLIFE CONSERVATION BOARD
1807 13TH STREET, SUITE 103
SACRAMENTO, CALIFORNIA 95811
(916) 445-8448
FAX (916) 323-0280
www.wcb.ca.gov

RECEIVED
NOV 26 2014
Clerk/Board of Supervisors
COPY OF REFERENCED DOCUMENT ON FILE WITH CLERK OF THE BOARD

State of California
Natural Resources Agency
California Department of Fish and Wildlife
WILDLIFE CONSERVATION BOARD
Minutes

August 28, 2014

ITEM NO.		PAGE NO.
1.	Roll Call	1
2.	Funding Status - Informational	4
3.	Special Project Planning Account - Informational	13
4.	Proposed Consent Calendar (Items 5 – 14)	13
*5.	Approval of Minutes – May 22, 2014	14
*6.	Recovery of Funds	15
*7.	Swiss Ranch Conservation Easement, Expansion 5, Calaveras County	18
*8.	Santa Cruz Long-toed Salamander (King), Santa Cruz County	22
*9.	San Joaquin River Parkway, Sycamore Island Pond Isolation, Planning and Design Augmentation, Madera/Fresno County	26
*10.	San Joaquin River Parkway, San Joaquin Hatchery Public Access and Trail Augmentation, Fresno County	30
*11.	Amargosa Tecopa Hot Springs, Expansions 1 – 3, Inyo County	34

BOS CORRESPONDENCE

ITEM NO.		PAGE NO.
*12.	Allensworth Ecological Reserve, Expansion 41 - 49, Tulare County	39
*13.	Western Riverside MSHCP (2013) - North Peak El Toro, Riverside County	43
*14.	Western Riverside MSHCP (2013) - Patterson, Riverside County	47
15.	Sacramento River Boating Access, Red Bluff River Park, Tehama County	51
16.	Leininger Ranch Habitat Improvement, Tehama County	55
17.	Truckee River Watershed Forest Enhancement, Sierra/Nevada County	59
18.	American Basin Conservation Easement (High Ridge Ranch), Yuba County	66
19.	El Dorado Ranch Phase 1B El Dorado County	71
20.	Mark West Creek (McCullough II), Sonoma County	76
21.	Martinelli Ranch Conservation Easement, Marin County	76
22.	Alameda County Stock Pond Habitat Enhancement, Alameda County	81
23.	San Vicente Redwoods (Cemex) Forest Conservation Easement, Santa Cruz County	86
24.	San Joaquin River Parkway, Owl Hollow Improvements, Fresno County	94

ITEM NO.		PAGE NO.
*12.	Allensworth Ecological Reserve, Expansion 41 - 49, Tulare County	39
*13.	Western Riverside MSHCP (2013) - North Peak El Toro, Riverside County	43
*14.	Western Riverside MSHCP (2013) - Patterson, Riverside County	47
15.	Sacramento River Boating Access, Red Bluff River Park, Tehama County	51
16.	Leininger Ranch Habitat Improvement, Tehama County	55
17.	Truckee River Watershed Forest Enhancement, Sierra/Nevada County	59
18.	American Basin Conservation Easement (High Ridge Ranch), Yuba County	66
19.	El Dorado Ranch Phase 1B El Dorado County	71
20.	Mark West Creek (McCullough II), Sonoma County	76
21.	Martinelli Ranch Conservation Easement, Marin County	76
22.	Alameda County Stock Pond Habitat Enhancement, Alameda County	81
23.	San Vicente Redwoods (Cemex) Forest Conservation Easement, Santa Cruz County	86
24.	San Joaquin River Parkway, Owl Hollow Improvements, Fresno County	94

ITEM NO.		PAGE NO.
25.	Salinas River Riparian Enhancement, Monterey County	98
26.	Cayucos Fishing Pier Replacement, San Luis Obispo County	103
27.	Pismo Preserve, San Luis Obispo County	106
28.	Careaga Canyon Ranch Conservation Easement, Santa Barbara County	111
29.	Gateway Ranch, Los Angeles County	111
30.	CDFW Vegetation Classification and Mapping, Phase II, Statewide	116
31.	Strategic Plan	120
**32	Executive Session (Not Open to the Public)	121

STATE OF CALIFORNIA NATURAL RESOURCES AGENCY
EDMUND G. BROWN JR., Governor
DEPARTMENT OF FISH AND WILDLIFE
WILDLIFE CONSERVATION BOARD
1807 13TH STREET, SUITE 103
SACRAMENTO, CALIFORNIA 95811
(916) 445-8448
FAX (916) 323-0280
www.wcb.ca.gov

WILDLIFE CONSERVATION BOARD

August 28, 2014

The Wildlife Conservation Board met on Thursday, August 28, 2014, at the State Capitol, Room 112, in Sacramento, California. Mr. Charlton H. Bonham, Director of the California Department of Fish and Wildlife and the Chairman of the Wildlife Conservation Board, called the meeting to order at 10:30 A.M. Mr. John Donnelly, Executive Director of the Wildlife Conservation Board, performed the roll call.

1. Roll Call

WILDLIFE CONSERVATION BOARD MEMBERS

Charlton H. Bonham, Chair
Director, Department of Fish and Wildlife

Michael Sutton, Member
President, Fish and Game Commission

JOINT LEGISLATIVE ADVISORY COMMITTEE

Senator Fran Pavley
Vice Katharine Moore

EXECUTIVE DIRECTOR

John P. Donnelly

ITEM NO.		PAGE NO.
25.	Salinas River Riparian Enhancement, Monterey County	98
26.	Cayucos Fishing Pier Replacement, San Luis Obispo County	103
27.	Pismo Preserve, San Luis Obispo County	106
28.	Careaga Canyon Ranch Conservation Easement, Santa Barbara County	111
29.	Gateway Ranch, Los Angeles County	111
30.	CDFW Vegetation Classification and Mapping, Phase II, Statewide	116
31.	Strategic Plan	120
**32	Executive Session (Not Open to the Public)	121

Department of the Interior
U.S. Fish & Wildlife Service
Sacramento Fish and Wildlife Office
2800 Cottage Way, Room W-2605
Sacramento, CA 95825

Phone: 916/414-6600
Fax: 916/414-6713
Website: www.fws.gov/sacramento

News Release

December 1, 2014

Media Contacts:
Robert Moler, (916) 414-6606; robert_moler@fws.gov (California, Nevada, Arizona, New Mexico, Oklahoma and Texas)
Brent Lawrence, (503) 807-4886; brent_lawrence@fws.gov (Washington, Idaho, and Oregon)
Ryan Moehring, (303) 236-0345, ryan_moehring@fws.gov (Montana, Wyoming, Utah, and Colorado)

Public Hearing for Proposal to Designate Critical Habitat for Western Yellow-Billed Cuckoo to be Held in Sacramento CA December 18, 2014

Sacramento – Thursday, December 18, 2014, the U.S. Fish and Wildlife Service (Service) will hold a public hearing on the proposal to designate critical habitat for the western distinct population segment of the yellow-billed cuckoo (western yellow-billed cuckoo).

The public hearing will be held at the DoubleTree Inn; 2001 Point West Way; Sacramento, CA 95815 from 2 – 4 p.m. with doors opening at 1:30 p.m. for those wishing to register to speak at the hearing. At the public hearing, the Service will provide opening statements for 20 minutes that will be followed by a 90-minute opportunity for the public to provide verbal comments. The Service will end the hearing session with a few minutes of closing statements.

On August 15, 2014, the Service proposed to designate critical habitat for the western yellow-billed cuckoo (*Coccyzus americanus*) in 80 separate units in Arizona, California, Colorado, Idaho, Nevada, New Mexico, Texas, Utah and Wyoming. At that time, the Service opened an initial 60-day comment period that closed October 14, 2014. The Service reopened the public comment period November 12, 2014, for an additional 60 days that will close January 12, 2015.

Written and verbal testimony on the critical habitat proposal will be accepted at the public hearing. Written comments can also be submitted online at the Federal eRulemaking Portal at http://www.regulations.gov. The docket number for the proposed rule is FWS–R8–ES–2013–0011. Comments can also be sent by U.S. Mail or hand delivery: Public Comments Processing, Attn: FWS–ES–R8–2013–0011; Division of Policy and Directives Management; U.S. Fish and Wildlife Service; U.S. Fish & Wildlife Headquarters, MS: BPHC; 5275 Leesburg Pike, Falls Church, VA 22041-3803.

BOS CORRESPONDENCE C

The Service is seeking information concerning the habitat needs of the western yellow-billed cuckoo and information on the areas identified as proposed critical habitat for the species. The Service is also seeking information on the incremental economic effects of the proposed critical habitat and information on any potential exclusions from the final designation. To access the proposed critical habitat rule, detailed maps of the proposed critical habitat units, and a specific outline of information requested by the Service, please go to our webpage at: http://www.fws.gov/sacramento/outreach/Public-Advisories/WesternYellow-BilledCuckoo/outreach_PA_Western-Yellow-Billed-Cuckoo.htm.

The Service will review all public comments received during the public comment periods and the public hearing and will consider peer reviews of the proposal from independent experts before making a final decision. The Service listed the western yellow-billed cuckoo as a threatened species on October 3, 2014, and the rule went into effect on November 3, 2014. A final rule to designate critical habitat is expected in 2015.

The U.S. Fish and Wildlife Service is committed to providing access to this hearing for all participants. Please direct all requests for sign language interpreting services, close captioning, or other accommodation needs to Robert Moler, (916)414-6606, robert_moler@fws.gov, TTY 800-877-8339 with your request by close of business Wednesday, December 10.

The U.S. Fish and Wildlife Service works with others to conserve, protect, and enhance fish, wildlife, plants, and their habitats for the continuing benefit of the American people. For more information, visit www.fws.gov.
Connect with our Facebook page at http://www.facebook.com/usfwspacificsouthwest, follow our tweets at http://twitter.com/USFWSPacSWest, watch our YouTube Channel at http://www.youtube.com/usfws and download photos from our Flickr page at http://www.flickr.com/photos/usfws_pacificsw/

-FWS-

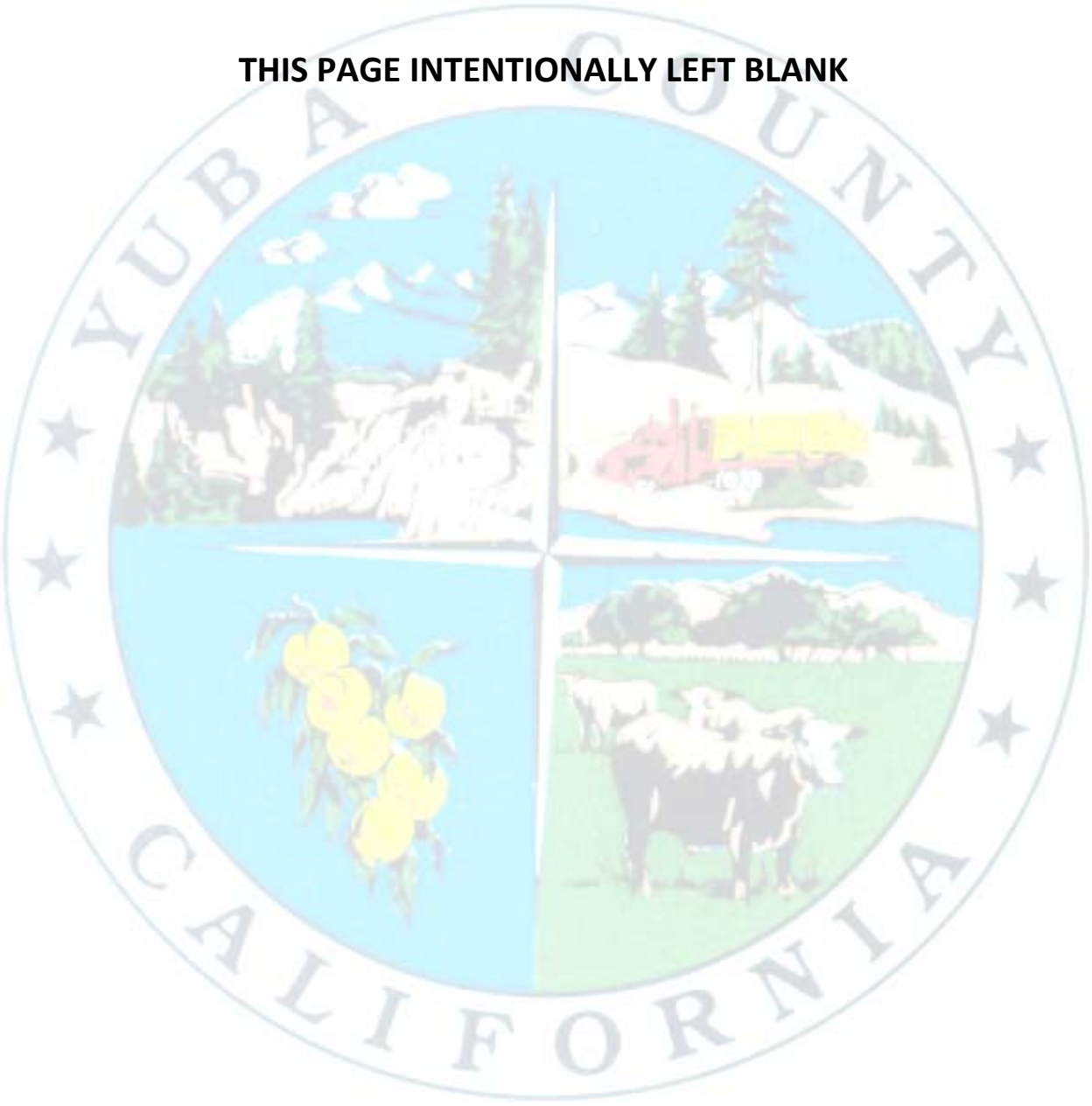


AFTERNOON

SESSION

1:30 P.M.

THIS PAGE INTENTIONALLY LEFT BLANK



Ms. Stottlemeyer and Ms. Ferris; Per my discussion with Ms. Ferris yesterday, here is brief summary of what I'd like to present to the Board on December 9.

The State Water Resources Control Board, the North Coast Regional Water Quality Control Board, the Central Valley Regional Water Quality Control Board (Water Boards) and the Department of Fish and Wildlife, recently initiated a cannabis cultivation enforcement initiative and pilot project with the objective of addressing and beginning to minimize the devastating impacts to California's surface and groundwater resources caused by cannabis cultivation. We have seen a dramatic increase in the number of cannabis gardens, and corresponding increases in impacts to water supply and water quality, including the discharge of sediments, pesticides, fertilizers, petroleum hydrocarbons, trash and human waste. The pilot project includes four important components; enforcement, education and outreach, multi-agency coordination and the development of a regulatory program. As the Director of the Office of Enforcement and the statewide lead for Water Boards, I will describe the scope and nature of the water quality and water supply problems caused by cannabis cultivation, our joint enforcement approach, how our regulatory program will likely look, our efforts to educate the regulated public on responsible practices and how we intend to leverage our resources by coordinating with local agencies and other state agencies.

Please let me know if you need more detail, or have any question, comments or concerns. Thanks! Cris

Christian Carrigan
Director, Office of Enforcement
State Water Resources Control Board
1001 I Street, Sacramento CA 95814
Cris.Carrigan@Waterboards.ca.gov
916 341-5272

THIS PAGE INTENTIONALLY LEFT BLANK

The County Of Yuba

OFFICE OF THE COUNTY COUNSEL

915 8TH Street, Suite 111
Marysville, California 95901
(530)749-7565
FAX (530)749-7513

ANGIL P. MORRIS-
COUNTY COUNSEL

JOHN R. VACEK
CHIEF DEPUTY

JOHN C. WHIDDEN
DEPUTY

BOBBIE ROSS TODD
DEPUTY

ERIKA J. STEDMAN
LEGAL SERVICES COORDINATOR

Date: December 9, 2014

To: Yuba County Board of Supervisors

From: John Vacek, Chief Deputy County Counsel
Jeremy Strang, Chief Code Enforcement Officer

Subject: Potential Changes to Chapter 7.40, Marijuana Cultivation

After the Yuba County Board of Supervisors, sitting as an adjudicatory body, had heard quite a number of nuisance abatement hearings and nuisance abatement cost accounting hearings, and after the Board of Supervisors had heard many citizen complaints and had received hundreds of signatures on a petition complaining about the County's present marijuana cultivation ordinance, staff was directed to prepare several draft ordinance modifications for the Board's consideration. Directions to staff were to prepare several ordinances for review, all of them to be substantially more restrictive than the present ordinance. At the regular Board of Supervisors meeting on November 18, 2014 several ordinances were discussed by the Board, including recent revisions in Butte County, Fresno County, Sacramento County, Shasta County, and the City of Live Oak.

Staff has prepared three draft ordinances, one based on the Shasta County ordinance that recently has gone into effect after rejection of a voter referendum that would have invalidated the ordinance, a second based upon a recently enacted Sacramento County ordinance, and a third based upon the total ban on cultivation seen in a recent ordinance in Fresno County. To simplify and summarize, the Shasta County model bans outdoor grows entirely, but allows limited (up to 12 plants) in a single permitted accessory structure (accessory to a residence, that is). Cultivation in a residence is not allowed in the Shasta model. In the Sacramento County model, outdoor grows are prohibited, but limited indoor (up to 9 plants) residential cultivation is allowed. Under the Fresno model, marijuana cultivation, indoors or outdoors, is prohibited. It should be noted that the numbers of plants in each of the draft ordinances that allow limited cultivation are simply the numbers from the county ordinance upon which the draft is modeled—those numbers are consistent, however, with the California Attorney General's guildelines on an appropriate number of plants for individual medical use (Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use, August 2008).

Background

In 2012 Yuba County adopted its first attempt at a marijuana cultivation ordinance. Adopted originally as Ordinance No. 1518, the ordinance was amended by Ordinance No. 1522 and integrated into the Yuba County Ordinance Code as Chapter 7.40. The Ordinance allows marijuana cultivation, both indoors and outdoors, with allowable plant counts dependent upon the parcel size. For parcels exceeding 20 acres, as many as 99 marijuana plants are allowed under the ordinance.

When the Ordinance was adopted, the Board of Supervisors took a "wait and see" approach—the continuance of the Ordinance in its present form would depend upon the level of compliance with the Ordinance and the overall effect it had on the welfare of the County. Since the Ordinance has been in effect, the effect on the County has been overwhelming. Compliance with the Ordinance has been abysmal, the County has been overwhelmed with the volume of complaints, and the County has acquired the reputation as a haven for marijuana growers. Since the Ordinance has been in place the number of marijuana grows, both in the foothills and on the valley floor, has increased. Staff has observed that many of those grows are not in compliance with the Ordinance. Many are not on parcels with a permitted residence, and many exceed allowable plant counts, sometimes by hundreds of plants.

Staff has observed illegal grading and illegal streambed diversions associated with marijuana grows. Attached is documentation of an example, a State of California, Department of Fish and Wildlife report on an illegal grow near Oregon House. Recent scientific research has documented the environmental damage associated with marijuana grows. See, for example, *Silent Forests,* The Wildlife Professional, Spring 2013, p. 47, an article on the devastating effects of the use of pesticides and rodenticides in marijuana cultivation. As evidenced by the presentation from the State Water Resources Control Board, marijuana cultivation has a significant deleterious effect on water quantity and water quality in Northern California. In addition the Board of Supervisors has heard evidence that land in Yuba County is being specifically marketed for the purpose of large scale marijuana cultivation. One man testified at a code abatement hearing on an illegal grow that he had moved his cultivation operation to Yuba County based on its reputation as being "pot friendly" and he had been assured by the seller of his property that his clearly illegal grow site would be "all good". In another abatement case, the property had clearly been marketed as a site for marijuana grow, even though it was completely out of compliance with the Ordinance.

The Yuba County Sheriff has advised the Board, since the adoption of the Ordinance, that some grow sites are being operated by persons that came from out of state for the sole purpose of growing marijuana. In the Sheriff's view, many of the marijuana grows in the County are being operated for commercial purposes. The Sheriff has also advised of numerous instances of thefts, burglaries, and robberies associated with marijuana grows in the County.

At the Board of Supervisors meeting on November 18, 2014 a group of citizens appeared and addressed the Board, expressing their extreme displeasure with the County's current Ordinance. The citizen's group advised the Board of the effect of marijuana cultivation on their neighborhoods and the quality of their lives and the lives of their families. A petition,

purportedly with hundreds of signatures, was provided to the Board requesting a change in the County's Ordinance. The citizen's group also indicated that the petition was still circulating and that hundreds more signatures could be expected.

The County's present Ordinance was passed, in part, to settle some pending litigation over the County's previous laws and policies concerning marijuana cultivation. Since the Ordinance was enacted the legal landscape has significantly changed and clarified. Several recent California Supreme Court or Court of Appeals cases have made it clear that local governments have the authority to restrict, or even prohibit, marijuana cultivation under their land use authority. In *Browne v. County of Tehama*, 213 Cal. App. 4th 704 (2013), the California Court of Appeal stated that "Neither the Compassionate Use Act nor the Medical Marijuana Program grants . . . anyone . . . an unfettered right to cultivate marijuana for medical purposes. Accordingly, the regulation of cultivation of medical marijuana does not conflict with either statute." Similarly, in *City of Riverside v. Inland Empire Patients Health & Wellness Center, Inc.*, 56 Cal. 4th 729 (2013), the California Supreme Court concurred that "Nothing in the CUA or the MMP expressly or impliedly limits the inherent authority of a local jurisdiction, by its own ordinances, to regulate the use of its land . . ." Additionally, in *Maral v. City of Live Oak* (2013), 221 Cal.App. 4th 975, 983, review denied 2014 Cal. LEXIS 2402 (March 26, 2014), the same Court of Appeal held that "there is no right—and certainly no constitutional right—to cultivate medical marijuana . . ." The Court in *Live Oak* affirmed the ability of a local governmental entity to prohibit the cultivation of marijuana under its land use authority. Any legal uncertainty that existed in 2012, uncertainty that may have been some impetus to settle the litigation with the passage of the Ordinance, is now largely gone. Essentially every Court that has looked at the issue has ruled in favor of the ability of local governments to regulate and restrict the cultivation of marijuana.

As the law has clarified, many counties in Northern California have modified their ordinances to restrict marijuana cultivation. In January of 2014 Shasta County passed an ordinance, discussed in more detail below, restricting cultivation. The implementation of that ordinance was placed on hold awaiting the results of the vote on a referendum seeking to invalidate the ordinance. That referendum was defeated in the November election by a wide margin and Shasta will be implementing its ordinance. Tehama County passed a restrictive cultivation ordinance that was upheld by the Court of Appeals in the case referenced above. Butte County had two competing ballot measures on the November ballot; one that would restrict cultivation and one that would liberalize cultivation laws within the county. The restrictive provision passed by a wide margin; the liberalization provision was defeated by an even wider margin. Sacramento County recently passed an ordinance (also discussed below) prohibiting outdoor grows and significantly limiting indoor grows. Lake County passed a restrictive cultivation ordinance (prohibition on cultivation on parcels less than one acre; maximum 6 mature or 12 immature plants on larger parcels). A "cultivation friendly" referendum failed at the November election in Lake. A cultivation liberalization provision (Measure S) failed at the polls in the November election in Nevada County, leaving the restrictions on cultivation at 100 contiguous square feet indoors or 150 square feet outdoors on parcels less than two acres. From a regional perspective, other counties are taking a substantially more restrictive

approach to marijuana cultivation, with the overwhelming support of the electorate. Yuba County's present Ordinance is clearly the most liberal in the region and, if it remains unchanged, will likely continue to present an attraction to marijuana cultivators from other areas.

Ordinance Proposals

Against that background and upon instructions from the Board of Supervisors, staff has prepared three draft ordinances for the Board's consideration. This is certainly not to suggest that these are the only options—there are many ordinances or "variations on a theme" that could be passed under the County's land use authority, either more restrictive or more liberal than these proposals. Staff submits these proposals as they are based on the models previously discussed by the Board, and, further they are in keeping with the regional model discussed above. The order in which the proposals are presented has no significance in terms of preference.

Ordinance Proposal No. 1

Proposal No. 1 is based upon the recently implemented Shasta County ordinance (No. SCC 2014-02). This proposal prohibits outdoor marijuana cultivation entirely. It would allow limited (up to 12 plants) indoor cultivation in a detached permitted residential accessory structure. The accessory building must be located on the same parcel as the residence of the qualified patient or primary caregiver. The accessory structure has to meet all applicable Yuba County Code requirements in terms of building codes and set backs. An adequate air filtration system is required. If the accessory structure is a greenhouse with transparent walls, opaque fencing is required. The physicians recommendation or medical marijuana card for the occupant of the residence and any other person for whom the marijuana is being grown must be posted on the premises, or immediately available to enforcing officers.

Ordinance Proposal No. 2

Proposal No. 2 is based upon Sacramento ordinances (Chapters 6.88 and 6.89 of the Sacramento County Code). In this proposal outdoor marijuana cultivation is prohibited entirely. Limited indoor residential cultivation (up to 9 plants) is allowed. The indoor cultivation is limited to a single family dwelling where the qualified patient or caregiver resides on a full-time basis. Any cultivation must be screened or concealed so that it is not visible from the exterior of the property or from neighboring properties or public rights-of-way.

Ordinance Proposal No. 3

Proposal No. 3 is based upon the ordinances adopted by the County of Fresno (Ordinance No. 14-001). It is the simplest of the proposals in that it simply prohibits the cultivation of marijuana in the County.

Provisions common to the foregoing proposals

In the proposals allowing limited cultivation, no distinction is made between an "immature

plant" and a "mature plant". For enforcement purposes, a plant is a plant. For all the proposals staff submits, pursuant to Title 14 of the California Code of Regulations, Sections 15060(c)(2), 15060(c)(3), and 15061(b)(3), that the proposal is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a project which has the potential for causing a significant effect on the environment. Further, in addition to the foregoing general exemptions, the categorical exemptions found in Sections 15308 and 15321 also apply.

State of California
Department of Fish and Wildlife

Memorandum

Date: July 14, 2014

To: Sean Pirtle, Wildlife Officer
Department of Fish and Wildlife

From: Tanya Sheya, Environmental Scientist
California Department of Fish and Wildlife
North Central Region
1701 Nimbus Road
Rancho Cordova, CA 95670

Subject: Streambed Alteration and Sediment Impacts on Property at 9691 Frenchtown-Dobbins Road, Oregon House, CA 95962

On June 23, 2014, you forwarded me photographs of the property at 9691 Frenchtown-Dobbins Road, Oregon House, CA 95962. On July 1, 2014, per your request, I met with you, Wildlife Officer Cody Gamble, and members of the Yuba County Sheriff's Department. The Sheriff's Department was enforcing the County's ordinance regarding marijuana cultivation and I attended to evaluate potential impacts to natural resources at the property. Based on my review of your photographs and my site evaluation on July 1, 2014, I am providing this supplemental report which includes my opinion regarding natural resources damages on the property.

Photographs of the unnamed stream that you provided to me on June 23, 2014 show loose soils adjacent to the stream and building materials within the stream. Water was not present in the photographs. Photographs I collected on July 1, 2014 (see Photo Log attached) show plastic piping, concrete, metal poles, pieces of metal and trash and debris in and around the stream on the property. I used a global positioning system handheld device (Garmin Oregon 450t) to mark observation locations (waypoints) on the property. An aerial view with the waypoint locations is attached showing the property, stream, and violation locations. It appeared that the stream had been diverted from its natural path to allow for a roadway and an excavated pond-like structure. The photographs show several culverts in the stream and pipes leading into the stream. I observed loose soils on the property from what appeared to be recent earth-moving and grading activity. I observed and documented erosion rills leading to the stream and loose soils within the stream. Cobble in the stream was visible and observed upstream of loose soil areas and altered portion of the stream. Cobble was either coated with sediment or completely buried under loose soils within the altered portions of the stream.

Placement of plastic piping, concrete, metal poles, pieces of metal and trash and debris in and around the stream on the property is also a violation of California Fish and Game Code (FGC) 5652(a) which states: It is unlawful to deposit, permit to pass into, or place where it can pass into the waters of the state, or to abandon, dispose of, or throw away, within 150 feet of the high water mark of the waters of the state, any cans, bottles, garbage, motor vehicle or parts thereof, rubbish, litter, refuse, waste, debris, or the viscera or carcass of any dead mammal, or the carcass of any dead bird.

Furthermore, the placement of loose soils on the bank or where it can pass into State waters is subject to FGC section 5650(a)(6), which prohibits the placement of any material deleterious to fish, plant life, mammals or bird life, in or where it can pass into State waters. Loose soils placed in the stream can cause sedimentation in the stream and smother streambed aquatic life and habitat.

Environment at Risk

The unnamed stream on the property has been altered such that flow will be captured in the pond-like structure that was excavated. In its previously unaltered condition, the stream would flow to Dry Creek, thence Lake Mildred. Small stream systems contribute to the hydrological, biogeochemical, and ecological health of the watershed. Plant communities along ephemeral and intermittent streams provide structural elements of food, cover, nesting and breeding habitat, and movement/migration corridors for wildlife. Functional services of these communities include moderating soil and air temperatures, stabilizing channel banks and seed banking, and trapping of natural silt favorable to the establishment of diverse floral and faunal species (Levick et al, 2008). Macroinvertebrates such as mayflies, caddisflies, and stoneflies are found in streams where there is adequate habitat and nutrients to sustain them. Small streams provide nutrients such as minerals and aquatic insects to local and downstream ecosystems. Mineral nutrients, such as calcium for mollusk shell development, are important for aquatic organisms in the local area and downstream; and aquatic insects serve as food for fish, herons, kingfishers, frogs, and other wildlife. During dry periods, aquatic life is dormant in ephemeral stream systems, often residing below the streambed surface, re-emerging into the stream when water returns during the rainy season.

Sensitive species found in the vicinity include Western pond turtle (*Emys marmorata*), California black rail (*Laterallus jamaicensis coturniculus),* and Bald eagle *(Haliaeetus leucocephalus).* (CDFW BIOS, 2014)

Water Quality Impacts from Stream Alteration, Sediment Discharge, and Water Diversion

Erosion and Sedimentation: Excessive sediment, generated as anthropogenic waste, often overwhelms the assimilative capacity of a stream and damages its biological components. Sedimentation in small streams affects biotic communities, reduces diversity of fish and other animal communities, and lowers the productivity of aquatic populations (Waters, 1995). The deposition of sands, silts, or clays, around and on top of streambed rubble, reduces the area upon which aquatic insects develop, and impairs the turbulence required for effective feeding (Phillips, 1971).

Other aquatic species can be equally and adversely affected by the deposition of fine particulates. Salamanders, amphibians, fish fry, incubating eggs, and a host of insect species can become physically entrapped beneath fine sediments that become compacted between gravels and rocks (Branson and Batch, 1972). Silt that is churned up into suspended particles in the water column can seriously compromise respiratory tissues of aquatic organisms.

Turbidity and Suspended Solids: Turbidity is a measure of water clarity and how much the material suspended in the water decreases the passage of light through the water. By excluding light, turbidity makes it difficult for fish to find food. At high concentrations, the particulate matter that produces turbidity can be directly lethal to fish and other aquatic life. Turbidity modifies the temperature structure of ponds, and bottom temperatures are generally lower in turbid ponds than clear ones. In many ponds, lower temperatures mean lower productivity (McKee and Wolf, 1971). Additionally, the near surface waters are heated because of the greater heat absorbency of the particulate material, and this tends to stabilize the water column and prevents vertical mixing. Such mixing reductions decrease the dispersion of dissolved oxygen and nutrients to lower portions of the water (EPA, 1986). Silt that is churned up into suspended particles in the water column can seriously compromise respiratory tissues. Natural weathered sediments tend to clog spaces between sensitive gill tissue, while unweathered mineral solids coat the actual gill filaments, and thus impede water contact and proper gas exchange, resulting in asphyxiation (Sherk, 1971).

The suspended sediment load and suspended sediment discharge rate of surface waters shall not be altered in such a manner as to cause a nuisance or adversely affect beneficial uses. Waters shall not contain substances in concentrations which result in the deposition of material that causes nuisance or adversely affects beneficial uses (Water Quality Control Plan, 1998).

Diversion: Diversion of water from the stream decreases water available for the downstream ecosystems. Negative impacts of ponds include change in downstream water temperature regimes, water quality, and bed load movement, as well as upstream channel degradation and destruction of riparian habitat. Ponds can act as a heat sink during warmer months, discharging warmer water downstream. Stream temperature is one of the central organizing features of aquatic communities (Sweeney 1984), and affects the rates of detrital processing, respiration, and bacterial growth, as well as the timing of reproduction, molting and drift for aquatic organisms. Stream warming also fundamentally alters macroinvertebrate species composition (particularly so for stoneflies and caddisflies).

Conclusion

In my opinion, the loose soils and debris placed in and where the materials can enter the stream degraded water quality, harmed aquatic organisms, and is a violation of FGC 5652(a) and FGC 5650(a)(6), which prohibits the placement of any material deleterious to aquatic life in or where it can enter state waters. Streambed alteration including land grading, removal of riparian vegetation, excavation of the pond-like structure, and placing debris in and where it can enter the stream, caused harm to the stream ecosystem and riparian habitat.

Stream and bank alteration caused sedimentation in the stream reducing the available habitat for macroinvertebrates, thus food for downstream fish. Harm to the food base may also negatively impact sensitive wildlife in the vicinity, such as western pond turtle, black rail, and Bald eagle. Sedimentation contributes to higher water temperatures, turbidity, algal growth, and establishment of non-native invasive species. Potential for continued and/or increased sediment pollution of state waters exists at the property from rain events which cause sediment discharge downstream from erosion and loose soils.

Please contact me at (916) 358-2953 if you have any questions.

Regards,

Tanya Sheya

Tanya Sheya
Environmental Scientist

Attachment 1: Aerial View
Attachment 2: Photo Log

cc: Isabel Baer, Senior Environmental Scientist (Supervisory)
Isabel.Baer@wildlife.ca.gov

REFERENCES

Branson, B.A., and D.L. Batch. 1972. Effects of strip mining on small stream fishes in east-central Kentucky, USA. Proc. Biol. Soc., Washington 84(50):507-517.

CDFW, BIOS. 2014. California Department of Fish and Wildlife Biogeographic Information and Observation System. http://www.dfg.ca.gov/biogeodata/bios/

EPA, 1986. United States Environmental Protection Agency Quality Criteria for Water. Office of Water Regulations and Standards. EPA 440/5-86-001. Washington DC, 20460.

Levick, L., J. Fonseca, D. Goodrich, M. Hernandez, D. Semmens, J. Tromberg, R. Leidy, M. Scianni, D. P. Guertin, M. Tluczek, and W. Kepner. 2008. The Ecological and Hydrological Significance of Ephemeral and Intermittent Streams in the Arid and Semi-arid American Southwest.

McKee, J.E. and Wolf, H.W., 1971. Water Quality Criteria. Resources Agency of California, State Water Resources Control Board. Publication No. 3-A.

Phillips, R.W. 1971. Effects of sediment on the gravel environment and fish production. Pp. 64-74. In: J.T. Drygier and J.D. Hall (Directors), Proceedings of a symposium. Forest land uses and stream environment. October 19-21, 1970. Oregon State University, Corvallis, OR.

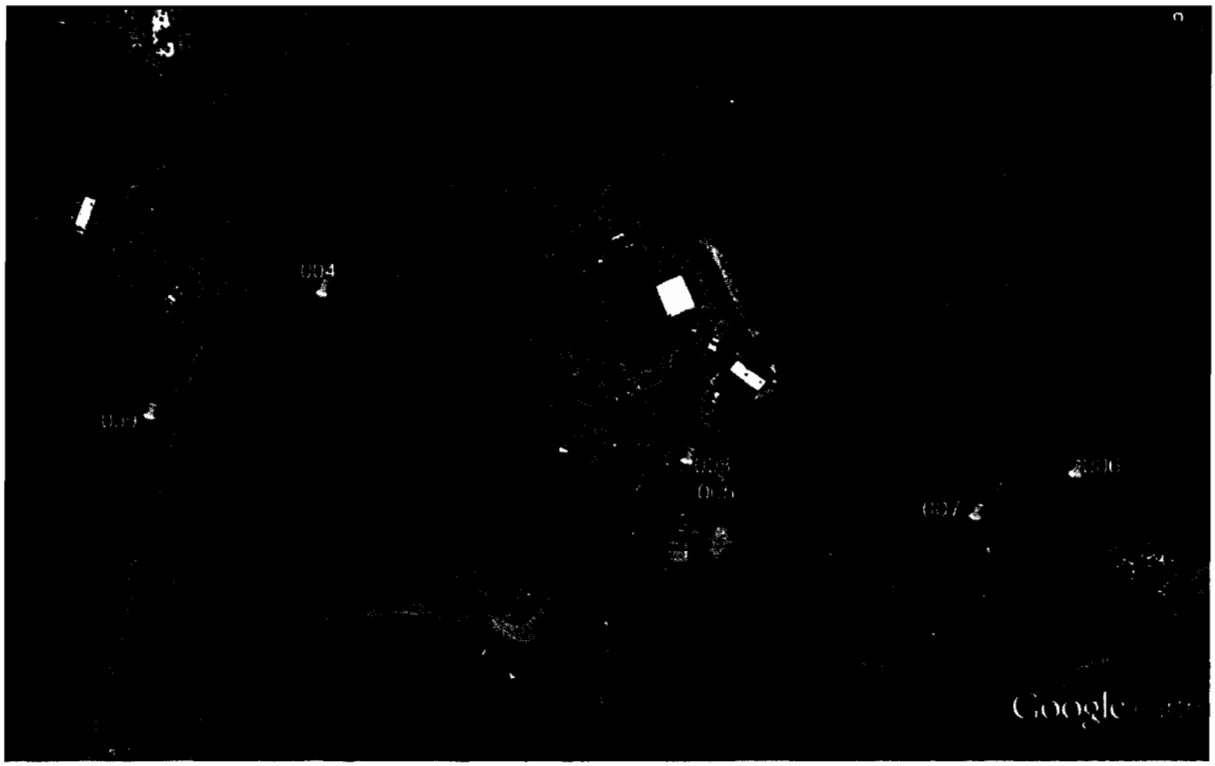
Sherk, J.A., Jr. 1971. The effects of suspended and deposited sediments on the estuarine organisms, literature summary and research needs. Nat. Res. Inst., Univ. Maryland, Chesapeake Biol. Lab., Control No. 443, Solomons, Maryland. 73 pp

Sweeney, B.W. 1984. Factors influencing life-history patterns of aquatic insects. In The ecology of aquatic insects. Edited by V.H. Resh and D.M. Rosenberg. Praeger Publishers, New York, pp. 56-100.

Waters, Thomas F. 1995. Sediment in Streams, Sources, Biological Effects and Control. Dept. of Fisheries and Wildlife. University of Minnesota. St. Paul, MN. American Fisheries Society.

Water Quality Control Plan. 1998. FOURTH EDITION OF THE WATER QUALITY CONTROL PLAN (BASIN PLAN) FOR THE SACRAMENTO RIVER AND SAN JOAQUIN RIVER. California Regional Water Quality Control Board, Central Valley Region. 3443 Routier Road, Suite A, Sacramento, California 95827-3003. Internet Address: http://www.swrcb.ca.gov/~rwqcb5/home.html

Attachment 1: Aerial View



Attachment 2: Photo Log

Photo Number	Waypoint Number	Location (Lat/Long)	Notes
2	004		On road leading to residence, facing south
3	004		On road leading to residence, facing west
4	004		On road leading to residence, facing north. Vegetation stockpile
5		39° 23" 07'N, 121° 15" 07'W	Loose soils near stream
6	005	39° 23" 07'N, 121° 15" 05'W	plastic piping, concrete, metal poles, pieces of metal and trash and debris in and around the stream
7	006	39° 23" 07'N, 121° 15" 03'W	
8	006	39° 23" 07'N, 121° 15" 03'W	
9	006	39° 23" 07'N, 121° 15" 03'W	Upstream of diversion
10	006	39° 23" 07'N, 121° 15" 03'W	
11		39° 23" 06'N, 121° 15" 03'W	
12	007	39° 23" 07'N, 121° 15" 03'W	
13		39° 23" 07'N, 121° 15" 04'W	
14		39° 23" 06'N, 121° 15" 05'W	Erosion along road
15		39° 23" 07'N, 121° 15" 05'W	Start of diversion
16	005	39° 23" 07'N, 121° 15" 05'W	Looking upstream at start of diversion
17	005	39° 23" 07'N, 121° 15" 05'W	Looking downstream at start of diversion, debris in stream
18	005	39° 23" 07'N, 121° 15" 05'W	Looking toward south west corner of property
19	008	39° 23" 07'N, 121° 15" 06'W	Road crossing stream, debris in stream
20	008	39° 23" 07'N, 121° 15" 06'W	Sediment in stream, culvert for road crossing
21		39° 23" 07'N, 121° 15" 07'W	Sediment and debris in stream
22		39° 23" 07'N, 121° 15" 07'W	In side green house on property
23		39° 23" 07'N, 121° 15" 07'W	
24		39° 23" 07'N, 121° 15" 07'W	
25		39° 23" 07'N, 121° 15" 07'W	Sediment in stream
26		39° 23" 07'N, 121° 15" 09'W	Excavated pond-like structure
27	009	39° 23" 07'N, 121° 15" 10'W	Outlet toward neighboring pond
28		39° 23" 07'N, 121° 15" 11'W	
29		39° 23" 07'N, 121° 15" 11'W	Excavated pond-like structure
30		39° 23" 08'N, 121° 15" 11'W	Neighboring pond, that flows into Dry Creek
31		39° 23" 07'N, 121° 15" 09'W	Trash and loose soils near and in stream
32		39° 23" 07'N, 121° 15" 09'W	Pipe leading into stream
33		39° 23" 07'N, 121° 15" 09'W	Culvert from pond-like structure to neighboring pond
34		39° 23" 07'N, 121° 15" 09'W	Removed vegetation
35		39° 23" 07'N, 121° 15" 09'W	Loose soils covering vegetation
36		39° 23" 07'N, 121° 15" 08'W	Removed vegetation

Draft Proposal #1
Shasta County Model

COUNTY OF YUBA

**SUMMARY OF PROPOSED ORDINANCE
REPEALING AND REENACTING AS AMENDED CHAPTER 7.40
OF THE YUBA COUNTY ORDINANCE CODE
RELATING TO MARIJUANA CULTIVATION**

The following is a summary of an ordinance proposed to be adopted by the Board of Supervisors of the County of Yuba on_____ day of _____20__.

The proposed ordinance would repeal and reenact as amended Chapter 7.40 of the Yuba County Ordinance Code relating to Marijuana Cultivation.

The complete text of the proposed ordinance may be reviewed in the Office of the Clerk of the Board of Supervisors of Yuba County.

DONNA STOTTLEMEYER
Clerk of the Board of Supervisors

By:_____

THE BOARD OF SUPERVISORS OF THE COUNTY OF YUBA, STATE OF CALIFORNIA DOES ORDAIN AS FOLLOWS:

Section 1.This ordinance shall take effect thirty (30) days after its passage, and before the expiration of fifteen (15) days after its passage a summary shall be published with the names of the members voting for and against the same, once in a local newspaper of general circulation in the County of Yuba, State of California.

Section 2. Chapter 7.40 of Title VII of the Yuba County Ordinance Code is hereby amended to read as follows:

CHAPTER 7.40

MARIJUANA CULTIVATION

Sections

7.40.100 Authority
7.40.110 Purpose & Intent
7.40.120 Findings
7.40.130 Scope
7.40.140 Responsibilities
7.40.150 Private Right of Action
7.40.200 Definitions
7.40.300 Cultivation Restrictions
7.40.310 Cultivation Requirements
7.40.320 Accessory Structures
7.40.330 Fencing
7.40.400 Conditions Creating Public Nuisance
7.40.500 Enforcement Authority
7.40.510 Right of Entry/Inspection
7.40.520 Violations
7.40.530 Remedies
7.40.540 Notice and Order to Abate
7.40.550 Administrative Penalties
7.40.560 Enforcement Costs
7.40.600 Appeal
7.40.605 Appeal Hearings
7.40.610 Notice of Hearing
7.40.620 Powers of the Yuba County Board of Supervisors

7.40.630 Fairness of Hearings
7.40.635 Evidentiary Rules
7.40.640 Order of Proceeding at Hearing
7.40.645 Speakers' Presentation
7.40.650 Submission of Additional Written Evidence and Argument
7.40.655 Field Trips
7.40.660 Recording
7.40.670 Decision
7.40.680 Severability

ARTICLE I
GENERAL PROVISIONS

7.40.100 Authority
Pursuant to authority granted by Article XI Section 7 of the California Constitution, Section 11362.83(c) of the California Health and Safety Code and Section 25845 of the California Government Code, the Yuba County Board of Supervisors does hereby enact this Chapter.

7.40.110 Purpose & Intent
The purpose and intent in adopting this Chapter is to acknowledge State law as it relates to medical marijuana and to reduce conditions that create public nuisances through enacting these regulations including without limitation, restrictions as to location of cultivation, the number of marijuana plants, and the use of screening and security structures, to more effectively control the adverse impacts associated with marijuana cultivation as stated herein, while considering the desires of qualified patients and primary caregivers, in furtherance of the public necessity, health, safety, convenience, and general welfare within the Board's jurisdictional limits. Nothing in this Chapter shall be construed to authorize any use, possession, cultivation, or distribution of marijuana for non-medical purposes or that is in violation of state or federal law.

7.40.120 Findings
a. The Federal Controlled Substances Act, 21 U.S.C. §§ 801 et seq., classifies marijuana as a Schedule I Drug, which is defined as a drug or other substance that has a high potential for abuse, that has no currently accepted medical use in treatment in the United States, and that has not been accepted as safe for use under medical supervision.
b. The Federal Controlled Substances Act makes it unlawful, under federal law, for any person to cultivate, manufacture, distribute or dispense, or possess with intent to manufacture, distribute or dispense, marijuana. The Federal Controlled Substances Act

contains no exemption for the cultivation, manufacture, distribution, dispensation, or possession of marijuana for medical purposes.

c. Division 10 of the California Health and Safety Code, Uniform Substance Control Act, makes it unlawful, under State law, for any person to cultivate, manufacture, distribute or dispense, or possess with intent to manufacture, distribute or dispense, marijuana.

d. In 1996, the voters of the State of California approved Proposition 215, "The Compassionate Use Act", (codified as Health and Safety Code Section 11362.5) which was intended to decriminalize cultivation and possession of medical marijuana by a seriously ill patient, or the patient's primary caregiver, for the patient's personal use, and to create a limited defense to the crimes of possessing or cultivating marijuana. The Act further provided that nothing in this section shall be construed to supersede legislation prohibiting persons from engaging in conduct that endangers others, or to condone the diversion of marijuana for non-medical purposes.

e. The State enacted SB 420 in 2004 (known as the "Medical Marijuana Program Act", codified as Health and Safety Code Section 11362.7 et seq.) to expand and clarify the scope of The Compassionate Use Act of 1996 by creating the medical marijuana Identification Card program, creating reasonable regulations for cultivating, processing, transporting and administering marijuana, as well as limiting the amount marijuana a qualified individual may possess. The Medical Marijuana Program Act defines a "primary caregiver" as an individual who is designated by a qualified patient or by a person with an identification card, and who has consistently assumed responsibility for the housing, health, or safety of that patient or person and is further defined in the California Supreme Court decision *People v. Mentch* (2008) 45 Ca1.4th 274.

f. The County's geographic and climatic conditions, which include dense forested areas receiving substantial precipitation, provide conditions that are favorable to outdoor marijuana cultivation, thus growers can achieve a high per-plant yield. The Federal Drug Enforcement Administration reports that various types of marijuana plants under various planting conditions may yield averages of 236 grams, or about one-half (1/2) pound, to 846 grams, or nearly two (2) pounds.

g. The strong distinctive odor of marijuana plants creates an attractive nuisance, alerting persons to the location of the valuable plants, and has resulted in burglary, robbery and armed robbery.

h. The strong and distinctive odor of marijuana plants creates a need to ensure that smells that disrupt the use of adjacent properties are minimized, much in the same way that the County has ordinances currently in place to minimize the smells associated with raising livestock.

i. Children (minor under the age of 18) are particularly vulnerable to the effects of marijuana use and the presence of marijuana plants is an attractive nuisance for children, creating an unreasonable hazard in areas frequented by children (including schools, parks, and other similar locations).

j. The unregulated cultivation of marijuana in the unincorporated area of Yuba County can

adversely affect the health, safety, and well-being of the County, its residents and environment. Comprehensive civil regulation of premises used for marijuana cultivation is proper and necessary to avoid the risks of criminal activity, degradation of the natural environment, malodorous smells, and indoor electrical fire hazards that may result from unregulated marijuana cultivation, and that are especially significant if the amount of marijuana cultivated on a single premises is not regulated and substantial amounts of marijuana are thereby allowed to be concentrated in one place.

k. The indoor Cultivation of substantial amounts of Marijuana within a residence presents potential health and safety risks to those living in the residence, especially to children, including, but not limited to, increased risk of fire from grow light systems, exposure to fertilizers, pesticides, anti-fungus/mold agents, and exposure to potential property crimes targeting the residence.

l. Comprehensive restriction of premises used for marijuana cultivation is proper and necessary to address the risks and adverse impacts as stated herein, that are especially significant if the amount of marijuana cultivated on a single premises is not regulated and substantial amounts of marijuana are thereby allowed to be concentrated in one place.

m. Outdoor marijuana cultivation, especially within the foothills, is creating devastating impacts to California's surface and groundwater resources. The State Water Resources Control Board, the North Coast Regional Water Quality Control Board, the Central Valley Regional Water Quality Control Board and the Department of Fish and Wildlife have seen a dramatic increase in the number of marijuana gardens, and corresponding increases in impacts to water supply and water quality, including the discharge of sediments, pesticides, fertilizers, petroleum hydrocarbons, trash and human waste. The sources of these impacts result from unpermitted and unregulated timber clearing, road development, stream diversion for irrigation, land grading, erosion of disturbed surfaces and stream banks, and temporary human occupancy without proper sanitary facilities.

n. The immunities from certain prosecution provided to qualified patients and their primary caregivers under State law to cultivate marijuana plants for medical purposes does not confer the right to create or maintain a public nuisance. By adopting the regulations contained in this Chapter, the County will achieve a significant reduction in the complaints of odor and the risks of fire, crime and pollution caused or threatened by the unregulated cultivation of marijuana in the unincorporated area of Yuba County.

o. Nothing in this Chapter shall be construed to allow the use of marijuana for non-medical purposes, or allow any activity relating to the cultivation, distribution, or consumption of marijuana that is otherwise illegal under State law. No provision of this Chapter shall be deemed a defense or immunity to any action brought against any person by the County of Yuba, Yuba County District Attorney, the Attorney General of State of California, or the United States of America.

p. In *Browne v. County of Tehama*, 213 Cal. App. 4th 704 (2013), the California Court of Appeal stated that "Neither the Compassionate Use Act nor the Medical Marijuana Program grants . . . anyone . . . an unfettered right to cultivate marijuana for medical purposes. Accordingly, the regulation of cultivation of medical marijuana does not conflict with either statute." Similarly, in *City of Riverside v. Inland Empire Patients Health & Wellness Center, Inc.*, 56 Cal. 4th 729 (2013), the California Supreme Court concurred that "Nothing in the CUA or the MMP expressly or impliedly limits the inherent authority of a local jurisdiction, by its own ordinances, to regulate the use of its land . . ." Additionally, in *Maral v. City of Live Oak* (2013), 221 Cal.App. 4th 975, 983, review denied 2014 Cal. LEXIS 2402 (March 26, 2014), the same Court of Appeal held that "there is no right—and certainly no constitutional right—to cultivate medical marijuana . . ." The Court in *Live Oak* affirmed the ability of a local governmental entity to prohibit the cultivation of marijuana under its land use authority.

q. On May 1, 2012, the Board of Supervisors adopted Ordinance No. 1518 to regulate marijuana cultivation. On December 18, 2012, Ordinance 1522 was adopted revising Ordinance 1518 to modify enforcement procedures and requirements to a specific plant count based on property size from square foot of area for cultivation. The provisions of both Ordinances have proven to be inadequate to control the negative impacts of marijuana cultivation. Since the adoption of Ordinance No. 1522, there has been increased Marijuana Cultivation throughout the unincorporated areas of the County in violation of the provisions of that ordinance. In addition, the graduated areas for cultivation, based on parcel size, have proven cumbersome and problematic to administer and enforce. For example, the original limits were based on square feet of total Cultivation area, leading to uncertainty in measurement when the plants were not cultivated in a defined contiguous area, and the need for multiple inspections throughout the grow season. The current revisions contained in this ordinance are intended to address the aforementioned concerns, and simplify the regulations to be more readily understood by those affected, to expedite the code enforcement process and to more effectively control the adverse impacts associated with marijuana cultivation as stated herein, while considering the desires of Qualified Patients and their Primary Caregivers.

7.40.130 Scope

The provisions of this Chapter shall apply generally to all property throughout the unincorporated area of the County of Yuba.

7.40.140 Responsibilities

a. Regardless of whether an owner is in actual possession of his or her real property, it is the duty of every owner of real property within the unincorporated area of Yuba County to prevent a public nuisance from arising on, or from existing upon, his or her real

property.

b. No person or entity shall cause, permit, maintain, conduct or otherwise allow a public nuisance as defined in this Chapter to exist upon any property within their control and shall not cause a public nuisance to exist upon any other property within the unincorporated limits of the County of Yuba. It shall be the duty of every owner, occupant, and person that controls any land or interest therein within the unincorporated area of the County of Yuba to remove, abate and prevent the reoccurrence of any public nuisance upon such land.

7.40.150 Private Right of Action

Nothing contained in this Chapter shall be construed to prohibit the right of any person or public or private entity damaged by any violation of this Chapter to institute a civil proceeding for injunctive relief against such violation, for money damages, or for whatever other or additional relief the court deems appropriate. The remedies available under this Chapter shall be in addition to, and shall not in any way restrict other rights or remedies available under law.

ARTICLE 2
DEFINITIONS

7.40.200 Definitions

Except where the context otherwise requires, the following definitions shall govern the construction of this Chapter:

a. "Accessory Structure" means a separate and permitted building located on the same parcel as the residence or an attached garage separated by a firewall.

b. "Code" means the Yuba County Ordinance Code

c. "Code Enforcement Officer" means any person employed by the County of Yuba and appointed to the position of code enforcement officer.

d. "Costs of Enforcement" or "Enforcement Costs" means all costs, direct or indirect, actual or incurred related to the performance of various administrative acts required pursuant to the enforcement of this Chapter, which include but are not limited to: administrative overhead, salaries and expenses incurred by County Officers, site inspections, investigations, notices, telephone contacts and correspondence, conducting hearings, as well as time expended by County staff in calculating the above expenses. The costs also include the cost of time and expenses associated with bringing the matter to hearing, the costs associated with any appeals from any decision rendered by any hearing body, the costs of judicially abating a violation and all costs associated with removing, correcting or otherwise abating any violation including administrative penalties of this Chapter.

e. "County" means the County of Yuba
f. "Cultivation" means the planting, growing, harvesting, drying, processing, or storage of one or more marijuana plants or any part thereof in any location, indoor or outdoor, including from within a fully enclosed and secure building.
g. "Defined Area of Cultivation" means a single, indoor, area wherein all portions of cultivation are within one accessory structure completely screening the cultivation from public view.
h. "Dwelling" means a building intended for human habitation that has been legally established, permitted and certified as a single-family or multi-family dwelling.
i. "Enforcement Official" means the Code Enforcement Officer or the Sheriff, or the authorized deputies or designees of either, each of whom is independently authorized to enforce this Chapter.
j. "Fence" means a solid wall or a barrier connected by boards (redwood or cedar), masonry, rails, panels, or any other materials typically utilized for residential fences (subject to the approval of the Community Development and Services Agency) for the purpose of enclosing, securing, and screening space from public view. The term "Fence" does not include retaining walls.
k. "Indoors" means within a fully enclosed structure, with a solid roof, floor, and walls. The structure must be securable against unauthorized entry and constructed of solid materials such as 3/8" or thicker plywood, glass, or equivalent materials. Shade-cloth covered and plastic sheeting covered, regardless of gauge, or similar products do not satisfy this requirement.
l. "Marijuana" means all parts of the plant Cannabis sativa L., whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted there from), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.
m. "Marijuana plant" means any mature or immature marijuana plant including the stalks of the plant, or any marijuana seedling, that is capable of producing marijuana. A "mature" marijuana plant is one whose sex can be determined by visual inspection.
n. "Outdoors" means any location that is not "indoors" within a fully enclosed and secure structure as defined herein.
o. "Parcel" means any parcel of real property that may be separately sold in compliance with the Subdivision Map Act (commencing with Section 66410 of the Government Code) and also means parcels that are described, recorded and kept in official County records specifically including documents and maps used by the County Assessor's Office, the County Tax Collector's Office and the County Recorder's Office.
p. "Primary Caregiver" shall have the same meaning as "primary caregiver" as defined in the California Health and Safety Code, commencing with Section 11362.7(d), and as

further defined in the California Supreme Court decision *People v. Mentch* (2008) 45 Ca1.4th 274.

q. "Public View" shall mean as viewed at ground level, without the use of a ladder or similar device, from any place the general public has a lawful right to be including the public right of way, a public way or neighboring premises.
r. "Qualified Patient" shall have the same meaning as "qualified patient" as defined in the California Health and Safety Code, commencing with Section 11362.7(f).
s. "Residence" shall have the same meaning as "Dwelling"
t. "Sheriff" or "Sheriff's Office" means the Yuba County Sheriff's Office or the authorized representatives thereof.

ARTICLE 3
RESTRICTIONS AND REQUIREMENTS

7.40.300 Cultivation Restrictions

a. Outdoor cultivation on any Parcel is prohibited.
b. Cultivation within a Dwelling or any other structure used or intended for human occupancy is prohibited.
c. Cultivation of more than twelve (12) marijuana plants on any Parcel is prohibited. The foregoing limitation shall be imposed regardless of the number of qualified patients or primary caregivers residing on the Parcel or participating directly or indirectly in the cultivation. Further, this limitation shall be imposed notwithstanding any assertion that the person(s) cultivating marijuana are the primary caregiver(s) for qualified patients or that such person(s) are collectively or cooperatively cultivating marijuana.
d. All persons and entities engaging in the cultivation of marijuana shall:
    1. Have a legal water source on the Parcel,
    2. Not engage in unlawful or unpermitted surface drawing of water for such cultivation, and
    3. Not permit illegal discharges of water from the parcel.
e. Marijuana cultivation shall not adversely affect the environment or the public health, safety, or general welfare by creating dust, glare, heat, noise, noxious gasses, odor, smoke, traffic, or vibration, by the use or storage of plant or animal poisons, or hazardous materials, processes, products or wastes, or by any other way.

7.40.310 Cultivation Requirements

a. Cultivation may only occur on a Parcel improved with an occupied, legally established, Dwelling in conformance with this Chapter. The cultivation shall be contained within the Defined Area of Cultivation in one, single, residential accessory structure affixed to the real property that:

1. Meets the definition of "Indoor,"
2. That is located on the same Parcel as the Dwelling of a qualified patient(s) or a primary caregiver(s), and
3. That complies with all of the provisions of the Yuba County Code relating to accessory structures including, but not limited to, the County's Development Code in Title XI, and construction codes in Title X of the Yuba County Ordinance Code. Where the provisions of this Chapter are more restrictive than other portions of the Yuba County Code the provisions of this Chapter shall govern.

7.40.320 Accessory Structures

Accessory structures used for cultivation shall meet all of the following criteria:

a. The accessory structure shall be legally constructed with all applicable permits including, but not limited to, grading, structural, electrical, mechanical and plumbing approved by the applicable authorities prior to any cultivation activity. The conversion of any existing accessory structure, or portion thereof, for cultivation shall be subject to these same permit requirements and must be inspected for compliance by the applicable authorities prior to any cultivation.
b. The accessory structure shall not be built or placed within any mandatory setback required by the Yuba County Ordinance Code.
c. The accessory structure shall be equipped with a permanently installed and permitted odor control filtration and ventilation system adequate to prevent an odor, humidity, or mold problem within the structure, on the Parcel, or adjacent parcels.
d. If the accessory structure is a greenhouse, the construction shall be solid glass and should be opaque or obscure for security and visual screening purposes. Where glass is not obscure, the greenhouse shall be surrounded by a secure solid fence as described in Section 7.40.330 below.

7.40.330 Fencing

Cultivation within a greenhouse without opaque or obscure glass shall be fully surrounded by a solid fence at least six (6) feet but not greater than (8) feet in height with a locking gate and conform to the following:

a. Fencing materials shall be in compliance with Section 7.40.200j, and
b. Location of fence shall meet zoning setback and height requirements, and
c. Fences over seven (7) feet in height will require proof of an approved building permit, and
d. The fence and gate must be adequately secure to prevent unauthorized entry and keep the area out of reach of minors.
e. Bushes or hedgerows alone shall not constitute an adequate fence under this Chapter. However, for parcels greater than 5 acres in size, a combination of mature vegetation or natural topography that keep the cultivation out of public view in

combination with a securable six foot tall chain link fence may be substituted for a solid fence.

ARTICLE 4
PUBLIC NUISANCE

7.40.400 Conditions Creating Public Nuisance

A public nuisance shall be deemed to exist when any of the following conditions or circumstances is present:

a. Any person owning, leasing, occupying or having charge or possession of any Parcel within the unincorporated area of the County to cause or allow such Parcel to be used for the cultivation of marijuana in violation of the provisions contained herein or any provisions set forth in Division 10 of the California Health and Safety Code.
b. The cultivation of marijuana on a Parcel that does not have an occupied legally established Dwelling in conformance with this Chapter.
c. The cultivation of marijuana on a Parcel by anyone other than a qualified patient or a primary caregiver. A physician's recommendation shall be kept onsite at all times and shall be posted in plain view for inspection. Where multiple people are cultivating, each physician recommendation shall be posted.
d. Marijuana plants in public view as defined in Section 7.40.200 of this Chapter.
e. The cultivation of marijuana in a manner that exceeds 12 plants.
f. The improper use, storage and/or disposal (per the manufacturer's instructions and/or any law that governs same) of chemicals, fertilizers, gas products (CO2, butane, etc.) or any other products or equipment associated with the cultivation of marijuana.
g. Any violation of any Ordinance or State law or any public nuisance defined or known at common law or in equity jurisprudence.

ARTICLE 5
ENFORCEMENT

7.40.500 Enforcement Authority

The Office of the Yuba County Sheriff and/or the Director of the County Department that has been assigned responsibility for administration of Code Enforcement services are hereby designated to enforce this Chapter.

7.40.510 Right of Entry/Inspection

To enforce the provision of this Code, an Enforcement Officer may at a reasonable time request inspection of any parcel suspected of cultivating marijuana. If the person owning or occupying the parcel refuses the request for an inspection, the Enforcement Officer shall have recourse to every remedy provided by law to secure entry, including obtaining an inspection warrant.

7.40.520 Violations

a. It is unlawful and a violation of this Chapter for any person to permit a public nuisance to exist upon real property in which such person has an ownership or possessory interest.
b. It shall be unlawful and a violation of this Chapter to do anything in contrary to the guidelines set forth in this Chapter.
c. Each person violating this Chapter shall be guilty of a separate offense for each and every day, or portion thereof, which any violation of any provision of this Chapter is committed, continued, or permitted by any such person. Any violation which persists for more than one day is deemed a continuing violation.

7.40.530 Remedies

a. Any violation of this Chapter shall be deemed a public nuisance and is subject to any enforcement process authorized by law or as outlined in this Code.
b. Nothing herein shall be read, interpreted or construed in any manner so as to limit any existing right or power of the County of Yuba or any other governmental entity to enforce County ordinances, to abate any and all nuisances, or employ any remedy available at law or equity.

7.40.540 Notice and Order to Abate

a. Upon making a determination that a public nuisance exists, the Enforcement Official shall notify the owner and/or the alleged violator that a public nuisance exists upon such owner's property. As to an owner, the Notice and Order to Abate shall be delivered by personal service or by Certified, Return Receipt mail, with postage prepaid, addressed to the owner as such owner's name and address appears on the last equalized assessment roll or to such other address as the owner directs. As to an alleged violator whom the Enforcement Official has determined directly or indirectly contributed to the condition creating the nuisance, the Notice and Order to Abate shall be delivered by personal service or by Certified, Return Receipt mail, with postage prepaid, to the last known address of the alleged violator. In addition, the Notice and Order to Abate shall be delivered by first class mail, with postage prepaid, addressed to the owner and/or alleged violator at the same addresses. A copy shall also be posted on the property. The Enforcement Official shall complete a proof of service.
b. The Notice and Order to Abate shall describe the use or condition which constitutes the public nuisance; and shall order that the uses or conditions constituting the nuisance be

abated by demolition, securing, removal, cleanup, repair or other means within a reasonable time certain as determined necessary for such abatement by the Enforcement Official based upon the nature and complexity of the abatement process, normally being three (3) days, or less, from the date such notice is mailed and/or posted.

7.40.550 Administrative Penalties

a. Any person who violates this Chapter shall be guilty of a separate offense for each and every day, or portion thereof, the violation is committed, permitted or continued. In addition to the actual abatement and/or administrative costs incurred by the County any person who has been issued a Notice and Order to Abate Public Nuisance shall be assessed an Administrative Penalty as follows:
    1. A penalty of $100.00 for each violation of this Code per day as set forth in the Notice and Order to Abate.
    2. A penalty of $200.00 for each violation of this Code per day when a second violation of this Code occurs within eighteen (18) months of a previously issued Notice and Order to Abate.
    3. A penalty of $500.00 for each violation of this Code per day for each subsequent violation of this Code beyond the second when the violation occurs within thirty-six (36) months of the original Notice and Order to Abate.
b. For the purpose of calculating the daily Administrative Penalty, each offense of any Section of this Chapter shall be charged as a separate violation; in addition, each marijuana plant in violation of this Chapter shall be charged as a separate violation.
c. The Administrative Penalty, pursuant to this Section, shall be assessed immediately upon the issuance of a Notice and Order to Abate Public Nuisance and shall continue to accrue until the date compliance with the Order has been met and verified by the Enforcing Officer. In the event an appeal has been properly filed with the County, the appeal shall have no affect on the Administrative Penalty and said Penalty shall continue to accrue during the pendency of the hearing. At the conclusion of the hearing the Yuba County Board of Supervisors is authorized to modify or waive the Administrative Penalty for cause and shall make express findings into the record for such modification or waiver.

7.40.560 Enforcement Costs

a. All costs and penalties associated with the enforcement of this Chapter are the responsibility of the owner(s) of any parcel(s) on which a nuisance has been found to exist and such costs shall be paid within 30 days of the date of demand thereof.
b. Where costs and penalties go unpaid beyond 30 days, the Enforcement Official shall take action to confirm the costs, record a lien and place a special tax assessment pursuant to procedures as set forth in Chapter 7.36 of the Yuba County Ordinance Code.

ARTICLE 6
APPEALS AND UNIFORM HEARINGS AND PROCEDURES

7.40.600 Appeal
Any person who has received a Notice and Order to Abate Public Nuisance may request an appeal before the Yuba County Board of Supervisors within 10 calendar days of the date of the Notice and Order to Abate. The request for appeal shall be in writing and must be accompanied by a deposit for costs as enumerated in Title XIII of this Code.

7.40.605 Appeal Hearings
Abatement hearings and hearings to determine administrative penalties shall be heard by the Yuba County Board of Supervisors. The Board of Supervisors, in its discretion, may appoint a hearing officer or commissioner to hear and preside over such hearings.

7.40.610 Notice of Hearing
If the owner or alleged violator requests a hearing within ten (10) calendar days of the date of the Notice and Order to Abate, the Enforcement Official shall schedule a hearing and provide notice to the owner or alleged violator of the time and place the hearing will take place. Notice of the hearing shall be delivered by personal service or by Certified Return Receipt mail, with postage prepaid, addressed to the owner as such owner's name and address appears on the last equalized assessment roll or to such other address as the owner or alleged violator provides. In addition, the Notice of Hearing shall be delivered by first class mail, with postage prepaid, addressed to the owner as such owner's name and address appears on the last equalized assessment roll or to such other address as the owner or alleged violator provides. The Enforcement Official shall complete a proof of service. The hearing shall be set for a date that is not less than five (5) and not more than thirty (30) days from the date that the request for hearing is filed with the Enforcement Official.

7.40.620 Powers of the Yuba County Board of Supervisors
The Yuba County Board of Supervisors shall have the power to conduct the hearing, the power to decide a matter upon which a hearing has been held, the power to make findings of fact and conclusions of law required for the decision, the power to issue subpoenas, the power to receive evidence, the power to administer oaths, the power to rule on questions of law and the admissibility of evidence, the power to continue the hearing from time to time, and the power to prepare a record of the proceedings.

7.40.630 Fairness of Hearings
Hearings shall be conducted in a manner suitable to ensure fundamental fairness to all parties concerned, limited by the need to secure relevant information necessary to render a decision without unnecessary delay.

7.40.635 Evidentiary Rules

The hearing need not be conducted according to technical rules relating to evidence. Any evidence may be presented if it is the sort of evidence upon which reasonable persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions. Hearsay evidence may be used for the purpose of supplementing or explaining other evidence, but may be rejected if deemed to be unreliable. The rules of privilege shall be effective to the extent that they are otherwise required by statute to be recognized at a hearing. Unduly repetitious or irrelevant evidence shall be excluded at the discretion of the Yuba County Board of Supervisors.

7.40.640 Order of Proceeding at Hearing

The Yuba County Board of Supervisors shall ordinarily proceed in the following order when conducting hearings:

a. The Enforcement Official's presentation shall proceed first. It should include identification of the file and property, a summary of the history and matters at issue, a staff analysis of the legal and factual issues involved, permitted uses to which the property was and is subject, and accounting of enforcement costs relating to the property, and a recommended decision.
b. A presentation by or on behalf of the appellant shall next proceed.
c. Tenants or other occupants of the subject property shall speak third.
d. Individuals who are not appealing but own property immediately contiguous to the subject property shall speak fourth.
e. Other interested parties shall speak fifth.
f. The appellant shall be entitled to rebuttal.

7.40.645 Speakers' Presentation

Each speaker shall approach the microphone and give his or her full name and address for the record.

a. Each speaker's presentation shall be to the point and shall be as brief as possible; visual and other materials may be used as appropriate, but, if used, shall become part of the public record and the property of the County. The Yuba County Board of Supervisors may establish a time limit for presentations; provided, however, that at least ten minutes shall be allowed for each speaker. Speakers shall, at the discretion of the Yuba County Board of Supervisors, be allowed to speak for longer than ten minutes if that speaker represents a group of individuals, the remainder of which chose not to speak. Speakers with lengthy presentations are encouraged to submit them in writing. There shall be no limitation upon length of written statements.
b. The Yuba County Board of Supervisors shall hear testimony and receive written and/or documentary evidence relating to the alleged violation. The parties may be represented by legal counsel. Testimony shall be taken on oath or affirmation. Each party shall have

the right to call and examine witnesses; to introduce exhibits; to cross-examine opposing witnesses on any matter relevant to the issues presented; to impeach any witness; and to rebut evidence. Witnesses shall be subject to cross-examination by the Yuba County Board of Supervisors.

c. Subject to the Yuba County Board of Supervisors' right to accept a motion to conclude the taking of all testimony or to close the public hearing when a reasonable opportunity to present all questions and points of view has been allowed, any person wishing to speak shall be heard. Except for rebuttal allowed, each speaker shall speak only once.
d. The Yuba County Board of Supervisors shall preserve all photographs and other documentary evidence introduced at the time of the hearing. After all of the testimony is taken, the Yuba County Board of Supervisors shall close the public hearing unless he or she deems it necessary to continue the hearing for the receipt of additional evidence or an ordinance interpretation from the Affected Department.

7.40.650 Submission of Additional Written Evidence and Argument

At any time before or after the hearing up to the point the hearing is closed by the Yuba County Board of Supervisors, any interested party may submit written evidence or argument. In the event the Yuba County Board of Supervisors concludes the hearing and continues the decision to another time, the Yuba County Board of Supervisors may, in their discretion, set a deadline for submission of written argument. Except for the receipt of written argument, no ex parte communications, either direct or indirect, shall be received by the Yuba County Board of Supervisors during the period of a continuance or after the public hearing has been closed.

7.40.655 Field Trips

Whenever the Yuba County Board of Supervisors deems it necessary to take a field trip to view the site in question, the Yuba County Board of Supervisors may conduct a site visit. Unless the site visit is tape recorded, the Yuba County Board of Supervisors shall not talk to any members of the public during the conduct of such site visit. After the conduct of a site visit, the Yuba County Board of Supervisors shall place into the record the visual observations made and the conclusions drawn as a result of such visit.

7.40.660 Recording

All proceedings shall be recorded. If a verbatim transcript is desired, the person requesting the transcript shall have the responsibility for arranging for the appearance of a court reporter to transcribe the hearing. In the event that a court reporter is present at the request of an interested party, the party retaining the court reporter shall provide a copy of the reporter's written transcript to the Yuba County Board of Supervisors at no charge to the County.

7.40.670 Decision

The decision of the Yuba County Board of Supervisors is final. The time within which judicial review of this decision may be sought is governed by California Code of Civil Procedure,

Section 1094.6 and the Yuba County Ordinance Code Chapter 1.16.

7.40.680 Severability
If any section, subsection, sentence, clause, or phrase of this Chapter, is for any reason held to be invalid, unlawful, or unconstitutional, such invalidity or unconstitutionality shall not affect the validity, lawfulness, or constitutionality of any or all other portions of this Chapter.

Section 3. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Draft Proposal #2
Sacramento County Model

COUNTY OF YUBA

SUMMARY OF PROPOSED ORDINANCE
REPEALING AND REENACTING AS AMENDED CHAPTER 7.40
OF THE YUBA COUNTY ORDINANCE CODE
RELATING TO MARIJUANA CULTIVATION

The following is a summary of an ordinance proposed to be adopted by the Board of Supervisors of the County of Yuba on_____ day of _____20__.

The proposed ordinance would repeal and reenact as amended Chapter 7.40 of the Yuba County Ordinance Code relating to Marijuana Cultivation.

The complete text of the proposed ordinance may be reviewed in the Office of the Clerk of the Board of Supervisors of Yuba County.

DONNA STOTTLEMEYER
Clerk of the Board of Supervisors

By:_____

THE BOARD OF SUPERVISORS OF THE COUNTY OF YUBA, STATE OF CALIFORNIA DOES ORDAIN AS FOLLOWS:

Section 1.This ordinance shall take effect thirty (30) days after its passage, and before the expiration of fifteen (15) days after its passage a summary shall be published with the names of the members voting for and against the same, once in a local newspaper of general circulation in the County of Yuba, State of California.

Section 2. Chapter 7.40 of Title VII of the Yuba County Ordinance Code is hereby amended to read as follows:

CHAPTER 7.40

MARIJUANA CULTIVATION

Sections

7.40.100 Authority
7.40.110 Purpose & Intent
7.40.120 Findings
7.40.130 Scope
7.40.140 Responsibilities
7.40.150 Private Right of Action
7.40.200 Definitions
7.40.300 Cultivation Restrictions
7.40.400 Conditions Creating Public Nuisance
7.40.500 Enforcement Authority
7.40.510 Right of Entry/Inspection
7.40.520 Violations
7.40.530 Remedies
7.40.540 Notice and Order to Abate
7.40.550 Administrative Penalties
7.40.560 Enforcement Costs
7.40.600 Appeal
7.40.605 Appeal Hearings
7.40.610 Notice of Hearing
7.40.620 Powers of the Yuba County Board of Supervisors
7.40.625 Questions of Ordinance Interpretation
7.40.630 Fairness of Hearings
7.40.635 Evidentiary Rules

7.40.640 Order of Proceeding at Hearing
7.40.645 Speakers' Presentation
7.40.650 Submission of Additional Written Evidence and Argument
7.40.655 Field Trips
7.40.660 Recording
7.40.670 Decision
7.40.680 Severability

ARTICLE I
GENERAL PROVISIONS

7.40.100 Authority
Pursuant to authority granted by Article XI Section 7 of the California Constitution, Section 11362.83(c) of the California Health and Safety Code and Section 25845 of the California Government Code, the Yuba County Board of Supervisors does hereby enact this Chapter.

7.40.110 Purpose & Intent
The purpose and intent in adopting this Chapter is to acknowledge State law as it relates to medical marijuana and to reduce conditions that create public nuisances through enacting these regulations including without limitation, restrictions as to location of cultivation, the number of marijuana plants, and the use of screening and security structures, to more effectively control the adverse impacts associated with marijuana cultivation as stated herein, while considering the desires of qualified patients and primary caregivers, in furtherance of the public necessity, health, safety, convenience, and general welfare within the Board's jurisdictional limits. Nothing in this Chapter shall be construed to authorize any use, possession, cultivation, or distribution of marijuana for non-medical purposes or that is in violation of state or federal law.

7.40.120 Findings
a. The Federal Controlled Substances Act, 21 U.S.C. §§ 801 et seq., classifies marijuana as a Schedule I Drug, which is defined as a drug or other substance that has a high potential for abuse, that has no currently accepted medical use in treatment in the United States, and that has not been accepted as safe for use under medical supervision.
b. The Federal Controlled Substances Act makes it unlawful, under federal law, for any person to cultivate, manufacture, distribute or dispense, or possess with intent to manufacture, distribute or dispense, marijuana. The Federal Controlled Substances Act contains no exemption for the cultivation, manufacture, distribution, dispensation, or possession of marijuana for medical purposes.

c. Division 10 of the California Health and Safety Code, Uniform Substance Control Act, makes it unlawful, under State law, for any person to cultivate, manufacture, distribute or dispense, or possess with intent to manufacture, distribute or dispense, marijuana.
d. In 1996, the voters of the State of California approved Proposition 215, "The Compassionate Use Act", (codified as Health and Safety Code Section 11362.5) which was intended to decriminalize cultivation and possession of medical marijuana by a seriously ill patient, or the patient's primary caregiver, for the patient's personal use, and to create a limited defense to the crimes of possessing or cultivating marijuana. The Act further provided that nothing in this section shall be construed to supersede legislation prohibiting persons from engaging in conduct that endangers others, or to condone the diversion of marijuana for non-medical purposes.
e. The State enacted SB 420 in 2004 (known as the "Medical Marijuana Program Act", codified as Health and Safety Code Section 11362.7 et seq.) to expand and clarify the scope of The Compassionate Use Act of 1996 by creating the medical marijuana Identification Card program, creating reasonable regulations for cultivating, processing, transporting and administering marijuana, as well as limiting the amount marijuana a qualified individual may possess. The Medical Marijuana Program Act defines a "primary caregiver" as an individual who is designated by a qualified patient or by a person with an identification card, and who has consistently assumed responsibility for the housing, health, or safety of that patient or person and is further defined in the California Supreme Court decision *People v. Mentch* (2008) 45 Cal.4th 274.
f. The County's geographic and climatic conditions, which include dense forested areas receiving substantial precipitation, provide conditions that are favorable to outdoor marijuana cultivation, thus growers can achieve a high per-plant yield. The Federal Drug Enforcement Administration reports that various types of marijuana plants under various planting conditions may yield averages of 236 grams, or about one-half (1/2) pound, to 846 grams, or nearly two (2) pounds.
g. The strong distinctive odor of marijuana plants creates an attractive nuisance, alerting persons to the location of the valuable plants, and has resulted in burglary, robbery and armed robbery.
h. The strong and distinctive odor of marijuana plants creates a need to ensure that smells that disrupt the use of adjacent properties are minimized, much in the same way that the County has ordinances currently in place to minimize the smells associated with raising livestock.
i. Children (minor under the age of 18) are particularly vulnerable to the effects of marijuana use and the presence of marijuana plants is an attractive nuisance for children, creating an unreasonable hazard in areas frequented by children (including schools, parks, and other similar locations).
j. The unregulated cultivation of marijuana in the unincorporated area of Yuba County can adversely affect the health, safety, and well-being of the County, its residents and environment. Comprehensive civil regulation of premises used for marijuana

cultivation is proper and necessary to avoid the risks of criminal activity, degradation of the natural environment, malodorous smells, and indoor electrical fire hazards that may result from unregulated marijuana cultivation, and that are especially significant if the amount of marijuana cultivated on a single premises is not regulated and substantial amounts of marijuana are thereby allowed to be concentrated in one place.

k. The indoor Cultivation of substantial amounts of marijuana within a residence presents potential health and safety risks to those living in the residence, especially to children, including, but not limited to, increased risk of fire from grow light systems, exposure to fertilizers, pesticides, anti-fungus/mold agents, and exposure to potential property crimes targeting the residence. In recognition of the goals of the Compassionate Use Act, the allowance of the cultivation of a limited, well regulated, amount of marijuana will reduce the health and safety risks pose by such cultivation.

l. Comprehensive restriction of premises used for marijuana cultivation is proper and necessary to address the risks and adverse impacts as stated herein, that are especially significant if the amount of marijuana cultivated on a single premises is not regulated and substantial amounts of marijuana are thereby allowed to be concentrated in one place.

m. Outdoor marijuana cultivation, especially within the foothills, is creating devastating impacts to California's surface and groundwater resources. The State Water Resources Control Board, the North Coast Regional Water Quality Control Board, the Central Valley Regional Water Quality Control Board and the Department of Fish and Wildlife have seen a dramatic increase in the number of marijuana gardens, and corresponding increases in impacts to water supply and water quality, including the discharge of sediments, pesticides, fertilizers, petroleum hydrocarbons, trash and human waste. The sources of these impacts result from unpermitted and unregulated timber clearing, road development, stream diversion for irrigation, land grading, erosion of disturbed surfaces and stream banks, and temporary human occupancy without proper sanitary facilities.

n. The immunities from certain prosecution provided to qualified patients and their primary caregivers under State law to cultivate marijuana plants for medical purposes does not confer the right to create or maintain a public nuisance. By adopting the regulations contained in this Chapter, the County will achieve a significant reduction in the complaints of odor and the risks of fire, crime and pollution caused or threatened by the unregulated cultivation of marijuana in the unincorporated area of Yuba County.

o. Nothing in this Chapter shall be construed to allow the use of marijuana for non-medical purposes, or allow any activity relating to the cultivation, distribution, or consumption of marijuana that is otherwise illegal under State law. No provision of this Chapter shall be deemed a defense or immunity to any action brought against any person by the County of Yuba, Yuba County District Attorney, the Attorney General of State of California, or the United States of America.

p. In *Browne v. County of Tehama*, 213 Cal. App. 4th 704 (2013), the California Court of Appeal stated that "Neither the Compassionate Use Act nor the Medical Marijuana Program grants . . . anyone . . . an unfettered right to cultivate marijuana for medical purposes. Accordingly, the regulation of cultivation of medical marijuana does not conflict with either statute." Similarly, in *City of Riverside v. Inland Empire Patients Health & Wellness Center, Inc.*, 56 Cal. 4th 729 (2013), the California Supreme Court concurred that "Nothing in the CUA or the MMP expressly or impliedly limits the inherent authority of a local jurisdiction, by its own ordinances, to regulate the use of its land . . ." Additionally, in *Maral v. City of Live Oak* (2013), 221 Cal.App. 4th 975, 983, review denied 2014 Cal. LEXIS 2402 (March 26, 2014), the same Court of Appeal held that "there is no right—and certainly no constitutional right—to cultivate medical marijuana . . ." The Court in *Live Oak* affirmed the ability of a local governmental entity to prohibit the cultivation of marijuana under its land use authority.

q. On May 1, 2012, the Board of Supervisors adopted Ordinance No. 1518 to regulate marijuana cultivation. On December 18, 2012, Ordinance 1522 was adopted revising Ordinance 1518 to modify enforcement procedures and requirements to a specific plant count based on property size from square foot of area for cultivation. The provisions of both Ordinances have proven to be inadequate to control the negative impacts of marijuana cultivation. Since the adoption of Ordinance No. 1522, there has been increased Marijuana Cultivation throughout the unincorporated areas of the County in violation of the provisions of that ordinance. In addition, the graduated areas for cultivation, based on parcel size, have proven cumbersome and problematic to administer and enforce. For example, the original limits were based on square feet of total Cultivation area, leading to uncertainty in measurement when the plants were not cultivated in a defined contiguous area, and the need for multiple inspections throughout the grow season. The current revisions contained in this ordinance are intended to address the aforementioned concerns, and simplify the regulations to be more readily understood by those affected, to expedite the code enforcement process and to more effectively control the adverse impacts associated with marijuana cultivation as stated herein, while considering the desires of Qualified Patients and their Primary Caregivers.

7.40.130 Scope

The provisions of this Chapter shall apply generally to all property throughout the unincorporated area of the County of Yuba.

7.40.140 Responsibilities

a. Regardless of whether an owner is in actual possession of his or her real property, it is the duty of every owner of real property within the unincorporated area of Yuba County to prevent a public nuisance from arising on, or from existing upon, his or her real

property.

b. No person or entity shall cause, permit, maintain, conduct or otherwise allow a public nuisance as defined in this Chapter to exist upon any property within their control and shall not cause a public nuisance to exist upon any other property within the unincorporated limits of the County of Yuba. It shall be the duty of every owner, occupant, and person that controls any land or interest therein within the unincorporated area of the County of Yuba to remove, abate and prevent the reoccurrence of any public nuisance upon such land.

7.40.150 Private Right of Action

Nothing contained in this Chapter shall be construed to prohibit the right of any person or public or private entity damaged by any violation of this Chapter to institute a civil proceeding for injunctive relief against such violation, for money damages, or for whatever other or additional relief the court deems appropriate. The remedies available under this Chapter shall be in addition to, and shall not in any way restrict other rights or remedies available under law.

ARTICLE 2
DEFINITIONS

7.40.200 Definitions

Except where the context otherwise requires, the following definitions shall govern the construction of this Chapter:

a. "Accessory Structure" means a separate and permitted building located on the same parcel as the residence or an attached garage separated by a firewall.
b. "Code" means the Yuba County Ordinance Code
c. "Code Enforcement Officer" means any person employed by the County of Yuba and appointed to the position of code enforcement officer.
d. "Costs of Enforcement" or "Enforcement Costs" means all costs, direct or indirect, actual or incurred related to the performance of various administrative acts required pursuant to the enforcement of this Chapter, which include but are not limited to: administrative overhead, salaries and expenses incurred by County Officers, site inspections, investigations, notices, telephone contacts and correspondence, conducting hearings, as well as time expended by County staff in calculating the above expenses. The costs also include the cost of time and expenses associated with bringing the matter to hearing, the costs associated with any appeals from any decision rendered by any hearing body, the costs of judicially abating a violation and all costs associated with removing, correcting or otherwise abating any violation including administrative penalties of this Chapter.
e. "County" means the County of Yuba
f. "Cultivation" means the planting, growing, harvesting, drying, processing, or storage of one or more marijuana plants or any part thereof in any location, indoor or outdoor, including from within a fully enclosed and secure building.

g. "Defined Area of Cultivation" means a single, indoor, area wherein all portions of cultivation are within one dwelling completely screening the cultivation from public view.
h. "Dwelling" means a building intended for human habitation that has been legally established, permitted and certified as a single-family or multi-family dwelling.
i. "Enforcement Official" means the Code Enforcement Officer or the Sheriff, or the authorized deputies or designees of either, each of whom is independently authorized to enforce this Chapter.
j. "Fence" means a solid wall or a barrier connected by boards (redwood or cedar), masonry, rails, panels, or any other materials typically utilized for residential fences (subject to the approval of the Community Development and Services Agency) for the purpose of enclosing, securing, and screening space from public view. The term "Fence" does not include retaining walls.
k. "Indoors" means within a dwelling and does shall not include any accessory structure or any other structure other than the dwelling.
l. "Marijuana" means all parts of the plant Cannabis sativa L., whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted there from), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.
m. "Marijuana plant" means any mature or immature marijuana plant including the stalks of the plant, or any marijuana seedling, that is capable of producing marijuana. A "mature" marijuana plant is one whose sex can be determined by visual inspection.
n. "Minor" means a person less than 18 years of age.
o. "Outdoors" means any location that is not "indoors" within a fully enclosed and secure structure as defined herein.
p. "Parcel" means any parcel of real property that may be separately sold in compliance with the Subdivision Map Act (commencing with Section 66410 of the Government Code) and also means parcels that are described, recorded and kept in official County records specifically including documents and maps used by the County Assessor's Office, the County Tax Collector's Office and the County Recorder's Office.
q. "Primary Caregiver" shall have the same meaning as "primary caregiver" as defined in the California Health and Safety Code, commencing with Section 11362.7(d), and as further defined in the California Supreme Court decision *People v. Mentch* (2008) 45 Ca1.4th 274.
r. "Public View" shall mean as viewed at ground level, without the use of a ladder or similar device, from any place the general public has a lawful right to be including the public right of way, a public way or neighboring premises.
s. "Qualified patient" shall have the same meaning as "qualified patient" as defined in the

California Health and Safety Code, commencing with Section 11362.7(f).

t. "Residence" shall have the same meaning as "Dwelling"

u. "Sheriff" or "Sheriff's Office" means the Yuba County Sheriff's Office or the authorized representatives thereof.

ARTICLE 3
RESTRICTIONS AND REQUIREMENTS

7.40.300 Cultivation Restrictions

a. Outdoor cultivation on any Parcel is prohibited.

b. Indoor cultivation is prohibited, unless:

1. The cultivation is within the Defined Area of Cultivation of an occupied, legally established, Dwelling in conformance with this Chapter.
2. The number of plants being cultivated within the Dwelling does not exceed nine (9). The foregoing limitation shall be imposed regardless of the number of qualified patients or primary caregivers residing on the Parcel or participating directly or indirectly in the cultivation. Further, this limitation shall be imposed notwithstanding any assertion that the person(s) cultivating marijuana are the primary caregiver(s) for qualified patients or that such person(s) are collectively or cooperatively cultivating marijuana.
3. The marijuana is cultivated by a qualified patient(s) or primary caregiver(s) for medicinal purposes.
4. At least one qualified patient or primary caregiver resides on the Parcel on a full-time basis.
5. The area used for the cultivation complies with Chapter 10.05, Building Standards Construction, of the Yuba County Ordinance Code. No portion of the Dwelling shall be altered unless a building permit has been obtained and final approval has been granted.
6. The cultivation does not otherwise create a nuisance or any fire/life/safety hazard.

ARTICLE 4
PUBLIC NUISANCE

7.40.400 Conditions Creating Public Nuisance

A public nuisance shall be deemed to exist when any of the following conditions or circumstances is present:

a. Any person owning, leasing, occupying or having charge or possession of any Parcel within the unincorporated area of the County to cause or allow such Parcel to be used for the cultivation of marijuana in violation of the provisions contained herein or any provisions set forth in Division 10 of the California Health and Safety Code.

b. The cultivation of marijuana on a Parcel that does not have an occupied legally established Dwelling in conformance with this Chapter.
c. The cultivation of marijuana on a Parcel by anyone other than a qualified patient or a primary caregiver. A physician's recommendation shall be kept onsite at all times and shall be posted in plain view for inspection. Where multiple people are cultivating, each physician recommendation shall be posted.
d. Marijuana plants in public view as defined in Section 7.40.200 of this Chapter.
e. The cultivation of marijuana in a manner that exceeds 9 plants.
f. The improper use, storage and/or disposal (per the manufacturer's instructions and/or any law that governs same) of chemicals, fertilizers, gas products (CO2, butane, etc.) or any other products or equipment associated with the cultivation of marijuana.
g. Any violation of any Ordinance or State law or any public nuisance defined or known at common law or in equity jurisprudence.

ARTICLE 5
ENFORCEMENT

7.40.500 Enforcement Authority
The Office of the Yuba County Sheriff and/or the Director of the County Department that has been assigned responsibility for administration of Code Enforcement services are hereby designated to enforce this Chapter.

7.40.510 Right of Entry/Inspection
To enforce the provision of this Code, an Enforcement Officer may at a reasonable time request inspection of any parcel suspected of cultivating marijuana. If the person owning or occupying the parcel refuses the request for an inspection, the Enforcement Officer shall have recourse to every remedy provided by law to secure entry, including obtaining an inspection warrant.

7.40.520 Violations
a. It is unlawful and a violation of this Chapter for any person to permit a public nuisance to exist upon real property in which such person has an ownership or possessory interest.
b. It shall be unlawful and a violation of this Chapter to do anything in contrary to the guidelines set forth in this Chapter.
c. Each person violating this Chapter shall be guilty of a separate offense for each and every day, or portion thereof, which any violation of any provision of this Chapter is committed, continued, or permitted by any such person. Any violation which persists for more than one day is deemed a continuing violation.

7.40.530 Remedies

a. Any violation of this Chapter shall be deemed a public nuisance and is subject to any enforcement process authorized by law or as outlined in this Code.
b. Nothing herein shall be read, interpreted or construed in any manner so as to limit any existing right or power of the County of Yuba or any other governmental entity to enforce County ordinances, to abate any and all nuisances, or employ any remedy available at law or equity.

7.40.540 Notice and Order to Abate

a. Upon making a determination that a public nuisance exists, the Enforcement Official shall notify the owner and/or the alleged violator that a public nuisance exists upon such owner's property. As to an owner, the Notice and Order to Abate shall be delivered by personal service or by Certified, Return Receipt mail, with postage prepaid, addressed to the owner as such owner's name and address appears on the last equalized assessment roll or to such other address as the owner directs. As to an alleged violator whom the Enforcement Official has determined directly or indirectly contributed to the condition creating the nuisance, the Notice and Order to Abate shall be delivered by personal service or by Certified, Return Receipt mail, with postage prepaid, to the last known address of the alleged violator. In addition, the Notice and Order to Abate shall be delivered by first class mail, with postage prepaid, addressed to the owner and/or alleged violator at the same addresses. A copy shall also be posted on the property. The Enforcement Official shall complete a proof of service.
b. The Notice and Order to Abate shall describe the use or condition which constitutes the public nuisance; and shall order that the uses or conditions constituting the nuisance be abated by demolition, securing, removal, cleanup, repair or other means within a reasonable time certain as determined necessary for such abatement by the Enforcement Official based upon the nature and complexity of the abatement process, normally being three (3) days, or less, from the date such notice is mailed and/or posted.

7.40.550 Administrative Penalties

a. Any person who violates this Chapter shall be guilty of a separate offense for each and every day, or portion thereof, the violation is committed, permitted or continued. In addition to the actual abatement and/or administrative costs incurred by the County any person who has been issued a Notice and Order to Abate Public Nuisance shall be assessed an Administrative Penalty as follows:
    1. A penalty of $100.00 for each violation of this Code per day as set forth in the Notice and Order to Abate.
    2. A penalty of $200.00 for each violation of this Code per day when a second violation of this Code occurs within eighteen (18) months of a previously issued Notice and Order to Abate.
    3. A penalty of $500.00 for each violation of this Code per day for each subsequent

violation of this Code beyond the second when the violation occurs within thirty-six (36) months of the original Notice and Order to Abate.

b. For the purpose of calculating the daily Administrative Penalty, each offense of any Section of this Chapter shall be charged as a separate violation; in addition, each marijuana plant in violation of this Chapter shall be charged as a separate violation.
c. The Administrative Penalty, pursuant to this Section, shall be assessed immediately upon the issuance of a Notice and Order to Abate Public Nuisance and shall continue to accrue until the date compliance with the Order has been met and verified by the Enforcing Officer. In the event an appeal has been properly filed with the County, the appeal shall have no affect on the Administrative Penalty and said Penalty shall continue to accrue during the pendency of the hearing. At the conclusion of the hearing the Yuba County Board of Supervisors is authorized to modify or waive the Administrative Penalty for cause and shall make express findings into the record for such modification or waiver.

7.40.560 Enforcement Costs

a. All costs and penalties associated with the enforcement of this Chapter are the responsibility of the owner(s) of any parcel(s) on which a nuisance has been found to exist and such costs shall be paid within 30 days of the date of demand thereof.
b. Where costs and penalties go unpaid beyond 30 days, the Enforcement Official shall take action to confirm the costs, record a lien and place a special tax assessment pursuant to procedures as set forth in Chapter 7.36 of the Yuba County Ordinance Code.

ARTICLE 6
APPEALS AND UNIFORM HEARINGS AND PROCEDURES

7.40.600 Appeal

Any person who has received a Notice and Order to Abate Public Nuisance may request an appeal before the Yuba County Board of Supervisors within 10 calendar days of the date of the Notice and Order to Abate. The request for appeal shall be in writing and must be accompanied by a deposit for costs as enumerated in Title XIII of this Code.

7.40.605 Appeal Hearings

Abatement hearings and hearings to determine administrative penalties shall be heard by the Yuba County Board of Supervisors. The Board of Supervisors, in its discretion, may appoint a hearing officer or commissioner to hear and preside over such hearings.

7.40.610 Notice of Hearing

If the owner or alleged violator requests a hearing within ten (10) calendar days of the date of the Notice and Order to Abate, the Enforcement Official shall schedule a hearing and provide notice to the owner or alleged violator of the time and place the hearing will take place. Notice of the hearing shall be delivered by personal service or by Certified Return Receipt mail, with postage

prepaid, addressed to the owner as such owner's name and address appears on the last equalized assessment roll or to such other address as the owner or alleged violator provides. In addition, the Notice of Hearing shall be delivered by first class mail, with postage prepaid, addressed to the owner as such owner's name and address appears on the last equalized assessment roll or to such other address as the owner or alleged violator provides. The Enforcement Official shall complete a proof of service. The hearing shall be set for a date that is not less than five (5) and not more than thirty (30) days from the date that the request for hearing is filed with the Enforcement Official.

7.40.620 Powers of the Yuba County Board of Supervisors

The Yuba County Board of Supervisors shall have the power to conduct the hearing, the power to decide a matter upon which a hearing has been held, the power to make findings of fact and conclusions of law required for the decision, the power to issue subpoenas, the power to receive evidence, the power to administer oaths, the power to rule on questions of law and the admissibility of evidence, the power to continue the hearing from time to time, and the power to prepare a record of the proceedings.

7.40.630 Fairness of Hearings

Hearings shall be conducted in a manner suitable to ensure fundamental fairness to all parties concerned, limited by the need to secure relevant information necessary to render a decision without unnecessary delay.

7.40.635 Evidentiary Rules

The hearing need not be conducted according to technical rules relating to evidence. Any evidence may be presented if it is the sort of evidence upon which reasonable persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions. Hearsay evidence may be used for the purpose of supplementing or explaining other evidence, but may be rejected if deemed to be unreliable. The rules of privilege shall be effective to the extent that they are otherwise required by statute to be recognized at a hearing. Unduly repetitious or irrelevant evidence shall be excluded at the discretion of the Yuba County Board of Supervisors.

7.40.640 Order of Proceeding at Hearing

The Yuba County Board of Supervisors shall ordinarily proceed in the following order when conducting hearings:

a. The Enforcement Official's presentation shall proceed first. It should include identification of the file and property, a summary of the history and matters at issue, a staff analysis of the legal and factual issues involved, permitted uses to which the property was and is subject, and accounting of enforcement costs relating to the property, and a recommended decision.

b. A presentation by or on behalf of the appellant shall next proceed.
c. Tenants or other occupants of the subject property shall speak third.
d. Individuals who are not appealing but own property immediately contiguous to the subject property shall speak fourth.
e. Other interested parties shall speak fifth.
f. The appellant shall be entitled to rebuttal.

7.40.645 Speakers' Presentation

Each speaker shall approach the microphone and give his or her full name and address for the record.

a. Each speaker's presentation shall be to the point and shall be as brief as possible; visual and other materials may be used as appropriate, but, if used, shall become part of the public record and the property of the County. The Yuba County Board of Supervisors may establish a time limit for presentations; provided, however, that at least ten minutes shall be allowed for each speaker. Speakers shall, at the discretion of the Yuba County Board of Supervisors, be allowed to speak for longer than ten minutes if that speaker represents a group of individuals, the remainder of which chose not to speak. Speakers with lengthy presentations are encouraged to submit them in writing. There shall be no limitation upon length of written statements.
b. The Yuba County Board of Supervisors shall hear testimony and receive written and/or documentary evidence relating to the alleged violation. The parties may be represented by legal counsel. Testimony shall be taken on oath or affirmation. Each party shall have the right to call and examine witnesses; to introduce exhibits; to cross-examine opposing witnesses on any matter relevant to the issues presented; to impeach any witness; and to rebut evidence. Witnesses shall be subject to cross-examination by the Yuba County Board of Supervisors.
c. Subject to the Yuba County Board of Supervisors' right to accept a motion to conclude the taking of all testimony or to close the public hearing when a reasonable opportunity to present all questions and points of view has been allowed, any person wishing to speak shall be heard. Except for rebuttal allowed, each speaker shall speak only once.
d. The Yuba County Board of Supervisors shall preserve all photographs and other documentary evidence introduced at the time of the hearing. After all of the testimony is taken, the Yuba County Board of Supervisors shall close the public hearing unless he or she deems it necessary to continue the hearing for the receipt of additional evidence or an ordinance interpretation from the Affected Department.

7.40.650 Submission of Additional Written Evidence and Argument

At any time before or after the hearing up to the point the hearing is closed by the Yuba County Board of Supervisors, any interested party may submit written evidence or argument. In the event the Yuba County Board of Supervisors concludes the hearing and continues the decision to another time, the Yuba County Board of Supervisors may, in their discretion, set a deadline for

submission of written argument. Except for the receipt of written argument, no ex parte communications, either direct or indirect, shall be received by the Yuba County Board of Supervisors during the period of a continuance or after the public hearing has been closed.

7.40.655 Field Trips

Whenever the Yuba County Board of Supervisors deems it necessary to take a field trip to view the site in question, the Yuba County Board of Supervisors may conduct a site visit. Unless the site visit is tape recorded, the Yuba County Board of Supervisors shall not talk to any members of the public during the conduct of such site visit. After the conduct of a site visit, the Yuba County Board of Supervisors shall place into the record the visual observations made and the conclusions drawn as a result of such visit.

7.40.660 Recording

All proceedings shall be recorded. If a verbatim transcript is desired, the person requesting the transcript shall have the responsibility for arranging for the appearance of a court reporter to transcribe the hearing. In the event that a court reporter is present at the request of an interested party, the party retaining the court reporter shall provide a copy of the reporter's written transcript to the Yuba County Board of Supervisors at no charge to the County.

7.40.670 Decision

The decision of the Yuba County Board of Supervisors is final. The time within which judicial review of this decision may be sought is governed by California Code of Civil Procedure, Section 1094.6 and the Yuba County Ordinance Code Chapter 1.16.

7.40.680 Severability

If any section, subsection, sentence, clause, or phrase of this Chapter, is for any reason held to be invalid, unlawful, or unconstitutional, such invalidity or unconstitutionality shall not affect the validity, lawfulness, or constitutionality of any or all other portions of this Chapter.

Section 3. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Draft Proposal #3
Fresno County Model

COUNTY OF YUBA

**SUMMARY OF PROPOSED ORDINANCE
REPEALING AND REENACTING AS AMENDED CHAPTER 7.40
OF THE YUBA COUNTY ORDINANCE CODE
RELATING TO MARIJUANA CULTIVATION**

The following is a summary of an ordinance proposed to be adopted by the Board of Supervisors of the County of Yuba on_____ day of _____20__.

The proposed ordinance would repeal and reenact as amended Chapter 7.40 of the Yuba County Ordinance Code relating to Marijuana Cultivation.

The complete text of the proposed ordinance may be reviewed in the Office of the Clerk of the Board of Supervisors of Yuba County.

DONNA STOTTLEMEYER
Clerk of the Board of Supervisors

By:_____

THE BOARD OF SUPERVISORS OF THE COUNTY OF YUBA, STATE OF CALIFORNIA DOES ORDAIN AS FOLLOWS:

Section 1.This ordinance shall take effect thirty (30) days after its passage, and before the expiration of fifteen (15) days after its passage a summary shall be published with the names of the members voting for and against the same, once in a local newspaper of general circulation in the County of Yuba, State of California.

Section 2. Chapter 7.40 of Title VII of the Yuba County Ordinance Code is hereby amended to read as follows:

CHAPTER 7.40
MARIJUANA CULTIVATION

Sections

7.40.100 Authority
7.40.110 Purpose & Intent
7.40.120 Findings
7.40.130 Scope
7.40.140 Responsibilities
7.40.150 Private Right of Action
7.40.200 Definitions
7.40.300 Cultivation Restrictions
7.40.310 Cultivation Requirements
7.40.320 Accessory Structures
7.40.330 Fencing
7.40.400 Conditions Creating Public Nuisance
7.40.500 Enforcement Authority
7.40.510 Right of Entry/Inspection
7.40.520 Violations
7.40.530 Remedies
7.40.540 Notice and Order to Abate
7.40.550 Administrative Penalties
7.40.570 Enforcement Costs
7.40.600 Appeal
7.40.605 Appeal Hearings
7.40.610 Notice of Hearing
7.40.620 Powers of the Yuba County Board of Supervisors
7.40.625 Questions of Ordinance Interpretation
7.40.630 Fairness of Hearings

7.40.635 Evidentiary Rules
7.40.640 Order of Proceeding at Hearing
7.40.645 Speakers' Presentation
7.40.650 Submission of Additional Written Evidence and Argument
7.40.655 Field Trips
7.40.660 Recording
7.40.670 Decision
7.40.680 Severability

ARTICLE I
GENERAL PROVISIONS

7.40.100 Authority
Pursuant to authority granted by Article XI Section 7 of the California Constitution, Section 11362.83(c) of the California Health and Safety Code and Section 25845 of the California Government Code, the Yuba County Board of Supervisors does hereby enact this Chapter.

7.40.110 Purpose & Intent
The purpose and intent in adopting this Chapter is to acknowledge State law as it relates to medical marijuana and to reduce conditions that create public nuisances through enacting these regulations including without limitation, restrictions as to location of cultivation, the number of marijuana plants, and the use of screening and security structures, to more effectively control the adverse impacts associated with marijuana cultivation as stated herein, while considering the desires of qualified patients and primary caregivers, in furtherance of the public necessity, health, safety, convenience, and general welfare within the Board's jurisdictional limits. Nothing in this Chapter shall be construed to authorize any use, possession, cultivation, or distribution of marijuana for non-medical purposes or that is in violation of state or federal law.

7.40.120 Findings
a. The Federal Controlled Substances Act, 21 U.S.C. §§ 801 et seq., classifies marijuana as a Schedule I Drug, which is defined as a drug or other substance that has a high potential for abuse, that has no currently accepted medical use in treatment in the United States, and that has not been accepted as safe for use under medical supervision.
b. The Federal Controlled Substances Act makes it unlawful, under federal law, for any person to cultivate, manufacture, distribute or dispense, or possess with intent to manufacture, distribute or dispense, marijuana. The Federal Controlled Substances Act contains no exemption for the cultivation, manufacture, distribution, dispensation, or

possession of marijuana for medical purposes.

c. Division 10 of the California Health and Safety Code, Uniform Substance Control Act, makes it unlawful, under State law, for any person to cultivate, manufacture, distribute or dispense, or possess with intent to manufacture, distribute or dispense, marijuana.
d. In 1996, the voters of the State of California approved Proposition 215, "The Compassionate Use Act", (codified as Health and Safety Code Section 11362.5) which was intended to decriminalize cultivation and possession of medical marijuana by a seriously ill patient, or the patient's primary caregiver, for the patient's personal use, and to create a limited defense to the crimes of possessing or cultivating marijuana. The Act further provided that nothing in this section shall be construed to supersede legislation prohibiting persons from engaging in conduct that endangers others, or to condone the diversion of marijuana for non-medical purposes.
e. The State enacted SB 420 in 2004 (known as the "Medical Marijuana Program Act", codified as Health and Safety Code Section 11362.7 et seq.) to expand and clarify the scope of The Compassionate Use Act of 1996 by creating the medical marijuana Identification Card program, creating reasonable regulations for cultivating, processing, transporting and administering marijuana, as well as limiting the amount marijuana a qualified individual may possess. The Medical Marijuana Program Act defines a "primary caregiver" as an individual who is designated by a qualified patient or by a person with an identification card, and who has consistently assumed responsibility for the housing, health, or safety of that patient or person and is further defined in the California Supreme Court decision *People v. Mentch* (2008) 45 Cal.4th 274.
f. The County's geographic and climatic conditions, which include dense forested areas receiving substantial precipitation, provide conditions that are favorable to outdoor marijuana cultivation, thus growers can achieve a high per-plant yield. The Federal Drug Enforcement Administration reports that various types of marijuana plants under various planting conditions may yield averages of 236 grams, or about one-half (1/2) pound, to 846 grams, or nearly two (2) pounds.
g. The strong distinctive odor of marijuana plants creates an attractive nuisance, alerting persons to the location of the valuable plants, and has resulted in burglary, robbery and armed robbery.
h. The strong and distinctive odor of marijuana plants creates a need to ensure that smells that disrupt the use of adjacent properties are minimized, much in the same way that the County has ordinances currently in place to minimize the smells associated with raising livestock.
i. Children (minor under the age of 18) are particularly vulnerable to the effects of marijuana use and the presence of marijuana plants is an attractive nuisance for children, creating an unreasonable hazard in areas frequented by children (including schools, parks, and other similar locations).
j. The unregulated cultivation of marijuana in the unincorporated area of Yuba County can adversely affect the health, safety, and well-being of the County, its residents and

environment. Comprehensive civil regulation of premises used for marijuana cultivation is proper and necessary to avoid the risks of criminal activity, degradation of the natural environment, malodorous smells, and indoor electrical fire hazards that may result from unregulated marijuana cultivation, and that are especially significant if the amount of marijuana cultivated on a single premises is not regulated and substantial amounts of marijuana are thereby allowed to be concentrated in one place.

k. The indoor Cultivation of any amount of Marijuana within a residence presents potential health and safety risks to those living in the residence, especially to children, including, but not limited to, increased risk of fire from grow light systems, exposure to fertilizers, pesticides, anti-fungus/mold agents, and exposure to potential property crimes targeting the residence.

l. Comprehensive restriction of premises used for marijuana cultivation is proper and necessary to address the risks and adverse impacts as stated herein, that are especially significant if the amount of marijuana cultivated on a single premises is not regulated and substantial amounts of marijuana are thereby allowed to be concentrated in one place.

m. Outdoor marijuana cultivation, especially within the foothills, is creating devastating impacts to California's surface and groundwater resources. The State Water Resources Control Board, the North Coast Regional Water Quality Control Board, the Central Valley Regional Water Quality Control Board and the Department of Fish and Wildlife have seen a dramatic increase in the number of marijuana gardens, and corresponding increases in impacts to water supply and water quality, including the discharge of sediments, pesticides, fertilizers, petroleum hydrocarbons, trash and human waste. The sources of these impacts result from unpermitted and unregulated timber clearing, road development, stream diversion for irrigation, land grading, erosion of disturbed surfaces and stream banks, and temporary human occupancy without proper sanitary facilities.

n. The immunities from certain prosecution provided to qualified patients and their primary caregivers under State law to cultivate marijuana plants for medical purposes does not confer the right to create or maintain a public nuisance. By adopting the regulations contained in this Chapter, the County will achieve a significant reduction in the complaints of odor and the risks of fire, crime and pollution caused or threatened by the unregulated cultivation of marijuana in the unincorporated area of Yuba County.

o. Nothing in this Chapter shall be construed to allow the use of marijuana for non-medical purposes, or allow any activity relating to the cultivation, distribution, or consumption of marijuana that is otherwise illegal under State law. No provision of this Chapter shall be deemed a defense or immunity to any action brought against any person by the County of Yuba, Yuba County District Attorney, the Attorney General of State of California, or the United States of America.

p. In *Browne v. County of Tehama*, 213 Cal. App. 4th 704 (2013), the California Court of Appeal stated that "Neither the Compassionate Use Act nor the Medical

Marijuana Program grants . . . anyone . . . an unfettered right to cultivate marijuana for medical purposes. Accordingly, the regulation of cultivation of medical marijuana does not conflict with either statute." Similarly, in *City of Riverside v. Inland Empire Patients Health & Wellness Center, Inc.*, 56 Cal. 4th 729 (2013), the California Supreme Court concurred that "Nothing in the CUA or the MMP expressly or impliedly limits the inherent authority of a local jurisdiction, by its own ordinances, to regulate the use of its land . . ." Additionally, in *Maral v. City of Live Oak* (2013), 221 Cal.App. 4th 975, 983, review denied 2014 Cal. LEXIS 2402 (March 26, 2014), the same Court of Appeal held that "there is no right—and certainly no constitutional right—to cultivate medical marijuana . . ." The Court in *Live Oak* affirmed the ability of a local governmental entity to prohibit the cultivation of marijuana under its land use authority.

q. On May 1, 2012, the Board of Supervisors adopted Ordinance No. 1518 to regulate marijuana cultivation. On December 18, 2012, Ordinance 1522 was adopted revising Ordinance 1518 to modify enforcement procedures and requirements to a specific plant count based on property size from square foot of area for cultivation. The provisions of both Ordinances have proven to be inadequate to control the negative impacts of marijuana cultivation. Since the adoption of Ordinance No. 1522, there has been increased Marijuana Cultivation throughout the unincorporated areas of the County in violation of the provisions of that ordinance. In addition, the graduated areas for cultivation, based on parcel size, have proven cumbersome and problematic to administer and enforce. For example, the original limits were based on square feet of total Cultivation area, leading to uncertainty in measurement when the plants were not cultivated in a defined contiguous area, and the need for multiple inspections throughout the grow season. The current revisions contained in this ordinance are intended to address the aforementioned concerns, and simplify the regulations to be more readily understood by those affected, to expedite the code enforcement process and to more effectively control the adverse impacts associated with marijuana cultivation as stated herein, while considering the desires of Qualified Patients and their Primary Caregivers.

7.40.130 Scope

The provisions of this Chapter shall apply generally to all property throughout the unincorporated area of the County of Yuba.

7.40.140 Responsibilities

a. Regardless of whether an owner is in actual possession of his or her real property, it is the duty of every owner of real property within the unincorporated area of Yuba County to prevent a public nuisance from arising on, or from existing upon, his or her real property.

b. No person or entity shall cause, permit, maintain, conduct or otherwise allow a public

nuisance as defined in this Chapter to exist upon any property within their control and shall not cause a public nuisance to exist upon any other property within the unincorporated limits of the County of Yuba. It shall be the duty of every owner, occupant, and person that controls any land or interest therein within the unincorporated area of the County of Yuba to remove, abate and prevent the reoccurrence of any public nuisance upon such land.

7.40.150 Private Right of Action

Nothing contained in this Chapter shall be construed to prohibit the right of any person or public or private entity damaged by any violation of this Chapter to institute a civil proceeding for injunctive relief against such violation, for money damages, or for whatever other or additional relief the court deems appropriate. The remedies available under this Chapter shall be in addition to, and shall not in any way restrict other rights or remedies available under law.

ARTICLE 2
DEFINITIONS

7.40.200 Definitions

Except where the context otherwise requires, the following definitions shall govern the construction of this Chapter:

a. "Accessory Structure" means a separate and permitted building located on the same parcel as the residence or an attached garage separated by a firewall.
b. "Code" means the Yuba County Ordinance Code
c. "Code Enforcement Officer" means any person employed by the County of Yuba and appointed to the position of code enforcement officer.
d. "Costs of Enforcement" or "Enforcement Costs" means all costs, direct or indirect, actual or incurred related to the performance of various administrative acts required pursuant to the enforcement of this Chapter, which include but are not limited to: administrative overhead, salaries and expenses incurred by County Officers, site inspections, investigations, notices, telephone contacts and correspondence, conducting hearings, as well as time expended by County staff in calculating the above expenses. The costs also include the cost of time and expenses associated with bringing the matter to hearing, the costs associated with any appeals from any decision rendered by any hearing body, the costs of judicially abating a violation and all costs associated with removing, correcting or otherwise abating any violation including administrative penalties of this Chapter.
e. "County" means the County of Yuba
f. "Cultivation" means the planting, growing, harvesting, drying, processing, or storage of one or more marijuana plants or any part thereof in any location, indoor or outdoor, including from within a fully enclosed and secure building.
g. "Enforcement Official" means the Code Enforcement Officer or the Sheriff, or

the authorized deputies or designees of either, each of whom is independently authorized to enforce this Chapter.

h. "Fence" means a solid wall or a barrier connected by boards (redwood or cedar), masonry, rails, panels, or any other materials typically utilized for residential fences (subject to the approval of the Community Development and Services Agency) for the purpose of enclosing, securing, and screening space from public view. The term "fence" does not include retaining walls.

i. "Indoors" means within a fully enclosed structure, with a solid roof, floor, and walls. "Marijuana" means all parts of the plant Cannabis sativa L., whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted there from), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.

j. "Marijuana plant" means any mature or immature marijuana plant including the stalks of the plant, or any marijuana seedling, that is capable of producing marijuana. A "mature" marijuana plant is one whose sex can be determined by visual inspection.

k. "Outdoors" means any location that is not "indoors" within a fully enclosed and secure structure as defined herein.

l. "Parcel" means any parcel of real property that may be separately sold in compliance with the Subdivision Map Act (commencing with Section 66410 of the Government Code) and also means parcels that are described, recorded and kept in official County records specifically including documents and maps used by the County Assessor's Office, the County Tax Collector's Office and the County Recorder's Office.

m. "Primary Caregiver" shall have the same meaning as "primary caregiver" as defined in the California Health and Safety Code, commencing with Section 11362.7(d), and as further defined in the California Supreme Court decision *People v. Mentch* (2008) 45 Ca1.4th 274.

n. "Public View" shall mean as viewed at ground level, without the use of a ladder or similar device, from any place the general public has a lawful right to be including the public right of way, a public way or neighboring premises.

o. "Qualified Patient" shall have the same meaning as "qualified patient" as defined in the California Health and Safety Code, commencing with Section 11362.7(f).

p. "Residence" shall mean the habitable portion of a building designed for and occupied exclusively for living purposes, including one-family, two-family, mobile home within a mobile home park, and multifamily dwellings, but not including hotels, motels, trailers, tents, converted transit vehicles, boarding or lodging houses, or any type of temporary structures.

q. "Sheriff" or "Sheriff's Office" means the Yuba County Sheriff's Office or the authorized representatives thereof.

ARTICLE 3
RESTRICTIONS

7.40.300 Cultivation Restrictions

a. Cultivation of marijuana is prohibited in all unincorporated areas of Yuba County.
b. Outdoor cultivation on any Parcel is prohibited.
c. Indoor cultivation on any Parcel, either within a Residence or any other structure, is prohibited.

ARTICLE 4
PUBLIC NUISANCE

7.40.400 Conditions Creating Public Nuisance

A public nuisance shall be deemed to exist when any of the following conditions or circumstances is present:

a. Any person owning, leasing, occupying or having charge or possession of any parcel of land within the unincorporated area of the County to cause or allow such parcel of land to be used for the cultivation of marijuana in violation of the provisions contained herein or any provisions set forth in Division 10 of the California Health and Safety Code.
b. Any violation of any Ordinance or State law or any public nuisance defined or known at common law or in equity jurisprudence.

ARTICLE 5
ENFORCEMENT

7.40.500 Enforcement Authority

The Office of the Yuba County Sheriff and/or the Director of the County Department that has been assigned responsibility for administration of Code Enforcement services are hereby designated to enforce this Chapter.

7.40.510 Right of Entry/Inspection

To enforce the provision of this Code, an Enforcement Officer may at a reasonable time request inspection of any parcel suspected of cultivating marijuana. If the person owning or occupying the parcel refuses the request for an inspection, the Enforcement Officer shall have recourse to every remedy provided by law to secure entry, including obtaining an inspection warrant.

7.40.520 Violations

a. It is unlawful and a violation of this Chapter for any person to permit a public nuisance to exist upon real property in which such person has an ownership or possessory interest.
b. It shall be unlawful and a violation of this Chapter to do anything in contrary to the guidelines set forth in this Chapter.
c. Each person violating this Chapter shall be guilty of a separate offense for each and every day, or portion thereof, which any violation of any provision of this Chapter is committed, continued, or permitted by any such person. Any violation which persists for more than one day is deemed a continuing violation.

7.40.530 Remedies

a. Any violation of this Chapter shall be deemed a public nuisance and is subject to any enforcement process authorized by law or as outlined in this Code.
b. Nothing herein shall be read, interpreted or construed in any manner so as to limit any existing right or power of the County of Yuba or any other governmental entity to enforce County ordinances, to abate any and all nuisances, or employ any remedy available at law or equity.

7.40.540 Notice and Order to Abate

a. Upon making a determination that a public nuisance exists, the Enforcement Official shall notify the owner and/or the alleged violator that a public nuisance exists upon such owner's property. As to an owner, the Notice and Order to Abate shall be delivered by personal service or by Certified, Return Receipt mail, with postage prepaid, addressed to the owner as such owner's name and address appears on the last equalized assessment roll or to such other address as the owner directs. As to an alleged violator whom the Enforcement Official has determined directly or indirectly contributed to the condition creating the nuisance, the Notice and Order to Abate shall be delivered by personal service or by Certified, Return Receipt mail, with postage prepaid, to the last known address of the alleged violator. In addition, the Notice and Order to Abate shall be delivered by first class mail, with postage prepaid, addressed to the owner and/or alleged violator at the same addresses. A copy shall also be posted on the property. The Enforcement Official shall complete a proof of service.
b. The Notice and Order to Abate shall describe the use or condition which constitutes the public nuisance; and shall order that the uses or conditions constituting the nuisance be abated by demolition, securing, removal, cleanup, repair or other means within a reasonable time certain as determined necessary for such abatement by the Enforcement Official based upon the nature and complexity of the abatement process, normally being three (3) days, or less, from the date such notice is mailed and/or posted.

7.40.550 Administrative Penalties

a. Any person who violates this Chapter shall be guilty of a separate offense for each and every day, or portion thereof, the violation is committed, permitted or continued. In addition to the actual abatement and/or administrative costs incurred by the County any person who has been issued a Notice and Order to Abate Public Nuisance shall be assessed an Administrative Penalty as follows:
    1. A penalty of $100.00 for each violation of this Code per day as set forth in the Notice and Order to Abate.
    2. A penalty of $200.00 for each violation of this Code per day when a second violation of this Code occurs within eighteen (18) months of a previously issued Notice and Order to Abate.
    3. A penalty of $500.00 for each violation of this Code per day for each subsequent violation of this Code beyond the second when the violation occurs within thirty-six (36) months of the original Notice and Order to Abate.
b. For the purpose of calculating the daily Administrative Penalty, each offense of any Section of this Chapter shall be charged as a separate violation; in addition, each marijuana plant shall be charged as a separate violation.
c. The Administrative Penalty, pursuant to this Section, shall be assessed immediately upon the issuance of a Notice and Order to Abate Public Nuisance and shall continue to accrue until the date compliance with the Order has been met and verified by the Enforcing Officer. In the event an appeal has been properly filed with the County, the appeal shall have no affect on the Administrative Penalty and said Penalty shall continue to accrue during the pendency of the hearing. At the conclusion of the hearing the Yuba County Board of Supervisors is authorized to modify or waive the Administrative Penalty for cause and shall make express findings into the record for such modification or waiver.

7.40.560 Enforcement Costs

a. All costs and penalties associated with the enforcement of this Chapter are the responsibility of the owner(s) of any parcel(s) on which a nuisance has been found to exist and such costs shall be paid within 30 days of the date of demand thereof.
b. Where costs and penalties go unpaid beyond 30 days, the Enforcement Official shall take action to confirm the costs, record a lien and place a special tax assessment pursuant to procedures as set forth in Chapter 7.36 of the Yuba County Ordinance Code.

ARTICLE 6
APPEALS AND UNIFORM HEARINGS AND PROCEDURES

7.40.600 Appeal

Any person who has received a Notice and Order to Abate Public Nuisance may request an

appeal before the Yuba County Board of Supervisors within 10 calendar days of the date of the Notice and Order to Abate. The request for appeal shall be in writing and must be accompanied by a deposit for costs as enumerated in Title XIII of this Code.

7.40.605 Appeal Hearings

Abatement hearings and hearings to determine administrative penalties shall be heard by the Yuba County Board of Supervisors. The Board of Supervisors, in its discretion, may appoint a hearing officer or commissioner to hear and preside over such hearings.

7.40.610 Notice of Hearing

If the owner or alleged violator requests a hearing within ten (10) calendar days of the date of the Notice and Order to Abate, the Enforcement Official shall schedule a hearing and provide notice to the owner or alleged violator of the time and place the hearing will take place. Notice of the hearing shall be delivered by personal service or by Certified Return Receipt mail, with postage prepaid, addressed to the owner as such owner's name and address appears on the last equalized assessment roll or to such other address as the owner or alleged violator provides. In addition, the Notice of Hearing shall be delivered by first class mail, with postage prepaid, addressed to the owner as such owner's name and address appears on the last equalized assessment roll or to such other address as the owner or alleged violator provides. The Enforcement Official shall complete a proof of service. The hearing shall be set for a date that is not less than five (5) and not more than thirty (30) days from the date that the request for hearing is filed with the Enforcement Official.

7.40.620 Powers of the Yuba County Board of Supervisors

The Yuba County Board of Supervisors shall have the power to conduct the hearing, the power to decide a matter upon which a hearing has been held, the power to make findings of fact and conclusions of law required for the decision, the power to issue subpoenas, the power to receive evidence, the power to administer oaths, the power to rule on questions of law and the admissibility of evidence, the power to continue the hearing from time to time, and the power to prepare a record of the proceedings.

7.40.625 Questions of Ordinance Interpretation

In those instances where an Yuba County Board of Supervisors is presented with a legal question regarding the interpretation of the provisions of the Yuba County Ordinance Code, the Yuba County Board of Supervisors may either: (a) take evidence bearing upon the issue of such interpretation and make his or her decision regarding the intent of the ordinance; or (b) make his or her decision regarding the intent of the ordinance; or (c) request, through the affected Department, an opinion of its interpretation, which opinion may be incorporated by the Yuba County Board of Supervisors in reaching their decision.

7.40.630 Fairness of Hearings
Hearings shall be conducted in a manner suitable to ensure fundamental fairness to all parties concerned, limited by the need to secure relevant information necessary to render a decision without unnecessary delay.

7.40.635 Evidentiary Rules
The hearing need not be conducted according to technical rules relating to evidence. Any evidence may be presented if it is the sort of evidence upon which reasonable persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions. Hearsay evidence may be used for the purpose of supplementing or explaining other evidence, but may be rejected if deemed to be unreliable. The rules of privilege shall be effective to the extent that they are otherwise required by statute to be recognized at a hearing. Unduly repetitious or irrelevant evidence shall be excluded at the discretion of the Yuba County Board of Supervisors.

7.40.640 Order of Proceeding at Hearing
The Yuba County Board of Supervisors shall ordinarily proceed in the following order when conducting hearings:

a. The Enforcement Official's presentation shall proceed first. It should include identification of the file and property, a summary of the history and matters at issue, a staff analysis of the legal and factual issues involved, permitted uses to which the property was and is subject, and accounting of enforcement costs relating to the property, and a recommended decision.
b. A presentation by or on behalf of the appellant shall next proceed.
c. Tenants or other occupants of the subject property shall speak third.
d. Individuals who are not appealing but own property immediately contiguous to the subject property shall speak fourth.
e. Other interested parties shall speak fifth.
f. The appellant shall be entitled to rebuttal.

7.40.645 Speakers' Presentation
Each speaker shall approach the microphone and give his or her full name and address for the record.

a. Each speaker's presentation shall be to the point and shall be as brief as possible; visual and other materials may be used as appropriate, but, if used, shall become part of the public record and the property of the County. The Yuba County Board of Supervisors may establish a time limit for presentations; provided, however, that at least ten minutes shall be allowed for each speaker. Speakers shall, at the discretion of the Yuba County Board of Supervisors, be allowed to speak for longer than ten minutes if that speaker represents a group of individuals, the remainder of which chose not to speak. Speakers with lengthy presentations are encouraged to submit them in writing. There shall be no

limitation upon length of written statements.

b. The Yuba County Board of Supervisors shall hear testimony and receive written and/or documentary evidence relating to the alleged violation. The parties may be represented by legal counsel. Testimony shall be taken on oath or affirmation. Each party shall have the right to call and examine witnesses; to introduce exhibits; to cross-examine opposing witnesses on any matter relevant to the issues presented; to impeach any witness; and to rebut evidence. Witnesses shall be subject to cross-examination by the Yuba County Board of Supervisors.
c. Subject to the Yuba County Board of Supervisors' right to accept a motion to conclude the taking of all testimony or to close the public hearing when a reasonable opportunity to present all questions and points of view has been allowed, any person wishing to speak shall be heard. Except for rebuttal allowed, each speaker shall speak only once.
d. The Yuba County Board of Supervisors shall preserve all photographs and other documentary evidence introduced at the time of the hearing. After all of the testimony is taken, the Yuba County Board of Supervisors shall close the public hearing unless he or she deems it necessary to continue the hearing for the receipt of additional evidence or an ordinance interpretation from the Affected Department.

7.40.650 Submission of Additional Written Evidence and Argument

At any time before or after the hearing up to the point the hearing is closed by the Yuba County Board of Supervisors, any interested party may submit written evidence or argument. In the event the Yuba County Board of Supervisors concludes the hearing and continues the decision to another time, the Yuba County Board of Supervisors may, in their discretion, set a deadline for submission of written argument. Except for the receipt of written argument, no ex parte communications, either direct or indirect, shall be received by the Yuba County Board of Supervisors during the period of a continuance or after the public hearing has been closed.

7.40.655 Field Trips

Whenever the Yuba County Board of Supervisors deems it necessary to take a field trip to view the site in question, the Yuba County Board of Supervisors may conduct a site visit. Unless the site visit is tape recorded, the Yuba County Board of Supervisors shall not talk to any members of the public during the conduct of such site visit. After the conduct of a site visit, the Yuba County Board of Supervisors shall place into the record the visual observations made and the conclusions drawn as a result of such visit.

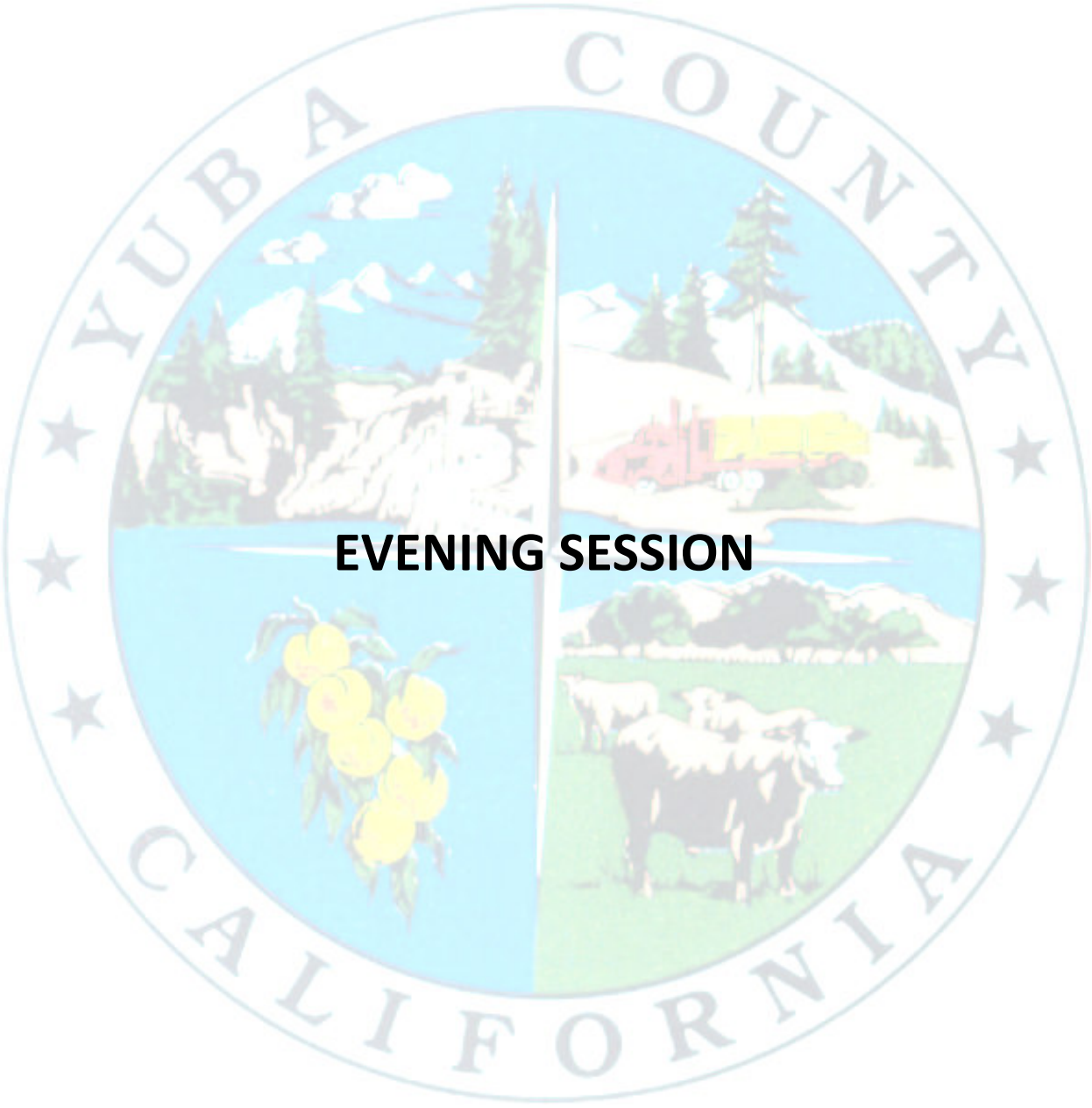
7.40.660 Recording

All proceedings shall be recorded. If a verbatim transcript is desired, the person requesting the transcript shall have the responsibility for arranging for the appearance of a court reporter to transcribe the hearing. In the event that a court reporter is present at the request of an interested party, the party retaining the court reporter shall provide a copy of the reporter's written transcript to the Yuba County Board of Supervisors at no charge to the County.

7.40.670 Decision
The decision of the Yuba County Board of Supervisors is final. The time within which judicial review of this decision may be sought is governed by California Code of Civil Procedure, Section 1094.6 and the Yuba County Ordinance Code Chapter 1.16.

7.40.680 Severability
If any section, subsection, sentence, clause, or phrase of this Chapter, is for any reason held to be invalid, unlawful, or unconstitutional, such invalidity or unconstitutionality shall not affect the validity, lawfulness, or constitutionality of any or all other portions of this Chapter.

Section 3.If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.



EVENING SESSION



THIS PAGE INTENTIONALLY LEFT BLANK

The County of Yuba

Community Development & Services Agency

Kevin Mallen, Director
Phone - (530) 749-5430 • Fax - (530) 749-5434
915 8th Street, Suite 123
Marysville, California 95901
www.co.yuba.ca.us

BUILDING
749-5440 • Fax 749-5616

CODE ENFORCEMENT
749-5455 • Fax 749-5464

ENVIRONMENTAL HEALTH • CUPA
749-5450 • Fax 749-5454

HOUSING AND COMMUNITY SERVICES
749-5460 • Fax 749-5464

PLANNING
749-5470 • Fax 749-5434

PUBLIC WORKS • SURVEYOR
749-5420 • Fax 749-5424

TO: BOARD OF SUPERVISORS

FROM: Michael G. Lee, Director of Public Works FOR M.L.

SUBJECT: Initiate Proposition 218 Process to Increase Fees at River Highlands CSD

DATE: December 9, 2014

Recommendation

That the Board direct staff to initiate the Proposition 218 process to propose increases to water and sewer rates for the River Highlands / Gold Village Community Services District.

Background

It has been five years since water and sewer rates for River Highlands / Gold Village CSD have increased. Since that time, expenses associated with state fees, electrical power, and other routine operational and maintenance expenses have continued to increase. Thus, the District is now operating at a loss associated with the provision of both water and sewer services. The proposed water and sewer rate increases would offset anticipated operation and maintenance expenses associated with the provision of water and sewer service.

Discussion

Article XIIID of the California State Constitution and the Proposition 218 Omnibus Implementation Act require that the River Highlands / Gold Village Community Services District notify all affected owners of proposed utility increases. Under Proposition 218, a proposed increase in fees requires the Board of Directors to hold a public hearing, and the increase can only occur absent a majority protest of the customers. An owner of record of a parcel or parcels subject to the proposed rate changes may submit a written protest against the proposed rate increase prior to the public hearing. If timely written protests are filed by a majority of the affected property owners, the proposed rate increase will not be imposed. One written protest per parcel, filed by the owner of the parcel, shall be counted in calculating a majority protest to the proposed rate increase. Regarding the proposed water and sewer fees, property owners may protest one proposed fee increase and not protest the other, may protest both proposed fee increases, or not oppose either proposed fee increase.

The proposed action of initiating the Proposition 218 process is only the first step in the overall process of increasing water and sewer fees. Should the Board of Supervisors direct staff to initiate this process, staff will begin a public outreach effort that includes multiple mailers to all Gold Village customers and a public workshop. The tentative schedule for this effort is as follows:

1. **October 31, 2014**: CDSA received the final water and sewer rate studies from the Rural Community Assistance Corporation (RCAC);
2. **December 9, 2014**: Present recommended water and sewer rates to Board of Supervisors, request permission to begin Proposition 218 process;
3. **December 19, 2014**: Staff will mail information regarding the proposed rate increases to every property owner. Each assessment notice will contain separate mail-in ballots for water and sewer rates; the property owner can return the ballots to indicate his or her approval or disapproval of the assessment;
4. **January - February, 2015**: A public workshop will be held to inform the residents of their options regarding the Proposition 218 vote and the need for fee increases. *Note: This date may vary, but experience shows it best to hold within one or two weeks of the public hearing*;
5. **February 10, 2015**: A public hearing will be held at least 45 days after the formal Proposition 218 notice is distributed to affected customers;
6. **March 1, 2015**: New water and sewer rates may go into effect absent a majority protest.

Fiscal Impact:

The fiscal impact of initiating the Proposition 218 process is anticipated to be negligible. Should the proposed water and sewer fees be imposed, the revenues generated by user fees are anticipated to be sufficient to cover operational and maintenance expenses associated with the provision of water and sewer services to the River Highlands / Gold Village Community Services District. The proposed fee increases are based upon Water and Sewer Rate Analyses prepared by the Rural Community Assistance Corporation (RCAC), and are as follow:

Water: Current fee of $77.54 per month.

Proposed monthly water rate: A $40 Base Rate and a $31 Reserve Account Surcharge per connection plus commodity charge as follows:

Up to 750 cubic feet per month =	$0.025 per cubic foot
751-1,250 cubic feet per month =	$0.050 per cubic foot
1,251-1,650 cubic feet per month=	$0.100 per cubic foot

Over 2,000 cubic feet per month = $0.400 per cubic foot

The proposed fee would be effective March 1, 2015. It is further proposed that the monthly water fee be increased by an additional $2.00 on March 1, 2016 and by an additional $2.00 each year thereafter to offset inflation. The annual adjustments will occur each year for a period not to exceed five years.

Sewer: Current fee of $246.53 per month per connection.

Proposed monthly sewer rate: $330.00 per month per connection.

The proposed fee would be effective March 1, 2015. It is further proposed that the monthly sewer fee be increased by an additional $5.00 on March 1, 2016 and by an additional $5.00 each year thereafter to offset inflation. The annual adjustments will occur each year for a period not to exceed five years.

THIS PAGE INTENTIONALLY LEFT BLANK

River Highlands Community Services District

WATER SYSTEM #5800820

SMARTSVILLE, CA

WATER RATE ANALYSIS

October 2014

Prepared by:

RCAC
www.rcac.org

Mary Fleming, RDS
Richard Culp, PE
Stevan Palmer, RDS

Funded by:

CDPH
California Department of
Public Health

Purpose and Objective

The California Department of Public Health (CDPH) requested that Rural Community Assistance Corporation (RCAC) complete a rate analysis, including Capital Improvement Planning recommendations and an evaluation of current water user rates for the River Highlands Community Services District (RHCSD). The rate analysis was developed using historical water use data and financial records provided by Yuba County Public Works, who has managed the system since 2009.

An accurate and useful rate analysis not only identifies the total annual revenue required by a utility to conduct its normal day-to-day operations, but it also anticipates and plans for future operating and capital needs. Furthermore, the analysis attempts to determine whether the projected revenue under existing rates will satisfy those needs. The primary objective of this process is to ensure that the utility has the ability to obtain sufficient funds to develop, construct, operate, maintain, and manage its water system on a continuing basis, in full compliance with federal, state and local requirements.

DISCLAIMER

The recommendations contained in this financial analysis are based on financial information provided to RCAC by Yuba County Public Works.

Although every effort was made to assure the reliability of this information, no warranty is expressed or implied as to the correctness, accuracy or completeness of the information contained herein.

1. Financial Planning

The objective of developing a financial plan for a water system is to determine cash needs, revenue requirements and anticipated timing of utility costs to ensure that adequate funds are available to meet operational and maintenance needs as they occur. Financial planning for a small water system normally includes an examination of:

- Operating revenues,
- Operation and maintenance (O&M) expenses,
- Debt service (principal and interest payments) on borrowed funds, and
- Reserve requirements.

The financial plan calculates the minimum revenues necessary to maintain viable and self-sustaining enterprises.

Operating Revenues

1. Revenues are the main sources of income to a utility and are typically thought of as operating and non-operating. Operating revenue is the stable and reliable income that comes from customer rates or user charges. Non-operating revenue such as interest on checking and reserve accounts, meter deposits, connection fees, and late payments, penalties and reconnection fees may also be considered operating revenue if they are stable and dependable revenue sources. For example, a water system with consistent

growth that is expected to continue may consider connection fees as an operating revenue source unless the connection fees are considered capital revenues. Connection fees typically include a small fee for installing the connection (materials & labor) and a larger capacity charge that represents the value of the infrastructure into which they are buying. Some utilities dedicate this buy-in revenue to capital reserves, rather than funding annual operations. A utility may borrow to invest in new wells to allow new connections rather than declare a moratorium on new homes. The new connection fees then pay back the reserves or loans used to create the new capacity.

Operating Expenses

This is the first cost category that is considered when developing a financial plan. Operating and maintenance costs include the day-to-day expenses of providing drinking water to customers. Expenses include labor, insurance, materials, electricity and chemicals.

Water System Reserves

Reserves are an accepted way to stabilize and support a utility financial management. Small systems usually fund the operating expenses but don't often consider putting money aside for a specific upcoming financial need or project, or for an amount that can be used to provide rate stabilization in years when revenues are unusually low or expenditures are unusually high. The rationale for maintaining adequate reserve levels is two-fold. First, it helps to assure that the utility will have adequate funds available to meet its financial obligations in times of varying needs. Secondly, it provides a framework around which financial decisions can be made to determine when reserve balances are inadequate or excessive and what specific actions need to be taken to remedy the situation.

Utility reserve levels can be thought of as a savings account. Reserve balances are funds that are set aside for a specific cash flow requirement, financial need, project, task, or legal covenant. Common reserve balances are established around the following four areas: operating reserve, capital improvement, emergency, and debt service reserve. These balances are maintained in order to meet short-term cash flow requirements, and at the same time, minimize the risk associated with meeting financial obligations and continued operational needs under adverse conditions.

Debt Service Reserve

Water utilities that have issued debt to pay for capital assets will often have required reserves that are specifically defined to meet the legal covenants of the debt. Normally, debt service reserve represents an amount equal to one full annual loan payment and can be accumulated to this level over a period of five to ten years. RHCSD has old debt dating back to the time when the utility was operated as a special district in the form of a bond that is in default and has not been paid against for at least five years. The bond debt is substantial (in excess of two million dollars), however based on lack of records it is unclear as to what the bond proceeds were used for and which parcels, if any, have a payment obligation. The county has requested the bond debt not be taken into consideration for the purposes of this rate study.

Operating Reserve

Operating reserves are established to provide the utility with the ability to withstand short term cash-flow fluctuations. There can be a significant length of time between when a

system provides a service and when a customer pays for that service. In addition, a system's cash flow can be affected by weather and seasonal demand patterns. Because of potential delays in collecting payment many utilities attempt to keep an amount of cash equal to at least 45 days or one-eighth of their annual cash O&M expenses in an operating reserve to mitigate potential cash flow problems. With an operating budget of $102,995 FYE June 30, 2015, RHCD's operating reserve should be funded in the amount of $12,874. A five year budget projection was completed assuming a 5% annual inflation rate. The projection assumes Operating Reserves are available in the utility's current cash in bank, will be immediately fully funded and remain untapped in subsequent years, thereby requiring only the increase due to inflation to be funded in years 2016 – 2019.

Emergency Reserve

In addition to operating reserves, emergency reserves are an important tool for financial sustainability. Emergency reserves are intended to help utilities deal with short-term emergencies which arise from time to time such as main breaks or pump failures. The appropriate amount of emergency reserves will vary greatly with the size of the utilities and should depend on major infrastructure assets. An emergency reserve is intended to fund the immediate replacement or reconstruction of the system's single most critical asset; an asset whose failure will result in an immediate water outage or threat to public safety. An emergency reserve of $50,000 funded over 5 years was the basis for this rate analysis.

Capital Improvement Reserve

A capital improvement reserve (also called a repair and replacement reserve) is intended to be used for replacing system assets that have become worn out or obsolete. Annual depreciation is frequently used to estimate the minimum level of funding for this capital reserve. But it is important to understand that depreciation expense is an accounting concept for estimating the decline in useful life of an asset and does not represent the current replacement cost of that asset. As an example, a brand new system with a construction cost of $1 million and a service life of 100 years should (in theory) be setting aside $10,000 per year to fully capitalize the replacement cost of the infrastructure as it wears out. Many smaller systems find this to be impossible because of the effect on rates which explains the large number of small systems that are falling into disrepair.

To initiate a capital improvement plan (CIP), a small water or sewer system will start with a list of assets that includes the remaining service life, theoretical replacement costs in today's dollars and the remaining service life. It then calculates the monthly and annual reserve that must be collected from each customer to fully capitalize the replacement cost of each asset. In reality, the assets will fail and be replaced gradually, but the replacement cost of water system assets is often a shock to small systems who are struggling to keep rates reasonable.

One alternative method is to set-aside an annual amount equal to one-to-two percent of the total original cost asset value of the utility's property. Larger systems often have sufficient non-operating revenue to fund these reserve levels without affecting rates, but smaller systems often do not, leaving them to fund their CIP reserves from rates alone. An alternative method is to set-aside sufficient reserve funds to cover 100 percent of the cost of replacing short-lived assets, such as well pumps, electronic controls, vehicles, etc.

The county does not maintain a separate balance sheet or asset schedule for the RHCSD. According to the most current audited financial statements, which date back to June 30, 2006, RHCSD's property and equipment for the water system were purchased at a cost of $409,055. It is not known what individual equipment and/or structures are included in this cost. Additionally, the county obtained a CDPH grant in the amount of $228,000 for improvements to the system to be completed in three projects:

1. Project #1 – Telemetry System - $61,000
2. Project #2 – Development of Well #1 - $111,000
3. Project #3 – Full Meter Installation - $56,000

These three are the initial projects from recommendations in a water system evaluation conducted by Kennedy/Jenks Consultants in May, 2011. The evaluation contains additional recommendations for improvements and replacements in the estimated amount of $547,067. When these have been completed, the total water system property and equipment costs will be $1,184,122. With estimated useful life of 15 – 50 years at a 1% inflation rate, future replacement costs are estimated at $1,881,738. Recommended annual reserve funding for the equipment replacement was $66,940, or $797 per connection. Funding 2% of the estimated future replacement costs of $1,881,738 would amount to funding the CIP reserve account in the amount of $37,635, or $448 per connection annually. Given the high costs of operating the utility, either of these amounts would be a hardship on the community. An annual reserve funding of $22,096 was used in this analysis; this amount equates to $263.05 per year per connection. That value represents 2% of the original cost of the equipment, which is far less than would normally be recommended.

Table 1.1 Capital Improvement Plan

River Highlands CSD Capital Improvement Plan Water System Equipment List	Year Acquired	Est. Cost	Orig Est. Life	Current Age	Current Year 2014 Life Remain	Adjusted Life Remain Min. 5 Years	Inflation Rate Past 1.00%	Current Value 2014 with Inflation	Inflation Rate Future 1.00%	Future Value Replacement Cost	Amount to be Reserved Orig. Cost	Annual CIP Reserves Required
Unidentified Water System Equipment per 2006 Audited Financials:												
Equipment Per 2006 Audited Financials	1981	$142,095	50	33	17	17	*1.0%*	$197,326	*1.0%*	$233,694	*2.00%*	$2,842
Equipment Acquired in 2006 Per 2006 Audited Financials	2006	$50,477	50	8	42	42	*1.0%*	$54,659	*1.0%*	$83,016	*2.00%*	$1,010
Structures and Improvements Per 2006 Audited Financials	1981	$216,483	50	33	17	17	*1.0%*	$300,628	*1.0%*	$356,035	*2.00%*	$4,330
Total Equipment at 6/30/2006 Per 2006 Audited Financials		**$409,055**						**$552,613**		**$672,745**		**$8,181**
[redacted]												
Recommended Improvements Per Ma, 2011 Report from Kennedy/Jenks Consultants												
High Priority:												
North Well - New Wireless System for well / booster tank	2015	$8,384	25	-1	26	26		$8,384	*1.0%*	$10,859	*2.00%*	$168
North Well - Electrical panel cover	2015	$2,277	40	-1	41	41		$2,277	*1.0%*	$3,424	*2.00%*	$46
South Well - Replace Pump	2015	$7,018	40	-1	41	41		$7,018	*1.0%*	$10,553	*2.00%*	$140
South Well - Electrical Panel Support / Cover	2015	$2,277	25	-1	26	26		$2,277	*1.0%*	$2,949	*0.00%*	$0
Treatment Plant - Treatment for Iron & Maganese	2015	$77,037	50	-1	51	51		$77,037	*1.0%*	$127,964	*0.00%*	$0
Total High Priority Improvements		$96,993						$96,993	*1.0%*	$155,751		$354
Other Recommended Improvements from Kennedy/Jenks Consultants												
Well #4 (Test Well) Reconstruct	2016	$11,883	30	-2	32	32		$11,883	*1.0%*	$16,338	*2.00%*	$238
Well #5 (Test Well) Reconstruct	2016	$19,591	30	-2	32	32		$19,591	*1.0%*	$26,936	*2.00%*	$392
Storage Tank Replacement	2016	$418,600	50	-2	52	52		$418,600	*1.0%*	$702,281	*2.00%*	$8,372
Total Other Recommended Improvements from Kennedy/Jenks		$450,074						$450,074	*1.0%*	$745,555		$9,001
Proposed Upgrades subtotal		***547,067***						***547,067***		***901,306***		***9,355***
Total		**$1,184,122**						**$1,327,680**		**$1,881,738**		**$22,096**

Affordability Index

The affordability index measures the burden of costs passed from the water utility to the users against the median household income (MHI) for the area and is used by funding agencies to determine grant and low interest loan eligibility. Many funding organizations look for an affordability ratio of 1.5 percent before approving grant money to low income communities. Median household income for the RHCSD is estimated at $56,875. With a current base rate of $75 per connection, RHCSD is within the 1.5 percent threshold.

Affordability Index = average annual residential bill for water/annual MHI

3. Rate Basics

Rate Structures

The following are types of rates structures common to drinking water systems:

- **Uniform Flat Rate:** Customers pay the same amount regardless of the quantity of water used. This type of rate is easiest to administer; however, it is not fair to the lowest water users and can promote high consumption which then may cost the utility more to provide that water.
- **Single or Uniform Block Rate:** Customers are charged a constant price per volume regardless of the amount of water used. The cost per block of water is often added to a minimum charge for having service available. This rate tends to be more equitable to customers as the cost to customer is in direct proportion to the amount use. This is RHCSD's current water rate structure.
- **Inclining or Increasing Block Rate:** This rate is designed to promote water use efficiency, as the price of water increases as the amount used increases.

Fixed versus Variable Expenses

Water must be available to customers at all times whether the customer is using the water or not. A large share of water system costs are associated with bringing the first drop of water to the customer's meter regardless of whether any water is used. Fixed costs are those that must be recovered by RHCSD to ensure that drinking water is available to its customers.

Fixed costs are usually recovered from each customer on an equal basis through the use of a minimum fee (a minimum monthly bill). Fixed costs may cover 100 percent of some expenses in a system's budget, but only a portion of other types of expenses. For example, fixed expenses generally include all debt service expenses on construction loans, financial reserves for emergencies or equipment replacement and overhead costs, like insurance and bonding. Fixed costs should also include a portion of other system operating expenses. For example, a percentage of wages and fringe benefits for time spent in reading each meter and preparing each customer's bill.

The method for identifying all or part of some expenses as fixed costs involves determining to what extent each of the line item expenses in the budget benefits every customer of the system regardless of their level of usage. This is a determination that each utility must make for itself. Fixed costs should generally be recovered in a system's minimum bill, the minimum monthly fee charged equally to each customer within each customer classification (residential, multi-

residential, commercial, etc.) or by meter size (3/4-inch, 1-inch, etc.). For small systems with fewer customers to spread costs among, the proportion of fixed costs will be higher than larger systems. Many small systems find it impossible to recover all fixed costs in a monthly minimum so they tend to shift a certain percentage to the variable side. Fixed costs for small systems are usually in the range of one-third to one-half of the system's total operating costs.

Variable costs are system expenses that are more directly related to how much water is pumped, treated, stored and distributed. Most costs for electricity, operator wages and benefits, chemicals and repairs can be classified as variable costs because they are directly related to the amount of water customers' use. To recover variable expenses, rate structures use a "consumption charge" or "flow charge" per volume, such as per thousand gallons or hundred cubic feet.

4. Customer Water Demands

When analyzing water rates, it is important to understand existing patterns of consumption among the system's customers. A large portion of customers may use a small percentage of water, and a small portion of customers may use a large percentage.

Understanding how customers use water is important when you are considering seasonal operational needs, infrastructure replacement and water use efficiency to name a few.

RHCSD currently serves 84 customers. The monthly water use for July 1, 2013 through June 30, 2014 is shown in the table and graph below:

Table 4.1 Usage

Date	Gallons Used (Individual Connections Not Metered)					
	North Well	Well #1	Well #3	Total Usage Gallons	Total Usage Cubic Feet	% of Annual Usage
July 2013	1,430,600		11,900	1,442,500	192,848	13%
August 2013	1,813,700		-	1,813,700	242,473	16%
September 2013	1,192,500		2,300	1,194,800	159,733	11%
October 2013	744,800		301,400	1,046,200	139,866	9%
November 2013	936,500		5,900	942,400	125,989	8%
December 2013	776,200		100	776,300	103,783	7%
January 2014	Meter not Read	42,370	124,200	166,570	22,269	2%
February 2014	856,160	43,859	152,494	1,052,513	140,710	9%
February 2014	260,882	-	-	260,882	34,877	2%
March 2014	229,588	6	14	229,608	30,696	2%
March 2014	232,042	1	-	232,043	31,022	2%
April 2014	256,152	73	1	256,226	34,255	2%
April 2014	286,726	-	-	286,726	38,332	3%
May 2014	357,845	-	-	357,845	47,840	3%
May 2014	407,100	-	-	407,100	54,425	4%
June 2014	627,770	105	-	627,875	83,941	6%
Total	10,408,565	86,414	598,309	11,093,288	1,483,060	100%
Average Monthly Usage				924,441	123,588	
Average Monthly Usage Per Connection				11,005	1,471	

5. Water Rate Analysis

The current RHCSD water rates and water billing revenues for the period of July 1, 2013 through June 30, 2014 are shown in the table below:

Table 5.1 Summary of current RHCSD Annual water rates and revenues from water sales 2014			
Current rates 2014	**Base Rate**	**# of accounts**	**Total Monthly Revenue**
Monthly Base Rate	$75.00	84	$6,300
Total Annualized Revenue			**$75,600**

The RHCSD water department budget for 2015 was used to develop a breakdown of fixed and variable operating costs as presented in Table 5.2 below. The actual operating expenses reported in RHCSD financial statements for FYE 6/30/2013 and projected FYE 6/30/2014 were $69,912 and $152,749, respectively. Repairs of aging equipment and the necessity to use more contract services for operating the system caused the utility costs to double in 2014. It is anticipated that the contractor costs will decrease in future years but will not return to the levels of 2013. It is also projected that repairs and maintenance costs of $20k annually will be the norm.

Table 5.2

River Highlands Community Services District Water System Budget	Budget FYE 6/30/2015	Estimated % Fixed Costs	Fixed costs	Variable costs
Cost of goods sold:				
Water Operator Contract	$20,000	90%	$18,000	$2,000
Utilities	$16,887	75%	$12,665	$4,222
Maintenance & Repairs	$32,782	60%	$19,669	$13,113
Supplies	$2,641	60%	$1,585	$1,056
Expense				
Administration	$30,000.00	80%	$24,000	$6,000
Licenses/Permits	$685	100%	$685	$0
Total Operating Budget	**102,995**		**76,604**	**26,391**
Annual Emergency Reserve	10,000	(assumes 20% of $50,000/year for 5 years)		
Annual Operating Reserve	2,575	(Assumes Operating Reserves will be funded over five years)		
Annual Debt Service Reserves				
Annual Replacement CIP reserve	22,096			
Total Annual Reserves	**34,671**			
Total Annual Budget	**137,666**			

TOTAL ANNUAL OPERATING BUDGET	$102,995
TOTAL FIXED COST OF ANNUAL BUDGET	$76,604
% OF ANNUAL BUDGET THAT IS FIXED	74%
TOTAL VARIABLE COST OF ANNUAL BUDGET	$26,391
% OF ANNUAL BUDGET THAT IS VARIABLE	26%

Using the budget in Table 5.2, a base plus usage rate structure is recommended. The base rate of $40.00 will be escalated by $2.00 each year for five years. In addition, a monthly surcharge of $31.00 will be assessed to fund reserve accounts. To promote conservation, incremental tiers for usage will be implemented. In Table 5.3 below, the commodity charges have been adjusted to the incremental tier levels:

Table 5.3 Tiered Rates
1. Up to 750 cubic feet per month = $.025 per cf
2. 751 – 1250 cubic feet per month = $.05 per cf
3. 1251 – 1650 cubic feet per month = $.10 per cf
4. 1651 – 2000 cubic feet per month = $.20 per cf
5. Over 2000 cubic feet per month = $.40 per cf

Table 5.4 Summary of Proposed RHCSD Water Rates / Revenue			
Proposed Increase	**Monthly Rate**	**# of Active Accounts**	**Total Monthly Revenue**
Monthly Base Rate	$40.00	84	$3,360
Monthly Reserve Account Surcharge	$31.00	84	$2,604
Commodity Charges Per CF:	**Per CF**	**CF per Month**	
Up to 750 CF per Month - 0.025 per CF	$0.025	63,000	$1,575
750 - 1250 CF per Month - 0.05 per CF	$0.050	42,000	$2,100
1251 - 1650 CF per Month - 0.10 per CF	$0.100	18,588	$1,859
1651 - 2000 CF per Month - 0.20 per CF	$0.200	unknown	
Over 2000 CF per Month - 0.40 per CF	$0.400	unknown	
Total Commodity Charge Revenue:			**$11,498**
Total Annualized Revenue:			**$137,974**

Table 5.5 below illustrates the impact of the rate schedule suggested in table 5.2. Assuming a 2% annual inflation rate, the rate structure should adequately cover operating costs and reserve account funding until FYE 2018.

Table 5.5

Increased Rate Assumes 2% Inflation		# of Active Accounts	Average Monthly Revenue	Average Annual Revenue	
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	
Commodity Charge Per CF:	Charge	CF per Month			
Up to 750 CF per Month - 0.025 per CF	$0.025	63,000	$1,575	$18,900	
750 - 1250 CF per Month - 0.05 per CF	$0.050	42,000	$2,100	$25,200	
1251 - 1650 CF per Month - 0.10 per CF	$0.100	18,588	$1,859	$22,306	
1651 - 2000 CF per Month - 0.20 per CF	$0.200	0	$0	$0	
Over 2000 CF per Month - 0.40 per CF	$0.400	0	$0	$0	
Total Commodity Charge Revenue:		**123,588**	**$5,533.80**	**$66,405.60**	
Total Revenue:			$11,497.80	$137,973.60	
	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
Total Monthly Required Reserves Fund	$2,889	$2,889	$2,889	$2,889	$2,889
Total Fixed Budget	$76,604	$78,136	$79,699	$81,293	$82,919
Total Variable Budget	$26,391	$26,919	$27,457	$28,006	$28,566
Total Budget (Excluding Reserve Funding)	$102,995	$105,055	$107,156	$109,299	$111,485
Total Budget (Including Reserve Funding)	$137,666	$139,726	$141,827	$143,970	$146,156
Estimated Annual Revenue from Base Rate	$40,320	$42,336	$44,352	$46,368	$48,384
Estimated Annual Revenue from Reserve Surcharge	$31,248	$31,248	$31,248	$31,248	$31,248
Estimated Annual Revenue from Commodity Charge	$66,406	$66,406	$66,406	$66,406	$66,406
Total Estimated Annual Revenue	$137,974	$139,990	$142,006	$144,022	$146,038
Total Target Revenue	$137,666	$139,726	$141,827	$143,970	$146,156
Variance	$308	$264	$179	$52	-$118

Conclusions and Recommendations

Key points to remember with any rate adjustment:

- Successful utilities are those that strive to be transparent. In day-to-day operations, RHCSD should strive to promote its services (highlights and the low points), and continuously educate its customers on why it is necessary to raise and adjust rates.
- The ability of the current rate structure to generate adequate revenue will depend on maintaining a vigorous collection and shut-off policy to keep delinquent accounts at a minimum.
- In order to achieve and maintain long term viability, water systems should review its rates annually or no less than a minimum of every two years. Keeping track of customer seasonal and annual water demands will help determine operation's needs, budget forecasts and rate adjustments.
- RHCSD should begin metering individual connections and charge the established usage commodity charge as soon as possible. The recommended rate structures will not provide adequate funding if the commodity charges are not implemented with the rate adjustment.
- RHCSD should raise water use rates to provide sufficient revenues for funding future operations and adequately fund reserves.
- RHCSD should continue with development of a Capital Improvement Plan and conduct a rate analysis after the anticipated construction has been completed to ensure replacement reserves are funded to the highest level feasible. Failure to save adequate CIP reserves will force RHCSD to finance a larger percentage of future capital projects, incurring the added cost of interest.
- RHCSD should establish policies for reserve accounts as recommended above and distribute existing unrestricted reserves accordingly. CIP reserves should be moved to and maintained in the highest interest bearing accounts available to offset inflation.
- RHCSD should begin the process of increasing water rates to the recommended rates above.

River Highlands Community Services District

SMARTSVILLE, CA

SEWER RATE ANALYSIS

October 2014

Prepared by:

RCAC
www.rcac.org

Mary Fleming, RDS
Stevan Palmer, RDS
Richard Culp, P.E.

Funded by:

Rural Community Assistance Partnership



Purpose and Objective

Yuba County Public Works (YCPW) requested that Rural Community Assistance Corporation (RCAC) complete a rate analysis, including Capital Improvement Planning recommendations and an evaluation of current sewer user rates for the River Highlands Community Services District (RHCSD). The rate analysis was developed using historical financial records provided by YCPW, who has managed the system since 2009. An accurate and useful rate analysis not only identifies the total annual revenue required by a utility to conduct its normal day-to-day operations, but it also anticipates and plans for future operating and capital needs. Furthermore, the analysis attempts to determine whether the projected revenue under existing rates will satisfy those needs. The primary objective of this process is to ensure that the utility has the ability to obtain sufficient funds to develop, construct, operate, maintain, and manage its sewer system on a continuing basis, in full compliance with federal, state and local requirements.

DISCLAIMER

The recommendations contained in this financial analysis are based on financial information provided to RCAC by YCPW. Although every effort was made to assure the reliability of this information, no warranty is expressed or implied as to the correctness, accuracy or completeness of the information contained herein.

1. Financial Planning

The objective of developing a financial plan for a sewer system is to determine cash needs, revenue requirements and anticipated timing of utility costs to ensure that adequate funds are available to meet operational and maintenance needs as they occur. Financial planning for a small sewer system normally includes an examination of:

- Operating revenues,
- Operation and maintenance (O&M) expenses,
- Debt service (principal and interest payments) on borrowed funds, and
- Reserve requirements.

The financial plan calculates the minimum revenues necessary to maintain viable and self-sustaining enterprises.

Operating Revenues

Revenues are the main sources of income to a utility and are typically thought of as operating and non-operating. Operating revenue is the stable and reliable income that comes from customer rates or user charges. Non-operating revenue such as interest on checking and reserve accounts, connection fees, and late payments, penalties and reconnection fees may also be considered operating revenue if they are stable and dependable revenue sources. For example, a sewer system with consistent growth that is expected to continue may consider connection fees as an operating revenue source unless the connection fees are considered capital revenues. Connection fees typically include a small fee for installing the connection (materials & labor) and a larger capacity charge that represents the value of the infrastructure

into which they are buying. Some utilities dedicate this buy-in revenue to capital reserves, rather than funding annual operations. A utility may borrow to invest in new lines to allow new connections rather than declare a moratorium on new homes. The new connection fees then pay back the reserves or loans used to create the new capacity.

Operating Expenses

This is the first cost category that is considered when developing a financial plan. Operating and maintenance costs include the day-to-day expenses of providing sewer service to customers. Expenses include labor, insurance, materials, electricity and chemicals.

Sewer System Reserves

Reserves are an accepted way to stabilize and support a utility financial management effort. Small systems usually fund the operating expenses but don't often consider putting money aside for a specific upcoming financial need or project, or for an amount that can be used to provide rate stabilization in years when revenues are unusually low or expenditures are unusually high. The rationale for maintaining adequate reserve levels is two-fold. First, it helps to assure that the utility will have adequate funds available to meet its financial obligations in times of varying needs. Secondly, it provides a framework around which financial decisions can be made to determine when reserve balances are inadequate or excessive and what specific actions need to be taken to remedy the situation.

Utility reserve levels can be thought of as a savings account. Reserve balances are funds that are set aside for a specific cash flow requirement, financial need, project, task, or legal covenant. Common reserve balances are established around the following four areas: operating reserve, capital improvement, emergency, and debt service reserve. These balances are maintained in order to meet short-term cash flow requirements, and at the same time, minimize the risk associated with meeting financial obligations and continued operational needs under adverse conditions.

Debt Service Reserve

Sewer utilities that have issued debt to pay for capital assets will often have required reserves that are specifically defined to meet the legal covenants of the debt. Normally, debt service reserve represents an amount equal to one full annual loan payment and can be accumulated to this level over a period of five to ten years. RHCSD has old debt dating back to the time when the utility was operated as a special district in the form of a bond that is in default and has not been paid against for at least five years. The bond debt is substantial (in excess of two million dollars), however based on lack of records it is unclear as to what the bond proceeds were used for and which parcels, if any, have a payment obligation. The County has requested the bond debt not be taken into consideration for the purposes of this rate study.

RHCSD incurred a debt in the amount of $91,000 from Cleanup and Abatement Account, (CAA) payable to the State Water Board in annual installments of $4,550, or $4.51 per connection monthly. The debt will mature on September 1, 2030.

Operating Reserve

Operating reserves are established to provide the utility with the ability to withstand short term cash-flow fluctuations. There can be a significant length of time between when a system provides a service and when a customer pays for that service. In addition, a system's cash flow can be affected by weather and seasonal demand patterns. Because of potential delays in collecting payment many utilities attempt to keep an amount of cash equal to at least 45 days or one-eighth of their annual cash O&M expenses in an operating reserve to mitigate potential cash flow problems. With an operating budget of $297,050 FYE June 30, 2015, RHCD's operating

reserve should be funded in the amount of $37,131. A five year budget projection was completed assuming a 2% annual inflation rate. To minimize the impact on the rates, the budget has been modified to fund the operating reserves over five years ($7,426 annually, or $7.37 per connection monthly).

Emergency Reserve

In addition to operating reserves, emergency reserves are an important tool for financial sustainability. Emergency reserves are intended to help utilities deal with short-term emergencies which arise from time to time such as main breaks or pump failures. The appropriate amount of emergency reserves will vary greatly with the size of the utilities and should depend on major infrastructure assets. An emergency reserve is intended to fund the immediate replacement or reconstruction of the system's single most critical asset; an asset whose failure will result in an immediate sewer outage or threat to public safety. An emergency reserve of $50,000 funded over 5 years was the basis for this rate analysis. The $10,000 annual emergency reserve funding breaks down to $9.92 per month for each connection.

Capital Improvement Reserve

A capital improvement reserve (also called a repair and replacement reserve) is intended to be used for replacing system assets that have become worn out or obsolete. Annual depreciation is frequently used to estimate the minimum level of funding for this capital reserve. But it is important to understand that depreciation expense is an accounting concept for estimating the decline in useful life of an asset and does not represent the current replacement cost of that asset. As an example, a brand new system with a construction cost of $1 million and a service life of 100 years should (in theory) be setting aside $10,000 per year to fully capitalize the replacement cost of the infrastructure as it wears out. Many smaller systems find this to be impossible because of the effect on rates which explains the large number of small systems that are falling into disrepair.

To initiate a capital improvement plan (CIP), a small water or sewer system will start with a list of assets that includes the remaining service life, theoretical replacement costs in today's dollars and the remaining service life. It then calculates the monthly and annual reserve that must be collected from each customer to fully capitalize the replacement cost of each asset. In reality, the assets will fail and be replaced gradually, but the replacement cost of sewer system assets is often a shock to small systems who are struggling to keep rates reasonable.

One alternative method is to set-aside an annual amount equal to one-to-two percent of the total original cost asset value of the utility's property. Larger systems often have sufficient non-operating revenue to fund these reserve levels without affecting rates, but smaller systems often do not, leaving them to fund their CIP reserves from rates alone. An alternative method is to set-aside sufficient reserve funds to cover 100 percent of the cost of replacing short-lived assets, such as well pumps, electronic controls, vehicles, etc.

The county does not maintain a separate balance sheet or asset schedule for the RHCSD. According to the most current audited financial statements, which date back to June 30, 2006, RCAC was informed by YCPW that numerous upgrades have been completed on the system in recent years. However, a complete schedule of existing structures and equipment was not provided for this analysis. The CIP was developed using a schedule of replacements expected by the County in the foreseeable future.

Fully funding the estimated future replacement costs of $640,171 would amount to annually funding the CIP reserve account in the amount of $52,122. On a per connection basis, this equates to $620 annually or $52 per month. Given the high costs of operating the utility the cost of fully funding the reserve account is prohibitive and would create a hardship on the community. An amount of $10,359 (2% of original estimated cost of $517,169), was used in a set of rate calculations. This amounts to $123.32 annually for each connection or $10.28 per month for each home.

Table 1.1 Capital Improvement Plan

River Highlands CSD Capital Improvement Plan Waste Water System Equipment List	Year Acquired	Quantity	Est. Cost Each	Est. Cost	Orig Est. Life	Current Age	Current Year 2014 Life Remain	Adjusted Life Remain Minimum 5 Years	Inflation Rate Past 1.0%	Current Value 2014 with Inflation	Inflation Rate Future 1.0%	Future Value Future Value Replacement Cost	Amount to Be Reserved Percentage of Orig. Cost	Annual CIP Reserves Required
LIFT STATION:														
Power-Flow 15 hp Submersible pumps (2)	2014	2	$ 7,065	$14,130	6	0	6	6	1.0%	$14,130	1.0%	$14,999	2.0%	$283
SIEMENS PLC SIMATIC S7-1200	2010	1	$5,486	$5,486	10	4	6	6	1.0%	$5,709	1.0%	$6,060	2.0%	$110
SIEMENS SITRANS FLOW TRANSMITTER / SENSOR MODEL 5100W	2010	1	$4,572	$4,572	10	4	6	6	1.0%	$4,758	1.0%	$5,050	2.0%	$91
CONCRETE HOLDING TANK	1980	1	$13,568	$13,568	30	34	-4	5	1.0%	$19,030	1.0%	$20,001	2.0%	$271
TOTAL LIFT STATION				**$37,756**						**$43,627**		**$46,110**		**$755**
MEMBRANE BIOREACTOR:														
Dontech Drum Screen	2010	1	$ 20,675	$20,675	10	4	6	6	1.0%	$21,514	1.0%	$22,838	2.0%	$414
Generac Generator	2010	1	$ 17,225	$17,230	10	4	6	6	1.0%	$17,930	1.0%	$19,033	2.0%	$345
Hach SC200 Controller w/ LDO Sensor	2010	1	$ 4,308	$4,308	10	4	6	6	1.0%	$4,483	1.0%	$4,759	2.0%	$86
Hach SC200 W/ 1720E Turbidimeter	2010	1	$ 4,308	$4,308	10	4	6	6	1.0%	$4,483	1.0%	$4,759	2.0%	$86
Hallett UV Sysytem	2010	4	$ 3,446	$13,784	10	4	6	6	1.0%	$14,344	1.0%	$15,226	2.0%	$276
ISCO 4700 Sampler	2010	2	$ 5,169	$10,338	10	4	6	6	1.0%	$10,758	1.0%	$11,420	2.0%	$207
Roots EasyAir 8000 Blowers	2010	3	$ 2,067	$6,201	10	4	6	6	1.0%	$6,453	1.0%	$6,850	2.0%	$124
SIEMENS SITRANS FLOW TRANSMITTER / SENSOR MODEL 5100W	2010	1	$ 4,308	$4,308	10	4	6	6	1.0%	$4,483	1.0%	$4,759	2.0%	$86
SIEMENS FILTER MEMBRANES	2010	2	$ 9,053	$18,106	10	4	6	6	1.0%	$18,841	1.0%	$20,000	2.0%	$362
WILO-EMU Submersible Mixer Model TR 16, 174-4/6	2010	1	$ 4,572	$4,572	5	4	1	5	1.0%	$4,758	1.0%	$5,000	2.0%	$91
SIEMENS PLC SIMATIC S7-1200	2010	1	$ 5,431	$5,431	10	4	6	6	1.0%	$5,652	1.0%	$5,999	2.0%	$109
TOTAL MEMBRANE BIOREACTOR				**$109,261**						**$113,697**		**$120,642**		**$2,185**
SEWER LINE:														
Sewer Line Linear Feet (6 & 8 inch pipes)	2010	4400	$ 50	$220,000	25	4	21	21	1.0%	$228,933	1.0%	$282,135	2.0%	$4,400
1/2 mile for force main from lift station to treatment plant	2010	2640	$ 50	$132,000	25	4	21	21	1.0%	$137,360	1.0%	$169,281	2.0%	$2,640
TOTAL SEWER LINE				$352,000						$366,293		$451,416		$7,040
Total CIP				$517,969						$543,338		$640,171		$10,359

Affordability Index

The affordability index measures the burden of costs passed from the sewer utility to the users against the median household income (MHI) for the area and is used by funding agencies to determine grant and low interest loan eligibility. Many funding organizations look for an affordability ratio of 1.5 percent before approving grant money to low income communities. Median household income for the RHCSD is estimated at $56,875. With a current rate of $246.53 per connection, RHCSD's current rate is at 5.2% before any necessary increase to cover future costs.

River Highlands Community Services District and Yuba County (Discharger) collectively own and operate the Hammonton Gold Village Wastewater Treatment Plant (Facility). Gold Village Land Development LLC owns the property. Easements and a 99 year site lease provide access to the Facility. The Facility serves 84 households, and is permitted to discharge up to 0.026 million gallons per day of treated municipal wastewater to irrigate fields, or to an unnamed tributary of Sanford Creek which ultimately flows into the Yuba River below Englebright Dam. Current information regarding discharge was not available for this study. The Facility includes a new tertiary-level treatment and ultraviolet light disinfection system. Treated wastewater is discharged to surface water during wet weather months only. A brief history of the system is as follows:

- The RHCSD WWTP failed in 2006, and a new facility needed to be constructed.
- The County was appointed as receiver, and built a new plant in 2010 with grants fund provided by USDA and State of California.
- New development is severely challenged because of limited water supply even though the new plant has some additional treatment capacity.
- RHCSD has severely limited financial and management resources, due to the small size of the service area, and failed to meet regulatory requirements from 2002, when the 84 Gold Village homes were completed until the County gained receivership in 2009. From the period of 2002 until 2009 RHCSD failed to submit required monitoring reports. A disinfection system failed in 2004, but was not replaced. When the plant failed in 2006, an RWQCB inspection found it to be poorly operated and maintained with various regulatory violations.
- RHCSD has drawn down reserves as a result of the treatment plant failure in 2006. The District was paying high monthly payments to transport effluent to another provider and then for an interim facility. The District is struggling to get funding for facility improvements, has significantly higher costs per account than the other providers, and has the highest rate among the other jurisdictions. RHCSD does not have the financial ability to provide adequate wastewater services.
- RHCSD has had no governing body demonstrated by a lack of contested elections in recent years.

Affordability Index = average annual residential bill for sewer/annual MHI

2. Rate Basics

Rate Structures

The following are types of rates structures common to sewer systems:

- **Uniform Flat Rate:** Customers pay the same amount regardless of the usage. This type of rate is easiest to administer; however, it has been argued that it is not fair to the connections that produce less waste water. This is the rate structure for RHCSD.
- **Flat Rate by Connection Class:** Connection "classes" are determined such as residential or commercial. A different flat rate is established for each class based on presumed inequality of usage between the classes.
- **Rate Based on Water Usage**: In this rate structure, a base rate is usually established for having the connection available and a commodity fee is charged based on metered water usage. It assumes waste water created is directly linked to water usage.
- **Equivalent Dwelling Unit (EDU):** In this rate structure each connection is assigned a designated EDU. Typically one residential house will equal one EDU; occasionally it may be arbitrarily determine, for instance, one school may equal two EDU's, a restaurant may equal three EDU's and so on. Some utilities charge according to number of toilets to which a connection is linked.
- **Based on Waste Strength:** Some utilities base their rates by measured biochemical oxygen demand or B.O.D.

Fixed versus Variable Expenses

Sewer must be available to customers at all times whether the customer is using the sewer or not. A large share of sewer system costs are associated with taking the waste water from the customer's connection regardless of whether any waste water is produced. Fixed costs are those that must be recovered by RHCSD to ensure that the sewer connection is available to its customers.

Fixed costs are usually recovered from each customer on an equal basis through the use of a minimum fee (a minimum monthly bill). Fixed costs may cover 100 percent of some expenses in a system's budget, but only a portion of other types of expenses. For example, fixed expenses generally include all debt service expenses on construction loans, financial reserves for emergencies or equipment replacement and overhead costs, like insurance and bonding. Fixed costs should also include a portion of other system operating expenses. For example, a percentage of wages and fringe benefits for time spent in preparing each customer's bill and depositing payments.

The method for identifying all or part of some expenses as fixed costs involves determining to what extent each of the line item expenses in the budget benefits every customer of the system regardless of their level of usage. This is a determination that each utility must make for itself. Fixed costs should generally be recovered in a system's minimum bill, the minimum monthly fee charged equally to each customer within each customer classification. For small systems with fewer customers to spread costs among, the proportion of fixed costs will be higher than larger systems. Many small systems find it impossible to recover all fixed costs in a monthly minimum so they tend to shift a certain percentage to the variable side. Fixed costs for small systems are usually in the range of one-third to one-half of the system's total operating costs.

Variable costs are system expenses that are more directly related to how much waste water is pumped and treated. Most costs for electricity, operator wages and benefits, chemicals and repairs can be classified as variable costs because they are directly related to the amount of sewage customers' produce. To recover variable expenses, many rate structures use a "consumption charge" or "flow charge" per volume based on water usage, such as per thousand gallons or hundred cubic feet.

3. Sewer Rate Analysis

The current RHCSD sewer rates and sewer billing revenues for the period of July 1, 2013 through June 30, 2014 are shown in the table below:

Table 3.1

Summary of current RHCSD Annual sewer rates and revenues from sewer connections 2014

Current rates 2014	**Base Rate**	**# of accounts**	**Total Monthly Revenue**
Monthly Base Rate	$246.53	84	$20,709
Total Annualized Revenue			**$248,502**

The RHCSD sewer department budget for 2015 was used to develop a breakdown of fixed and variable operating costs as presented in Table 3.2 below. The actual operating expenses reported in RHCSD financial statements for Fiscal Year Ending FYE 6/30/2013 and projected FYE 6/30/2014 were $331,193 and $309,608, respectively. Repairs of aging equipment and the necessity to use more contract services for operating the system caused the utility costs to climb from FYE 6/30/2011 through FYE 6/30/2013. The contract operator cost declined significantly in FYE 6/30/2014 however, that savings was offset by increased repair costs. YCPW estimated the contract operator costs to continue at an average of $175,000 annually. The sewer system has been operating at a significant loss for the past several years. Without a rate increase, it is estimated the system will have a shortfall of nearly $50,000 in FYE 6/30/2015 with no dollars available for reserve funding.

Table 3.2 Budget Based on CIP Funded at 2% of Estimated Original Cost

River Highlands Community Services District - Sewer System Budget	**Budget FYE 6/30/2015**	**Estimated % Fixed Costs**	**Fixed costs**	**Variable costs**
Cost of goods sold:				
Sewer Operator Contract	$ 175,000	$ 1	$ 140,000	$ 35,000
Utilities	$ 15,500	$ 1	$ 7,750	$ 7,750
Maintenance & Repairs/Emergencies	$ 60,000	$ 1	$ 36,000	$ 24,000
Supplies	$ 20,000	$ 1	$ 12,000	$ 8,000
Expense				
Administration	$ 16,000	$ 1	$ 12,800	$ 3,200
Licenses/Permits	$ 9,250	$ 1	$ 9,250	$ -
Taxes	$ 200	$ 1	$ 200	$ -
Porta-Potty Service	$ 1,100	$ 1	$ 990	$ 110
Total Operating Budget	**297,050**		**218,990**	**78,060**
Annual Emergency Reserve	10,000	(assumes 20% of $50,000 per year for 5 years)		
Annual Operating Reserve	7,426	(assume 0.125 of annual operating costs reserved over 5 years)		
Annual Debt Service Reserves	4,550	(CAA loan $91,000 over 20 years zero interest matures 9/01/2030)		
Annual Replacement CIP reserve	10,359	(assumes 2% funding of CIP annually)		
Total Annual Reserves	**32,335**			
Total Annual Budget	**329,385**			
TOTAL ANNUAL OPERATING BUDGET	**$297,050**			
TOTAL FIXED COST OF ANNUAL BUDGET	**$218,990**			
% OF ANNUAL BUDGET THAT IS FIXED	**74%**			
TOTAL VARIABLE COST OF ANNUAL BUDGET	**$78,060**			
% OF ANNUAL BUDGET THAT IS VARIABLE	**26%**			

Table 3.3 below illustrates the required base rate if budget in Table 3.2 is adopted. Assuming a 2% inflation rate, a flat rate of $330 per month per connection increasing $5.00 each year for five years should cover all operating costs and reserve funding until FYE 6/30/2019, at which time the operating and emergency reserves will be fully funded freeing over $17,000 annually to cover any increased operating costs and to increase funding to CIP reserves

Table 3.3

Increased Rate Assumes 2% Inflation Rate		# of active accounts	Monthly Revenue	Annual Revenue	
Flat rate /month FY 2015	$ 330	84	$ 27,720	$ 332,640	
Flat rate /month FY 2016	$ 335	84	$ 28,140	$ 337,680	
Flat rate /month FY 2017	$ 340	84	$ 28,560	$ 342,720	
Flat rate /month FY 2018	$ 345	84	$ 28,980	$ 347,760	
Flat rate /month FY 2019	$ 350	84	$ 29,400	$ 352,800	
Budget (assumes 2% inflation)	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
Total Monthly Required Reserves Fund	$ 2,695	$ 2,695	$ 2,695	$ 2,695	$ 2,695
Total yearly required reserve fund (Based on Budget #2)	$ 32,335	$ 32,335	$ 32,335	$ 32,335	$ 32,335
Total Fixed Budget	$ 216,990	$ 223,370	$ 227,837	$ 232,394	$ 237,042
Total Variable Budget	$ 76,060	$ 79,621	$ 81,214	$ 82,838	$ 84,495
Total Budget (Excluding Reserve Funding)	$ 297,050	$ 302,991	$ 309,051	$ 315,232	$ 321,536
Total Budget (Including Reserve Funding)	$ 329,385	$ 335,326	$ 341,386	$ 347,567	$ 353,872
Revenue Over/(Under) Expenses Based on Increased Rate	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
Total Estimated Annual Revenue	$ 332,640	$ 337,680	$ 342,720	$ 347,760	$ 352,800
Total Target Revenue	$ 329,385	$ 335,326	$ 341,386	$ 347,567	$ 353,872
Variance	$ 3,255	$ 2,354	$ 1,334	$ 193	$ (1,072)

Conclusions and Recommendations

Key points to remember with any rate adjustment:

- Successful utilities are those that strive to be transparent. In day-to-day opera RHCSD should strive to promote its services (highlights and the low points), and continuously educate its customers on why it is necessary to raise and adjust rates.
- The ability of the current rate structure to generate adequate revenue will depend on maintaining a vigorous collection and shut-off policy to keep delinquent accounts at a minimum.
- In order to achieve and maintain long term viability, sewer systems should review its rates annually or no less than a minimum of every two years.
- YCPW should continually seek ways to decrease the costs of operating the utility. It is recommended a cost comparison be conducted to determine if it would be prudent to hire staff to operate the system rather than to contract it out.
- RHCSD should raise sewer use rates to provide sufficient revenues for funding future operations and adequately fund reserves.
- RHCSD should continue with development of a Capital Improvement Plan that has all current equipment and structures listed with expected useful lives of each as well as projected replacement costs. The CIP reserves should be funded based on this schedule. Failure to save adequate CIP reserves will force RHCSD to finance a larger percentage of future capital projects, incurring the added cost of interest.
- RHCSD should establish policies for reserve accounts as recommended above and distribute any existing unrestricted reserves accordingly. CIP reserves should be moved to and maintained in the highest interest bearing accounts available to offset inflation.
- RHCSD should begin the process of increasing sewer rates to the recommended rates above.



Finance and Administration Committee

YUBA COUNTY
CALIFORNIA

The County of Yuba

Office of the County Administrator

Robert Bendorf, County Administrator
John L. Fleming, Economic Development Coordinator
Russ Brown, Communication & Legislative Affairs Coordinator
Grace M. Mull, Management Analyst
Teena Carlquist, Executive Assistant to the County Administrator
Yuba County Government Center
915 8th Street, Suite 115
Marysville, CA 95901

Phone (530) 749-7575
Fax (530) 749-7312
E-Mail rbendorf@co.yuba.c.aus
jfleming@co.yuba.ca.us
rbrown@co.yuba.ca.us
gmull@co.yuba.ca.us
tcarlquist@co.yuba.ca.us

Date: December 9, 2014
To: Finance & Administration Committee
From: Robert Bendorf, County Administrator
By: Grace Mull, Management Analyst
Re: Yuba County Administrative Policy & Procedures Manual

Recommendation

Adopt resolution repealing and enacting certain sections of the Yuba County Administrative Policy & Procedures Manual.

Background

The Administrative Policy & Procedures Manual provides guidelines for County staff and leadership in procedural matters affecting all County departments, and should be updated periodically to reflect changes in Board policy and current administrative practice. The manual was last updated in May 2013.

Discussion

Staff has been working with administrative departments over the last several months to review the manual and provide suggested revisions. The departments' responses were compiled, evaluated, and included in revisions as appropriate. Every effort was made in revising the manual, to reflect current Board policy and administrative practice.

The majority of the revisions requested allow the manual to conform to current administrative practice and changes in county structure that have occurred since the last time the manual was revised. The policies that have significant policy revisions include the Payroll, Automotive Transportation, and HIPPA policies. There was one new policy added for Budget Adjustments requested by the Auditor-Controller.

- The Payroll Policy was reviewed jointly by the Auditor-Controller and the Human Resources Director. The requested revisions are primarily attributed to updating the policy to reflect current practice.

- The Automotive Transportation Policy was revised to include reference regarding annual vehicle assignments that require approval by the Board of Supervisors.

- The HIPPA Policy was reviewed by Health and Human Services Department and was revised and reformatted to reflect current security practices and responsibilities.

- A new policy was created and added pertaining to Budget Adjustments by the Auditor-Controller. The policy was developed in conjunction with a new budget adjustment form that was created in electronic format for departmental use. Previously, a section regarding Budget Adjustments was included within the Audit & Accounting policy.

The attached 2014 Summary of Changes displays and explains the reason for each revision.

Fiscal Impact

There are no costs associated with this request as this is an administrative action only.

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF YUBA

RESOLUTION REPEALING AND ENACTING CERTAIN SECTIONS OF THE YUBA COUNTY ADMINISTRATIVE POLICY AND PROCEDURES MANUAL	))))	Resolution No. _____

WHEREAS, the purpose of an administrative manual is to provide guidelines for County staff and leadership in procedural matters affecting all County departments; and

WHEREAS, the current administrative policy and procedures manual was last revised in May 2013 and should be updated periodically to reflect changes in Board policy and current administrative practice; and

NOW THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Yuba hereby adopts the following sections of the Yuba County Administrative Policy and Procedures Manual as set forth in Exhibit A.

PASSED AND ADOPTED this _____ day of _____, 2014, by the Board of Supervisors of the County of Yuba, by the following votes:

AYES:

NOES:

ABSENT:

By: _____
John Nicoletti, Chairman

_____
ATTEST: Donna Stottlemeyer
Clerk of the Board of Supervisors

Bobbie Ross Todd
Approved As To Form:
Angil Morris-Jones, County Counsel
by: Bobbie Ross Todd,
Deputy County Counsel

Administrative Policy & Procedures Manual - 2014 Summary of Changes

Policy Number	Policy	Section	Change		Reason
B-1	Audit & Accounting	12	Delete	Delete section regarding Budget Transfers	New policy created. See B-4 Budget Adjustments per R. Eberle
B-4	**Budget Adjustments**	**All**	**New**	**New policy added regarding Budget Adjustments**	**New policy created. See B-4 Budget Adjustments per R. Eberle**
C-1	Payroll		Add	Defined Policy and Procedures sections	Updated per R. Eberle and M. Wilson to reflect current practice
		1	Delete	Delete old Department Responsibility section.	Updated per R. Eberle and M. Wilson to reflect current practice
		1	Replace	Replace with new Department Responsibility section with expanded information.	Updated per R. Eberle and M. Wilson to reflect current practice
		2	Delete	Delete Payroll Report section. Renumbered to section 3 and included edits.	Updated per R. Eberle and M. Wilson to reflect current practice
		2	New	Replaced old section 2 (Payroll Report) with Pay Frequency.	Updated per R. Eberle and M. Wilson to reflect current practice
		3	Delete	Delete old section 3 (Pay Day) and replaced with Payroll Report.	Updated per R. Eberle and M. Wilson to reflect current practice
		3	Edit	Edits applied to Payroll Report section: Changed "A Payroll Report" to Payroll reports. Added (at the time of preparation) after "The payroll report will include a list of all current employees and their present salaries". Deleted "norm" in the parens starting with (if different from the norm and replaced with "standard, assigned working period), 2nd paragraph, starting with "The original copy", deleted requested and replaced with established. Added "Controller" to Auditor.	Updated per R. Eberle and M. Wilson to reflect current practice
		4	Edit	Added second paragraph regarding documentation.	Updated per R. Eberle and M. Wilson to reflect current practice
		5	Edit	Identified all of the entities that govern overtime.	Updated per R. Eberle and M. Wilson to reflect current practice
		6	Edit	Identified all of the entities that govern leaves and holidays.	Updated per R. Eberle and M. Wilson to reflect current practice
		7	Edit	Changed title of section from "Errors" to "Errors in/Changes to Submitted Information"	Updated per R. Eberle and M. Wilson to reflect current practice
		7	Edit	Added new paragraph above original paragraph that describes process to submit changes to submitted payroll.	Updated per R. Eberle and M. Wilson to reflect current practice
		8	Delete	Delete old Deductions for Charitable Contributions section. Renumbered to section 9 and included edits.	Updated per R. Eberle and M. Wilson to reflect current practice
		8	New	Replaced old section 8 (Deductions for Charitable Contributions) with Voluntary Payroll Deductions.	Updated per R. Eberle and M. Wilson to reflect current practice
		8.1	Delete	Delete old section uner "Deductions for Charitable Contributions" and incorporated in new section 9.	Updated per R. Eberle and M. Wilson to reflect current practice
		8.2	Delete	Delete old section uner "Deductions for Charitable Contributions" and incorporated in new section 9.	Updated per R. Eberle and M. Wilson to reflect current practice
		9	New	Incorporated information from Sections 8.1 and 8.2 and included within new section 9.	Updated per R. Eberle and M. Wilson to reflect current practice
C-2	Personnel Position Requests	3	Edit	Revised number of hours an extra help employee can work in any fiscal year from 1000 to 960. Added reference to Retired PERS members.	Updated per M. Wilson to reflect current practice

Administrative Policy & Procedures Manual - 2014 Summary of Changes

Policy Number	Policy	Section	Change		Reason
C-4	Accident Reporting	2	Edit	Deleted reference "in which one or more vehicles are involved" as number of vehicles is irrelevant. Took out parenthesis "from accident or vandalism".	Updated by M. Wilson
		5	Edit	Deleted reference to time frame for accident reporting and replaced with "immediately".	Updated by M. Wilson
		11	Edit	Minor grammar edits, deleted "the following procedure shall be followed:" at the end fo the first sentence and deleted section A.	Updated by M. Wilson
		13	Edit	Added law enforcement as a vehicle accident reporting entity.	Updated by M. Wilson to reflect current practice
D-2	Credit Card Policy	5	Edit	Delete reference to card procedures "issued by the Auditor-Controller" as the procedures are issued by Admin Services	Updated by D. McCoy to reflect current practice.
D-3	Automotive Transportation	3	Edit	Expanded section on Assignment to include current procedures for continued vehicle assignment.	Updated by D. McCoy to reflect current practice.
		4.B.	Edit	Added language to reflect that vehicles need to be returned immediately after use and "shall not be kept overnight:".	Updated by D. McCoy to reflect current practice.
		10	Edit	Clarifed language regarding the inability to use a County vehicle for towing or pushing a stalled vehicles unless the vehicle is specified for that purpose.	Updated by D. McCoy to reflect current practice.
E-1	Facilities Management	2.A.	Edit	Added 2.A. to include adhering to the Yuba County Asbestos Management Plan when performing any type of maintenance work througout the County.	Updated by D. McCoy to include reference to new Asbestos Mgt Plan.
E-4	Waste Disposal		Edit	Added reference to Information Technology's responsibility regarding E-Waste.	Updated by D. McCoy to reflect current practice.
E-5	Use of County Facilities	Attach A.	Edit	Attachment A of this policy is provided to outside agencies when they reserve a room at the Government Center. Section 2 under Breaks and Section 1. under Parking were revised to reflect current information.	Updated by D. McCoy to reflect current information.
E-6	Security Badges	3	Edit	Section was revised to include current process to have employees photos taken for the security badge.	Updated by D. McCoy to reflect current practice.
		4	Edit	Section was revised to delete reference to Assistant Director as this position currently does not exist within Admin Services	Updated by D. McCoy to reflect current staff structure in Admin Services
E-7	Real Estate Acquisition		Edit	Policy section was revised to reflect that all real estate transactions shall be performed in accordance with Yuba County Ord Code Section 2..50, Article 5 relating to the Purchase of Real Property.	Updated by D. McCoy to include County Ordinance code with governs this policy.
E-8	Employee Status Change Notification		Edit	Policy section was revised to include Information Technology.	Updated by D. McCoy to reflect current practice.
		1	Edit	Deleted reference to Attachment A. as checklist not necessary for the policy.	Updated by G. Mull as current policy does not inlcude Attachment A
		1.A.	Edit	Added reference to Department's responsibility to secure County Security Badge upon employee's departure from service.	Updated by M. Wilson to identify Department's responsibility.
		1.D.	Edit	Section was revised to reflect correct department.	Updated by D. McCoy to reflect current department structure.
		2	Edit	Section was revised to add the language "in advance" of proposed staffing change and included Information Technology as a department that needs to be notified.	Updated by D. McCoy to reflect current practice.
		3	Edit	Section was revised to remove Assistant Director as this position no longer exists and added Chief Information Officer, the Department Head for Information Technology.	Updated by D. McCoy to reflect current department structure.

Administrative Policy & Procedures Manual - 2014 Summary of Changes

Policy Number	Policy	Section		Change	Reason
F-1	HIPPA Policy		Edit	Removed the word "covered" in the first paragraph under Background within the sentence "The County of Yuba, as a hybrid covered entity under HIPPA regulations, has established the Privacy Policy contained herin".	Updated by K. Cole to reflect current practice.
			Edit	Under Definitions, Authorization. Added the word "valid" in the first sentence.	Updated by K. Cole to reflect current practice.
			New	Under Definitions, added section for "Breach".	Updated by K. Cole to reflect current practice.
			Edit	Under Definitions, Business Associates, reworded section to better define intent.	Updated by K. Cole to reflect current practice.
			Edit	Under Definitions, Covered Entity, deleted "care" after transmits any health care information	Updated by K. Cole to correct language.
			Edit	Under Definitions, Limited Data Sets, added bullet "Any other unique identifying number, characteristic, or code, except as permitted by HIPPA.	Updated by K. Cole to reflect current practice.
			Edit	Under Definitions, Minimum Necessary, added to the end of second sentence "and should do so without sacrificing the quality of health care".	Updated by K. Cole to reflect current practice.
			Edit	Under Definitions, Notice of Privacy Practices, added "written in plain language" at the end of first sentence. Revised remainder of paragraph to better define intent.	Updated by K. Cole to reflect current practice.
			Edit	Under Definitions, Protected Health Inforamation, added additional information to better define section after "paper or oral form".	Updated by K. Cole to reflect current practice.
			Delete	Under Definitions, Security, deleted this section and and readdressed with new section regarding "Security Incident".	Updated by K. Cole to reflect current practice.
			Add	Under Definitions, Security Incident, added this section to define what is a security incident as it relates to HIPPA.	Updated by K. Cole to reflect current practice.
		2	Delete	Deleted this section as it no longer applies due to the deletion of the County Privacy Officer position.	Updated by K. Cole to reflect current practice.
		3	Delete	Deleted this section as it no longer applies due to the deletion of the County Privacy Officer position. Replaced with new section 12. regarding Privacy Complaints.	Updated by K. Cole to reflect current practice.
		5	Delete	Deleted this section as it no longer applies due to the deletion of the County Privacy Officer position.	Updated by K. Cole to reflect current practice.
		6.B.	Edit	Added another paragraph at the end of section regarding department responsibility.	Updated by K. Cole to reflect current practice.
		7	Edit	Revised section to better define now required Notice of Privacy Practices are distributed to the public.	Updated by K. Cole to reflect current practice.
		8	Edit	Revised section to better define current practice of accounting for disclosures and associated policy & procedures.	Updated by K. Cole to reflect current practice.
		9	Edit	Revised section by deleting "Where applicable, the County will" and adding current practice regarding Access.	Updated by K. Cole to reflect current practice.
		10	Edit	Revised section by deleting old section that starts with "the County engages.... " and ends with "approval of County Counsel and the County Administrator" and adding new section that better defines the business associate contract.	Updated by K. Cole to reflect current practice.
		12	Add	Add new section "Privacy Complaints" that defines rpocess to handle complaints. (Section 12 was formerly "Complaints & Whistleblowers"	Updated by K. Cole to reflect current practice.
		13	Edit	Revised and renumbered "Complaints & Whistleblowers" to reflect current practice.	Updated by K. Cole to reflect current practice.

Administrative Policy & Procedures Manual - 2014 Summary of Changes

Policy Number	Policy	Section		Change	Reason
F-1	HIPPA Policy continued	14	Add	Added new section that covers Security Incidents & Breaches to reflect current procedures.	Updated by K. Cole to reflect current practice.
			Add	Under "Policy Authority" at the end fo the policy, added "Health Information Technology for Economic and Clinical Health (HITECH)".	Updated by K. Cole to reflect current policy authority sources.
J-1	County Counsel Services	2.B	Edit	Revised reference to"within 21 working days" to "within 14 working days".	Updated by A. Morris-Jones to reflect current practice.
		2.C.	Edit	Revised reference to "within 21 calendar days to "within 14 calendar days".	Updated by A. Morris-Jones to reflect current practice.
K-1	Requisitioning Supplies	4	Edit	Revised section to delete reference to postal tags as it is no longer used and added "and marked with the department number to be charged".	Updated by D. McCoy to reflect current practice.
K-2	Property & Equipment	2	Edit	Revised section to correctly idently name of form and update the capital asset threshold to the current amount $5,000.	Updated by D. McCoy to reflect current practice.
		4.A.	Edit	Revised section to correctly identify name of form.	Updated by D. McCoy to reflect current practice.
		4.B.	Edit	Revised section to correctly identify name of forms.	Updated by D. McCoy to reflect current practice.

ADMINISTRATIVE POLICY & PROCEDURES MANUAL

TABLE OF CONTENTS

Section A **General Administration**

A-1 Authorization to Sign Documents
A-2 Preparation and Submission of Grant Applications

Section B **Budget and Fiscal Matters**

B-1 Audit & Accounting
B-2 Charges for County Services
B-3 Budget & Financial Policy
B-4 Budget Adjustments

Section C **Personnel and Payroll**

C-1 Payroll
C-2 Personnel Position Requests
C-3 Safety Procedures
C-4 Accident Reporting

Section D **Travel and Transportation**

D-1 Travel
D-2 Credit Card Policy
D-3 Automotive Transportation

Section E **Facilities Management**

E-1 Facilities Management
E-2 Vending Machines
E-3 County Flags
E-4 Waste Disposal
E-5 Use of County Facilities
E-6 Security Badges
E-7 Real Estate Acquisition
E-8 Employee Status Change Notification
E-9 Lease Administration

Section F **Privacy (HIPAA)**

F-1 Privacy (HIPAA) Policy

Section G **Board of Supervisors Meetings, Standing Committees**

G-1 Board of Supervisors Agenda
G-2 Board of Supervisors Standing Committees

Section H **Information Technology**

H-1 Information Technology
H-2 County Website Policy
H-3 Information Security Governance Program

Section I **Legislative Program**

I-1 Legislative Program

Section J **County Counsel Services**

J-1 County Counsel Services

Section K **Purchasing/Contracting**

K-1 Requisitioning Supplies
K-2 Property & Equipment
K-3 Capital Assets

Section L **County Owned Property Sales**

L-1 County Owned Property Sale or Lease

Subject:	Policy Number:	Page Number:
	B-1	Page 1 of 3
AUDIT & ACCOUNTING	Date Approved:	Revised Date:
	02/19/08	00/00/14

PROCEDURE:

Note: A comprehensive detailing of cash handling procedures is contained in the County's Cash Manual compiled by and available from the Auditor-Controller.

1. Auditor - Controller Responsibilities

   Upon order of the Board of Supervisors, the Auditor-Controller shall conduct fiscal audits of all County departments, or as he/she determines necessary.

2. Definition

   A fiscal audit is a study to determine: (1) whether financial operations are properly conducted; (2) whether the financial reports from the audited entity are presented fairly; and (3) whether the entity has complied with applicable laws and regulations.

3. Auditor - Controller Access To Records

   Should the Auditor-Controller's staff be refused records not normally required to do a fiscal audit, the Auditor-Controller shall request them through the Board of Supervisors.

4. Fiscal Audit Report

   Upon completion of a fiscal audit of a department, the Auditor-Controller will prepare a written fiscal audit report, including findings and recommendations. Copies of the report shall be provided to the department, the County Administrator and the Board of Supervisors.

5. Department Compliance

   The audited department shall comply with the recommendations contained in the fiscal audit report and shall notify the Board of Supervisors and County Administrator in writing of such compliance.

   ACCOUNTING

6. Auditor - Controller Supervision

   The Auditor-Controller, as the chief accounting officer of the County, shall exercise general supervision over accounting forms and procedures in all County offices.

7. County Officials Required to Follow

County officials are required by §26881 of the Government Code and upon order of the Board of Supervisors to follow accounting techniques and forms as specified by the Auditor-Controller.

8. Departmental Changes in Accounting Procedures

Each department head must keep the Auditor-Controller advised of any changes and proposed changes in departmental accounting procedures.

OVERAGES AND SHORTAGES

9. Written Report Required

Any person in any County office or department who receives or disburses money placed in his or her custody as directed by law or official authority, shall render a written report to the administrative head of the department at the close of each business day if a cash deficit or overage is discovered. The report shall show the exact amount of any cash deficit or overage in that account for that day.

A. All cash overages shall be deposited daily.

B. Any County department incurring a shortage of $25 or more shall immediately notify the Auditor-Controller so an investigation as to the possible cause can be conducted if deemed necessary by the Auditor-Controller. A letter requesting immediate reimbursement should be submitted to the Auditor-Controller if the deficit in the fund is deemed to seriously hamper the normal operations of the department concerned.

C. In the event of a discrepancy, the Auditor-Controller, County Administrator and District Attorney shall each determine whether there is proof of fraud or gross negligence. If they determine that there is no such proof and if the loss is not covered by insurance, the request for reimbursement shall be forwarded to the Board of Supervisors with a recommendation that it be approved.

D. Providing the cash shortage is approved for reimbursement by the Board of Supervisors, the shortage will be charged to the proper fund.

E. Notification will be sent by the Auditor-Controller informing the department a warrant will be sent, or that the request was denied for reimbursement.

F. An order discharging the department, officer, or employee from further accountability and an adjustment of any charge against said department, officer, or employee may be made. Such discharge from accountability does not constitute a release of any person from liability for payment of any amount.

G. Upon denial of the request for reimbursement of the cash shortage, the accountability and liability for the shortage will rest with the department, or employee responsible.

CASH FUNDS

10. Petty Cash

All requests for a petty cash fund must be made to the Auditor-Controller and the County Administrator. If the Auditor-Controller and the County Administrator approve the request, they will recommend to the Board of Supervisors that the fund be established.

A. A petty cash fund should be used for minor disbursements. Appropriate documentation, including receipts, must be available for audit. Replenishment of petty cash should be done at least quarterly (monthly if fund is frequently used). Replenishment checks are made out to the department individual responsible for the fund and may be cashed by the Treasurer-Tax Collector.

B. Under no circumstances is the fund to be used to cash employees' personal checks.

C. Operating procedures for petty cash funds will be provided to the requesting department by the Auditor-Controller's Office upon approval of the fund.

11. Stamps

A minimal supply of stamps may be requisitioned from Administrative Services for use on urgent mail.

A. Under no circumstances shall employees be allowed to purchase stamps from this supply for use on their personal mail.

Subject:	Policy Number:	Page Number:
	B-4	Page 1 of 5
BUDGET ADJUSTMENTS	Date Approved: 00/00/14	Revised Date:

POLICY:

Budget adjustments shall occur only when unavoidable and will be approved either by the Board of Supervisors or administratively, depending on circumstances.

All requests for adjustments for budgeted appropriations must be submitted to the County Administrator and the Auditor-Controller for approval using a form specified by the Auditor-Controller. Any adjustments involving a change in the level of appropriations approved by the Board of Supervisors require approval of the Board. All budget adjustments involving changes in appropriation to the Fixed Asset/Capital Expenditure or Travel Accounts, or transfers between Budget Categories require the authorization of the Board of Supervisors.

AUTHORITY:

1. California Government Code

   A. Section 29120 limits obligations to appropriated amounts.

   B. Section 29121 states that "Except as otherwise provided by law, obligations incurred or paid in excess of the amounts authorized in the budget unit appropriations are not a liability of the county or dependent special district, but a personal liability of the official authorizing the obligation."

   C. Section 29125 specifies the conditions under which transfers and revisions to adopted appropriations may be made. Transfers between funds and transfers from appropriation for contingencies require a four-fifths (4/5) vote. Transfers of appropriation between budget units in the same fund, if overall appropriations are not increased, can be authorized with a majority vote. This section also authorizes the Board to designate the Administrative Officer or Auditor-Controller to approve transfers and revisions within a specific budget if the overall appropriations are not increased.

DEFINITIONS:

1. Department Head

   For the purposes of this policy, Department Head is defined as the head of a department or an authorized designee.

2. County Administrator

   For the purposes of this policy, County Administrator is defined as the County Administrative Officer or an authorized designee.

3. Auditor-Controller

For the purposes of this policy, Auditor-Controller is defined as the County Auditor-Controller or an authorized designee.

4. Budget Categories – Financing Sources

A. Taxes
B. Licenses, Permits, and Franchises
C. Fines, Forfeitures, and Penalties
D. Use of Money and Property
E. Intergovernmental Revenues
F. Charges for Services
G. Miscellaneous Revenues
H. Other Financing Sources
I. Special Items

5. Budget Categories – Financing Uses

A. Salaries & Benefits
B. Services & Supplies
C. Other Charges
D. Capital Assets
E. Other Financing Uses
F. Special Items
G. Intrafund Transfers
H. Appropriations for Contingencies

PROCEDURE:

1. Budget Adjustments

Appropriation adjustments should only be performed when circumstances are unavoidable. Departments should monitor expenditures to ensure transactions are kept within approved appropriations. Requests for budget adjustments should be made using a form specified by the Auditor-Controller with the affected funds and accounts clearly identified. Requests shall be reviewed and authorized by the department head of the submitting department prior to submission to the County Administrator and Auditor-Controller for authorization. The request shall be accompanied by documentation identifying the reasons for the request.

2. Required Documentation

A. Increase in Appropriation

If the request involves an increase in the level of appropriation above what the Board of Supervisors originally approved, the documentation must include identification of the source of funding. If the funding source is outside of the County, documentation validating the funding source and the amount of the increase is required. If the funding source is internal to the county, (i.e. another fund), the documentation must include authority to use the funds and a journal entry request to move the funding.

B. Decrease in Appropriation

Any decrease in the approved level of appropriation must be accompanied by a description of the reason for the reduction. For example, if a state funded program will be discontinued then a copy of the notice of program termination would be sufficient. If the funding source involves a decrease in the level of services provided to an outside agency, then a copy of the contract modification and the amount of the decrease would be appropriate. If the decrease in funding source is an estimate then a copy of the underlying methodology used to calculate the estimate, and the reason for the change, and an updated calculation of the estimate will satisfy the documentation requirement.

C. Adjustments Not Resulting in a Net Change in Appropriation

Circumstances may arise that require a department to incur unexpected expenditures during the fiscal year or one funding source is reduced or made unavailable and another funding source becomes available.

C.1. Adjustments to Financing Sources

In the event that all or part of a funding source originally budgeted by a department becomes unavailable and the funding source from an alternate funding source becomes available, the department will follow documentation requirements for Increases/Decreases in Appropriation.

C.2 Adjustments to Financing Uses

When the requested adjustment involves changes in appropriations for financing uses, the department must provide an explanation of the circumstances giving rise to the unexpected increase in expenditures and an explanation for the reason appropriations in the expenditure line item being reduced will be less than originally budgeted to compensate for the increased expenditures.

3. Approvals for Budget Adjustment

A. Department Head

All requests for budget adjustments require the authorization of the Department Head. The Department Head should review the request to ensure account numbers are correctly identified, sufficient appropriation exists (when transferring from one expenditure line item to another), and that appropriate documentation exists for the requested adjustment.

B. County Administrator

All requests for budget adjustments require authorization from the County Administrator's Office. The County Administrator's Office will review the request to ensure account numbers are correctly identified, sufficient appropriations exist (when transferring from one expenditure line item to another), and that appropriate documentation exists for the requested adjustment.

C. Auditor-Controller

All requests for budget adjustments require authorization of the Auditor-Controller's Office. After the form has been approved by the County Administrator's Office the Auditor-Controller's Office will review the request to verify account numbers are correctly identified, sufficient appropriations exist (when transferring from one expenditure line item to another), and that appropriate documentation exists for the requested adjustment.

D. Board of Supervisors

Only budget adjustment requests meeting the criteria outlined in the sections below require the approval of the Board of Supervisors. All requests for adjustments requiring authorization by the Board of Supervisors must be submitted by the department to the Clerk of the Board.

D.1. Increases or Decreases in Appropriations

All increases or decreases in the original level of appropriations approved at the time of final budget require authorization from the Board of Supervisors.

D.2. Adjustments to Financing Sources

In the event that all or a part of a funding source originally budgeted by a department becomes unavailable and funding source from an alternate funding source becomes available, the adjustment shall follow the guidelines for increases or decreases in appropriations and must be approved by the Board of Supervisors.

Any budget adjustment request that involves the use of contingencies or reserves must be approved by the Board of Supervisors.

D.3. Adjustments to Financing Uses Between Categories

Budget adjustments where appropriations in one budget category are being reduced and increased in another category require the authorization of the Board of Supervisors.

D.4. Adjustments to Appropriations for Travel and Fixed Assets/Capital Expenditures

All adjustment to appropriations relating to employee Travel and Training and Fixed Asset/Capital Expenditures require the authorization of the Board of Supervisors.

D.5. Administrative Approval

Any budget adjustment request that does not require the authorization of the Board of Supervisors can be processed upon the approval and authorization of the County Administrator and Auditor-Controller.

4. Adjustment Processing

When the budget adjustment request has been submitted with all the necessary approvals the Auditor-Controller's Office will process the budget adjustment. A copy of the completed request will be returned to the department originally submitting the request.

Subject:	Policy Number:	Page Number:
	C-1	Page 1 of 3
PAYROLL	**Date Approved:**	**Revised Date:**
	02/19/08	00/00/14

POLICY:

Payroll will be processed accurately, timely and in compliance with applicable Federal, State, and County policy and in accordance with Labor Agreements in effect at the time of processing.

PROCEDURE:

Payroll processing is handled under the authority of the Auditor-Controller's Office with employee related information supplied by the Human Resources department and time and hours worked information provided by all county departments.

1. Department Responsibility

   Records of employee attendance and hours worked are recorded on an approved timesheet. These records shall include hours worked by the employee, both regular and overtime, vacation, sick leave, floating holidays, and administrative leave accumulated and taken, hours worked at a specialized pay rate, etc.

   Records of employee attendance shall be retained for a minimum period of five years and then may only be destroyed with written authorization from the Auditor-Controller and the County Counsel.

   Departments are also responsible for the accuracy of payroll information provided for processing. It is incumbent on department heads to ensure staff handling payroll have sufficient knowledge and training of applicable Federal, State, and County regulations and policies to ensure accuracy of records and compliance regulations.

2. Pay Frequency

   Yuba County personnel are paid monthly with the payday set on the eighth day of the month following the close of the working period. The working period for Yuba County begins on the first day of the month and ends on the last day of the month. In the event pay day falls on a holiday or weekend, the payday will be moved to the first working day prior to the eighth day.

3. Payroll Report

   Payroll reports will be sent to each department by the Auditor-Controller's Office. The Payroll report will include a list of all current employees and their present salaries (at the time of preparation). These figures should be checked and corrected if necessary, on the form. The Department Head should note on the form the regular hours worked (if different from the standard, assigned working period), the number of hours off with pay, overtime hours, holiday hours, standby pay, sick leave hours used, vacation hours used, and any other pertinent payroll information.

The original copy of the Payroll Report signed by the Department Head must be returned to the Auditor-Controller's Office by the due date established by the Auditor-Controller. Each department is required to keep a copy of each monthly payroll report.

4. Certification Required Before Salary Payment

Except as otherwise provided by State law, the Auditor-Controller shall not approve any salary or compensation for services for any person holding or performing the duties of any position, unless he has in his possession a document certified by the Human Resources Department to the effect that the name, title and rate of pay of the person to be paid are in accordance with the provision of the County Resolution and Personnel Rules.

It is the responsibility of each department head to ensure the documentation for any changes in employees (i.e. new hires, terminations, position changes, promotions, location changes, etc.) to be communicated to the Human Resources department in a timely manner so the documentation can be provided to the Auditor-Controller prior to payroll processing deadlines.

5. Overtime

Overtime is governed by Federal Fair Labor Standards Act (FLSA), California Department of Labor, the provisions of Article Seven of the County's Benefits and Working Conditions Resolution as amended and another other applicable regulations.

6. Annual, Sick, Bereavement and Other Leaves and Holidays

Leaves are governed by the Federal Fair Labor Standards Act (FLSA), California Department of Labor, the provisions of Article Seven of the County's Benefits and Working Conditions Resolution as amended and any other applicable regulations.

7. Errors in/Changes to Submitted Information

Any changes to payroll information submitted for processing should be communicated quickly to the Auditor-Controller. Changes should be in writing or some other approved documentable format as specified by the Auditor-Controller. The deadline for submitted changes to the unprocessed payroll is established by the Auditor-Controller. Any changes submitted subsequent to that will be processed on a subsequent payroll.

Any errors discovered after checks have been issued should be referred directly to the Payroll Division of the Auditor-Controller's Office.

8. Voluntary Payroll Deductions

County officials or employees may, at various opportunities, desire to have amounts deducted from their paychecks. The Board of Supervisors recognizes that such needs or opportunities and that voluntary payroll deductions may be the most effective way to meet the needs for those deductions.

9. Deductions for Charitable Contributions

The Board of Supervisors recognizes that charitable giving is an integral part of many local organizations and that county officials or employees may have a desire to contribute to charitable organizations. The Board also recognizes that voluntary payroll deductions are an effective mechanism to address the employees' desire to give charitably.

Any charitable organization wishing to solicit contributions from county officials or employees must submit a request to the Board of Supervisors. The request to solicit charitable contributions must include the following:

A. Identify the charitable member agencies included in the fund drive.
B. Agree to transmit contributions, as designated by the employee, to charitable organizations qualified as exempt organizations under Section 23701(d) of the California Revenue and Taxation Code, or Paragraph 3 of Subsection (c) of Section 501 of U. S. Internal Revenue Code of 1974.
C. Agree to conduct only one such major annual combined fund drive through County payroll deductions.
D. Agree that charitable member agencies will not independently solicit contributions through County payroll deductions.
E. Such other provisions deemed necessary by the Board of Supervisors or by the Auditor-Controller with the approval of the Board of Supervisors

The Board of Supervisors will review the request and may grant payroll deduction privileges to the community organizations conducting major combined fund drives within the County. In determining whether an organization shall conduct or continue to conduct such a fund drive, the Board of Supervisors will consider the following:

A. The number of charitable member agencies relying on the organization's fund drive for support.
B. The number of dollars raised within the County during the last completed fund drive.
C. The percentage of such dollars disbursed to charitable agencies as a result of the drive.
D. The number of County employees interested in utilizing the payroll deduction.
E. The capability of the County payroll system to process the deductions.
F. The number of combined fund drives already receiving payroll deduction privileges.

Any County official or employee may authorize payroll deductions from his/her wages for payment of charitable contributions to community organizations, as approved by the Board of Supervisors. Payroll deduction procedures for such charitable contributions will include the following:

A. Employee authorization must be in writing upon the form prescribed by the Auditor-Controller, signed by the officer or employee, and submitted to the Auditor-Controller.
B. Payroll deductions may only be authorized at $1.00 or more per pay period.
C. All payroll deductions must be made in equal amounts for each of the 12 pay periods.
D. An authorization or cancellation shall not be effective as to any payroll period unless received in time for the Auditor-Controller to process and enter or cancel the deduction on the payroll for that period.

Subject:	Policy Number:	Page Number:
	C-2	Page 1 of 2
PERSONNEL POSITION REQUESTS	**Date Approved:**	**Revised Date:**
	02/19/08	00/00/14

PROCEDURE:

1. General

Personnel requests for new positions or advanced step hire require Board of Supervisors authorization or Administrative authorization depending on department position allocations, available funding, and the following procedures.

2. New Position Requests

New position requests are typically made only during annual budget hearings or in times of emergency, and always require approval of the Board of Supervisors, Human Resources Director and County Administrator.

A. Requests shall be made on a Request for Position Allocation Change form provided for that purpose by County Human Resources. Requests shall include the proposed classification for the position sought, hours to be worked, estimated salary and benefit costs, funding source(s), and a narrative justifying the need for the position.

B. Completed request forms shall be submitted to the County Administrator and Human Resources Director for their review and recommendation.

C. Requests approved by the County Administrator and Human Resources Director shall be processed in one of the following manners:

C1. All new position requests received as part of the annual budget process shall be submitted to the Board of Supervisors during budget hearings, with a recommendation for funding.

C2. Emergency position requests received during the remainder of the year shall be submitted to the County Administrator and Human Resources Director by the requesting department and if approved, to the Board of Supervisors for final approval.

D. Approved requests shall be filled after the requesting department has completed a Request for Certification form, available from the Human Resources Department and submitted to the County Administrator.

3. Extra Help Requests

Extra Help requests shall be submitted to the County Administrator using the Request for Certification form. Extra Help employees may work no more than 960 hours in any fiscal year unless an exception has been granted by the Human Resources Director. Retired PERS members may not work more than 960 hours in any fiscal year. There will be no exceptions granted for this group.

4. Vacant Positions

Requests to fill vacant positions shall be submitted to the County Administrator using the Request for Certification form prepared by the Human Resources Department.

5. Request for Services

Occasionally, a department may request assistance from Human Resources where reviews are necessary to help determine the staffing needs of the department. Reviews can be performed for anticipated new positions, job classifications, job analysis, salaries, department structure, anticipated layoff calculations, title analysis and turnover/retention issues. Requests will be made using the Request for Human Resources and Organizational Services Action form prepared by the Human Resources Department.

Subject:	Policy Number:	Page Number:
	C-4	Page 1 of 4
ACCIDENT REPORTING	**Date Approved:**	**Revised Date:**
	02/19/08	00/00/14

PROCEDURE:

1. The Written Report

Whenever a County employee is involved in any type of accident, a written report must be submitted as soon as possible in the manner prescribed in the sections below. A written report is also required when a County employee observes any accident or incident which may expose Yuba County to a liability claim.

The form for each type of accident is outlined below. It is the responsibility of the County employee, his Supervisor or Department Head to prepare the report when required.

2. Vehicle Accidents

For reporting purposes, a vehicle accident is defined as any collision or upset involving a County vehicle or private vehicle being used on County business. Damage from accident or vandalism to a parked or unattended County vehicle should be reported as soon as discovered.

3. Inform the Supervisor

The operator of the County vehicle will:

A. Notify a law enforcement officer immediately.
B. Complete the initial field report contained in the vehicle.
C. Turn field report in to Department Head.
D. Department Head will send field report to Human Resources and a copy to Administrative Services.
E. Human Resources will send additional paperwork to Department Head for completion.

4. Injury to County Employee

If a County employee is injured in the accident, additional reports are required as indicated in the "Injury or Death of County Employees" Section.

REPORTS OF INJURY OR DEATH OF COUNTY EMPLOYEE

5. Notify the Supervisors

Whenever a County employee is injured, the employee must notify his Supervisor immediately. If notification to the supervisor has not been made within 24 hours, the injury shall not be considered job related unless the employee can so prove or applicable state law so presumes. Prompt medical attention for such injury should be sought if needed.

6. Reporting Procedures and Documentation

For all injuries, regardless of whether medical treatment is required, the Supervisor and employee will contact Company Nurse at (877) 854-6877 to report the injury or illness. The hotline is available 24 hours per day, seven days per week. If the injury or illness is a medical emergency, the supervisor will first call 911 and then report to Company Nurse after the injured worker has been provided medical care.

A. Company Nurse will handle all initial reporting of employee injuries.

B. The Human Resources Department is responsible for forwarding all legally required paperwork to the injured worker within mandated timeframes. Paperwork may be sent to the employee's address of record by regular mail or hand-delivered to the employee at home or work.

7. Reporting and Medical Treatment Procedures

County departments shall follow all procedures for reporting and treatment of job related injuries as contained in the Rules Governing Coverage and Compensation Benefits and Working Conditions of employees of County of Yuba – Provisions Governing Job Related Injuries and Leaves for Disability and Extended Illness section issued by the Human Resources Department.

8. Injury not Requiring Medical Attention

When an accident results in an employee injury not requiring a doctor's attention, and involving no time loss, the employee and supervisor will still contact Company Nurse at (877) 854-6877 to report the injury or illness. The hotline is available 24 hours per day, seven days per week.

9. Death or Serious Injury

In the event of a death or serious injury to a County employee, a telephone report shall immediately be made to the County's Risk Manager by the employee if possible, employee's supervisor, or by the Department Head.

10. Collisions Involving Injury to Other than County Employees

If the vehicle operated by the County employee collides with another vehicle, an occupant of which sustains an injury, the employee or his/her supervisor shall make an immediate telephone report to the Human Resources Department.

11. Broken Windshields or Windows in County Vehicles

In the event that a windshield or window on a County vehicles is damaged due to rocks or other road debris either being kicked up from the roadway or falling from other vehicles, the employee driving the County vehicle shall report the time and location of the incident and, if possible, give a description of the other vehicle, including its license number. The information may enable the County to recover for the windshield or window damage.

12. Animals Injured by County Vehicles

The following procedure is offered as a general guide for County employees who, while operating vehicles on County business, either injure or kill an animal.

A. The employee should always stop the vehicle as soon as possible and try to determine the identity of the owner of the animal.

B. The owner of the animal should be advised of the accident if possible. If this is not possible, Animal Control should be called and informed of the accident.

C. The accident shall be reported to the involved employee's Department Head.

D. Each employee should remember that an injured animal can become dangerous, and should use due caution if it is necessary to move the animal to prevent further injury.

LIABILITY

13. Accidents Involving Possible County Liability: Injury or Death of Persons Other than County Employees

Any case other than vehicle accidents where bodily injury or death is sustained by a person not a County employee, but where the County is in any manner involved, shall be immediately reported to law enforcement and shall be reported by telephone to the Human Resources Department by the employee or his/her Department Head.

14. Liability Accident Notice

In addition to the telephone report, the department shall send an original and two copies of the applicable liability accident form to the Human Resources Department.

Other Accidents Involving County Liability

15. Property Damage

Following any non-automobile accident or incident in which the County is in any manner involved, and where there is resultant damage to property which is not owned by the County, the liability accident forms must be completed and forwarded as explained in the preceding section.

16. DAMAGE TO OR LOSS OF PERSONAL PROPERTY OF EMPLOYEE:

Pursuant to Government Code §53240, the County may provide payment if the costs of replacement or repair of property or prostheses of an employee, such as eye glasses, hearing aids, dentures, watches or articles of clothing worn or carried by an employee, when such items are lost or damaged in the performance of official duties.

A. Actual value of the items may be paid if property is damaged beyond repair. Reimbursement will normally be based upon the depreciated replacement value of the item lost or damaged.

17. Eligibility

Damage to items being claimed must occur without fault of the employee and while the employee is on official County business. All claims must be verified by the employee's Department Head.

18. Procedure

All claims for reimbursement must be submitted to the Auditor-Controller within thirty (30) days after the damage or loss has occurred on forms prescribed by the Auditor-Controller. The Auditor-Controller shall then forward the claims to the Board of Supervisors for approval.

A. All receipts, invoices, and estimates of repair must be attached to the claim when submitted. Estimates of value or repair must be made by a dealer of the items being claimed and not by the employee.

B. Damaged items shall be retained and be subject to inspection.

C. If the items are damaged beyond repair, or if the cost of repair exceeds the estimated value, reimbursement shall be made at the value of the item at the time the damage occurred pursuant to Government Code §53240.

Subject:	Policy Number:	Page Number:
	D-2	Page 1 of 3
CREDIT CARD POLICY	**Date Approved:**	**Revised Date:**
	02/19/08	00/00/14

PROCEDURE:

1. Applicability

The credit card policy described below applies to all County officials, employees, and eligible participants utilizing a credit card authorized by the County of Yuba.

2. Purpose

The purpose of the credit card policy is to promote the responsible use of the credit card as an efficient method to pay for expenses for official County business.

3. Authorized Use

The credit card will be issued to a County of Yuba Department Head/Elected Official. A Department Head may request an additional card for department management with Purchasing Agent approval.

The primary use of the credit card is for expenses associated with travel on official county business. Travel expenses include airline reservations/tickets, hotel/motel accommodations, rental car, fuel for rental car, meals, and conference fees.
Costs associated with training, training and reference materials needed for official county business, which do not require travel, are also allowed.

The County Purchasing Agent is authorized to use credit card to set up accounts with online auction services for the purposes of disposing County surplus property, and purchases using normal emergency purchasing requirements in accordance with Yuba County Purchasing and Contracts Manual, during a declared County emergency.

The credit card may also be used for a valid business use not mentioned in this policy with prior approval by the Purchasing Agent or County Administrator for a purchase up to $1,000. The credit card may also be used by the Purchasing Agent to pay utility bills electronically in cases where the electronic payment will generate a savings to the County.

Any one making unauthorized charges with the credit card may be held personally liable for the charges.

4. Responsibilities

A. Auditor-Controller or designee is responsible for:

In conjunction with the Purchasing Agent, selection of the financial institution providing the most cost effective credit card services.

Settling accounts with the financial institution sponsoring the credit card.

Processing of payments to the sponsoring financial institution.
Performing compliance audits in order to determine the adequacy of internal controls and appropriate applications of the controls within county departments.

Preparing and submitting an annual report to the Board of Supervisors providing information on the volume of transactions both in number and dollar amount and other information relative to the effectiveness of the credit card program.

B. Purchasing Agent is responsible for:

Participating in the selection of the credit card provider.

Administration of the credit card program, including recommending policy regarding the authorized purpose, communication of information related to card issuance, changes in card limits, and termination of card use to the credit card provider.

Providing training. Training is mandatory for all staff participating in the County Credit Card program. Card usage will not be allowed until training has been completed.

Approval of all requests for credit cards.

Receipt of the monthly credit card invoice from the credit card provider and prompt processing of the invoice to the Auditor-Controller for payment.

Processing journal entries to the responsible department for their monthly credit card charges as reflected on the provider's monthly invoice.

C. Department Heads/Elected Officials are responsible for:

Accepting the credit card for their department and being personally responsible to ensure only authorized purchases are made with the credit card. The Department Head/Elected Official assumes personal liability for any unauthorized use of the credit card within their department.

Attending a training session prior to being issued a card and receiving instruction in the uses and restrictions of the credit card. The purpose of the training session is to ensure that each department is familiar with the policies and procedures and to answer any questions regarding use of the card.

Ensuring that credit card procedures are understood by employees using the card. The card shall only be used by employees for purchases directed by the Department Head under the provisions of the Credit Card Policy and approved for County business only. Each card user must sign a Purchasing Card User Agreement, a copy of which will be kept on file in the department.

The Department Head must ensure credit card receipts are collected after usage, charges are reviewed and approved monthly and prompt payment is made for the charges. If there are any small incidental charges noted on receipt that are personal in nature (example: hotel movie rental charged to room), a personal check for the incidental charge made out to Yuba County must be included with the monthly invoice to reimburse the County for the personal charges.

5. Termination of Card Use

Failure to follow the purchase card procedures may result in termination of the department's use of the credit card and/or other disciplinary action.

Termination of a card due to improper use may be initiated by the Auditor-Controller, County Administrator, Purchasing Agent, or County Counsel. These entities shall work together to authorize and complete a card termination.

If the credit card is lost or stolen, Department Head is to report the lost or stolen card to Administrative Services immediately to have the card cancelled in an effort to prevent fraudulent use.

6. Purchasing Card User Agreement

The Purchasing Card User Agreement must be reviewed and signed by all credit card users. *See Attachment A.*

COUNTY OF YUBA
PURCHASING CARD USER AGREEMENT

DEPARTMENT: _____ Date: _____

Card User's Name: _____ Phone: _____
(Please print)

I, _____, do hereby acknowledge receipt of purchasing card
(Please print)
number _____ and agree to assume responsibility for compliance with the terms and conditions of the Yuba County Purchasing Card Policy.

Initial:

_____ I understand that the Purchasing Card is solely for official business of the County of Yuba, intended to facilitate the payment of travel expenses for the conduct of County business within applicable activity limits and is not for my personal use.

_____ I understand that use of the Purchasing Card for payments not authorized within the Yuba County Purchasing Card Policy will be considered misuse of the Purchasing Card and may result in administrative action such as, but not limited to, (a) immediate forfeiture of the Purchasing Card, (b) disciplinary action which may include termination of my employment and (c) conviction of a felony. I further understand that I am personally liable for any payments not authorized by my Department Head and permitted within Yuba County Purchasing Card Policy.

_____ I understand that all charges will be billed directly to and paid directly by the County of Yuba and that I cannot make payments to the financial institution directly.

_____ I understand that I am responsible for maintaining security of the Purchasing Card and for all charges made by or authorized by me against it. I will safeguard the Purchasing Card with appropriate security from the time I receive the card until it is surrendered to the appropriate person within my department.

_____ I agree to follow State of California law, County of Yuba purchasing policies and procedures, and departmental guidelines.

_____ I understand that the Purchasing Card must be surrendered upon request and/or upon my termination of employment from the County of Yuba.

_____ I have received appropriate training and agree to comply with all instructions as set forth by the Yuba County Purchasing Card Policy.

_____ I understand that the Yuba County Auditor's office will audit the use of this card and should I violate the terms of the Purchasing Cardholder Agreement, I will reimburse the County of Yuba for all charges improperly authorized by me to the Purchasing Card and all costs incurred by the County of Yuba related to the collection of such charges.

Cardholder's Signature: _____ Date: _____
Department Head Signature: _____ Date: _____

Attachment A

Subject:	Policy Number:	Page Number:
	D-3	Page 1 of 5
AUTOMOTIVE TRANSPORTATION	**Date Approved:**	**Revised Date:**
	02/19/08	00/00/14

POLICY:

It is County policy to provide County employees with essential transportation that is safe, reliable, responsive, and economic for use on County business. The rules and regulations established herein, pursuant to Government Code §25305, shall govern the use of County vehicles.

PROCEDURE:

1. Responsibility

The Director of Administrative Services is assigned primary responsibility for providing essential County transportation subject to policy and fiscal control of the Board of Supervisors. The Director of Administrative Services shall provide vehicle fleet operation and maintenance.

A. All Department Heads are responsible for determining and budgeting their transportation requirements, and for utilizing the most efficient transportation means available. Where long-term assignments of vehicles are justified and approved by the Board of Supervisors, Department Heads will ensure efficient utilization and prompt return to Administrative Services for scheduled maintenance.

B. Department Heads authorizing a lease of a new vehicle for use by their department accept the financial responsibility for that vehicle through the term of the lease. If the department desires to turn in a leased vehicle prior to end of the lease, the department is responsible for any financial impact of early turn in. Administrative Services is responsible for making every effort to reassign the vehicle to reduce or eliminate the financial impact. However, the original requesting department bears the responsibility for the vehicle if alternate arrangements cannot be made.

2. Procedures

Where continuing assignments of vehicles are considered to be in the best interest of the County, authorization of assignment shall be made by the Board of Supervisors.

A. Justification for continuing assignment of a specific vehicle to an individual or department shall be based on consideration of the following:

A1. Efficient operation of the department.

A2. Efficient use of the vehicle.

A3. Security of the vehicle and its contents.

A4. Cost.

A5. Benefit to the public.

A6. Emergency response.

3. Assignment

Vehicle assignment recommendations will be reviewed and approved annually by the Board of Supervisors. Departmental vehicle assignment requests including justification for the assignment shall be submitted to the Fleet Manager in Administrative Services in writing on an annual basis. The requests will be reviewed by the County Administrator and the Director of Administrative Services in accordance with Section 2. A. for continued assignment. Recommendations will be submitted to the Board of Supervisors for approval.

4. Temporary Vehicle Usage

A. Department Head shall authorize issuance of a County vehicle to employees required to use such vehicles in connection with their work. This authorization and a valid California operator's license are required to draw a vehicle from the County motor pool. Overnight assignments or extended trip use requires written authorization by the requesting Department Head and prior approval by the Administrative Services Department.

B. To ensure maximum utilization, employees shall not check out vehicles until actually required. Vehicles shall be returned to the motor pool immediately upon completion of needs and shall not be kept overnight except as allowed in section 4.A. It is the driver's responsibility to ensure that the vehicle is clean and all trash has been removed from the interior, the vehicle has remained accident free and the vehicle has adequate fuel (1/2 tank or greater). Shared vehicles shall be used whenever feasible.

VEHICLE USE:

5. For County Business Only

A vehicle owned or leased for the use or service of the County shall not be used for any purpose other than County business or the performance of a duty of a County official or employee.

6. Observe Traffic Rules

Employees on County business shall observe traffic rules, regulations, and courtesies at all times. Fines or penalties levied for violations for which the driver is directly responsible shall be paid by the driver.

7. Driver's Licenses

Any driver of a County vehicle must have in his or her possession a valid California driver's license.

8. Seat Belts/Seating

It is required that all vehicles used on County business be equipped with seat belts. It is further required that all persons in County vehicles use seat belts. Carrying passengers in any part of a vehicle not designed for passengers (i.e. the bed of a pickup truck) is forbidden.

9. No Unauthorized Persons

Employees are prohibited from carrying non-County employees, or other persons not directly related to County business in County vehicles except as determined by the Board of Supervisors.

10. Abuse of Vehicles

County vehicles, other than those specified for such purposes, shall not be used for towing, pushing stalled vehicles, or be used for other activities that may damage the vehicle.

11. Personal Liability

Employees may be held personally liable for damages to County equipment, in addition to other penalties as may be assessed, if through negligence or in the course of unauthorized activities, damage occurs to a County vehicle. Employees may also be held personally liable when they are driving a County vehicle outside the course and scope of their employment and cause damage to other persons or property. Additionally, employees utilizing personal vehicles on County business shall read and comply with County Ordinance 2.150, complete a Vehicle Affidavit *(Attachment B)*, and submit proof of auto insurance once a year to be on file with the Department Head.

12. Vehicle Keys

Keys shall not be left in unattended vehicles, even when parked in secured enclosures.

13. Garaging of Vehicles

Vehicles shall be garaged at private residences only with Board approval. Continuing authorization shall be granted and reviewed in accordance with the procedures set forth in this chapter. Temporary authorization may be obtained from the appropriate Department Head.

GASOLINE CREDIT CARDS

14. County Policy

A. A gasoline credit card has been assigned to each fleet vehicle. The card and the instructions for its use are inside an information packet located in the vehicle glove box.

B. Upon request of the appropriate Department Head, the Administrative Fleet Services Coordinator will obtain and assign a Personal Identification Number (PIN) to each vehicle driver. Each driver must sign the PIN use statement and submit to Administrative Services prior to being issued a PIN. *See Attachment A.*

C. Vehicles can be filled up at any gasoline station that accepts the gasoline credit card. The driver must follow the fill up instructions provided with the gasoline credit card. Both the credit card and the driver's PIN are required to obtain fuel.

D. The lowest grade fuel available should be used to fill up the county vehicle.

E. The credit card is for fuel only. It can not be used for repairs, maintenance, car washes, parking fees, etc.

F. Fuel purchased with County gasoline credit cards is to be used only for County owned equipment and vehicles.

MAINTENANCE AND REPAIRS

15. Emergency Maintenance

Each vehicle has been assigned a service/identification number by the fleet services vendor which is included in an information packet located inside the vehicle glove box. If any emergency maintenance is required, the driver is to call the fleet services vendor phone number contained on the service/identification card and follow the instructions given by the fleet services vendor. Emergency services provided by the fleet services vendor include roadside service and vehicle towing. The vehicle driver must also contact the Administrative Services Fleet Services Coordinator to inform him/her of the emergency.

16. Routine Maintenance

It is the responsibility of the Department Head to insure all vehicles permanently assigned to the department receive preventative maintenance as required by the vehicle maintenance schedule. The Administrative Services Fleet Services Coordinator will monitor preventative maintenance schedules and notify the department of the required service. Failure to comply with maintenance schedules may result in termination of the vehicle assignment. Department shall deliver and pickup vehicle from repair facility designated by Administrative Services. It is the responsibility of the department to notify Administrative Services of any problems a vehicle is experiencing so the problem can be resolved promptly.

Attachment A

Gas Card and Gas Card PIN

I agree to use the Gas Card and PIN (personal identification number) exclusively for fueling County vehicles and equipment being used for County business. I understand that any other use of the Gas Card and PIN may be subject to discipline action and/or referral for criminal prosecution.

Additionally, I understand that:

- that the four-digit PIN issued to me is for my exclusive use while on County business and should be kept secure and for my own use;
- each Gas Card has been issued for use in a specific vehicle or gas powered equipment and should only be used for the vehicle or equipment for which it was issued; and
- I am expected to accurately enter the odometer reading of the vehicle each time I fuel the vehicle.

Name (Print): _____

Signature: _____

Date: _____

Attachment B

COUNTY OF YUBA

VEHICLE INSURANCE AFFIDAVIT

I certify, under penalty of perjury, that I am currently, and will continue to be, insured for the use of my private automobile, the coverage of which meets the minimum standards of the Financial Responsibility Law of the State Vehicle Code and other guidelines listed in Chapter 2.150 of Yuba County Ordinance Code. I will notify my Department Head immediately of any insurance coverage change, loss of insurance coverage or restrictions upon my driver's license.

I am aware that I must be legally licensed to drive in the State of California and that, if I must use my private automobile to conduct County business on a regular basis, I must contact my insurance company to verify that I am covered under my insurance policy to do so.

I certify that I have read Chapter 2.150 of the Yuba County Ordinance Code and that I will faithfully abide thereby.

_____ _____

Name (print) Signature

_____ _____

Department Date

ATTACHED HERETO IS A COPY OF MY PROOF OF AUTO INSURANCE WHICH I AM REQUIRED TO SUBMIT ANNUALLY.

Subject:	Policy Number:	Page Number:
	E-1	Page 1 of 3
FACILITIES MANAGEMENT	**Date Approved:**	**Revised Date:**
	02/19/08	00/00/14

PROCEDURE:

1. Maintenance

Maintenance is work required to keep facilities at the level of condition which permits efficient utilization of the function assigned. It includes housekeeping and custodial functions, operations and servicing of mechanical support equipment, and recurring repair and preservation work, such as structural repairs, roofing, painting, plumbing, heating and air conditioning, and electrical service.

2. Responsibility

The Administrative Services Director, through the Buildings and Grounds and Custodial Divisions of the Administrative Services Department is responsible for maintenance of all County facilities. The Director of Administrative Services shall also be responsible for approving all building and facility alterations.

A. All maintenance work must adhere to the Yuba County Asbestos Management Plan (plan is located in Administrative Services). Departments who wish to provide minor maintenance work (i.e. hanging pictures, installing wall mounted TV's etc.) on their own must contact the Facilities Manager to obtain clearance to ensure that the work area does not contain any hazardous materials (lead, asbestos, etc.) prior to starting the work.

3. Furniture Moves

The Building and Grounds Division is responsible for accomplishing all moves of furniture, furnishings, and equipment. Some moves may require coordination by the Information Technology Division of Administrative Services. Most moves will be accomplished by County personnel, Jail inmates participating in the Trustee program or the use of contractors. Determination of method will be made by the Administrative Services Director.

4. Furniture Repairs

Requests for repairs to furniture shall be evaluated by the Facilities Manager. Where feasible the repairs will be completed by County maintenance personnel; however, requesting departments will be charged on a time and materials basis. The Facilities Manager shall also coordinate any warranty repairs.

5. Requests

Departments requiring furniture moves will advise the Buildings and Grounds Division of requirements at least thirty (30) working days prior to desired move date (prior telephonic coordination is desirable).

6. New Furniture

Several of the County facilities have furniture standards. Furniture purchases must be approved by Administrative Services to ensure compliance with standards. This improves aesthetics of our buildings as well as eases warranty tracking and eases maintenance and repair.

7. Building Security

Basic responsibility for security of a department's facilities rests with the using department. Overall building security needs shall be coordinated by Administrative Services.

A. Security Badges

Every employee of Yuba County shall have an ID badge with them or at their work station at all times each day they are at work. Some facilities require you to have your card on your person at all times. Each employee has the responsibility to take the appropriate care to control his or her badge to prevent loss and thereby any unauthorized access to County facilities.

See Section E-6 Security Badges for additional information

B. Keys

The Facilities Manager will provide locksmith services and maintain master key control records. Keys will be issued only upon receipt of a written request signed by a Department Head or acting Department Head. Keys must be signed for upon receipt by the department.

1. Department Heads are responsible for all keys issued to their employees. Only County employees specifically authorized by the Department Head may receive keys, and Department Heads shall maintain a written record of each key issued.
2. Duplicate keys may be obtained only upon written request to the Facilities Manager.
3. Check out procedures will be established by each department to ensure keys are turned in by departing employees.

8. Energy Conservation

Energy conservation is defined as management actions directed toward more efficient utilization of all energy sources.

A. County policy is to support energy conservation and to maintain and operate all County facilities at appropriate energy levels to conserve fuel and to serve as an example to the public.

B. The Director of Administrative Services is responsible for maintaining temperature settings in County facilities to conform with energy conservation and efficiency standards. County employees shall not tamper with thermostat settings.

C. Space heaters are prohibited in all County offices.

9. Sign Control

To insure a uniform high standard of appearance for all signs installed on County property and to keep maintenance and acquisition costs to a minimum, a sign control procedure shall be established.

A. Included for the purposes of this procedure are all County identification, informational and directional signs, except those used in connection with roads and recreation facilities.
B. The Building and Grounds Division is responsible for establishing standards and reviewing all proposed sign installations for conformity with these standards. Basic sign standards indicate that signs shall be consistent with other signs in the facility, easily visible, and meet any legal signage requirements. Additional standards may exist by facility. See Administrative Services for guidance.

10. Posting of Notices

No announcements, advertisements or other printed material with the exception of public notices, those required by statute, posted in designated locations shall be posted in or on County facilities without the express permission of the Administrative Services Director. Such permission shall be requested, in writing, and shall include the reason for the request, and desired duration of the posting. In the interest of a uniform high standard of appearance, the Administrative Services Director shall have discretion to reject such requests, or to limit the duration of posting.

12. Space Management

The Board of Supervisors is ultimately responsible for the assignment of departmental office space in all County facilities. At the staff level the Director of Administrative Services is charged with collecting and analyzing departmental space needs and requirements and recommending assignments to the Board through the Public Facilities Committee, which shall consist of two Supervisors, the County Administrative Officer, County Counsel, and the Director of Administrative Services.

13. Paint Colors

County facilities may have standard paint colors for aesthetics and for ease of maintenance. Any painting should be approved by Administrative Services and should utilize a standard paint color. Administrative Services shall document existing standards, and may adopt new standard colors as they see fit.

Subject:	Policy Number:	Page Number:
	E-4	Page 1 of 2
WASTE DISPOSAL	Date Approved:	Revised Date:
	02/19/08	00/00/14

POLICY:

The County of Yuba and all of its entities will strive to be good stewards of the environment. We will work to minimize our waste, and agree to handle our trash and waste materials in an environmentally appropriate manner.

RECYLING:

Where feasible, county employees in participating County facilities shall recycle any applicable materials as directed by the Administrative Services Director. The recycle program will be coordinated by the Custodial Services Division and may include participation from outside entities.

UNIVERSAL WASTE DISPOSAL:

The Facilities Manager will maintain the County Universal Waste Disposal Program. All materials deemed universal waste; such as fluorescent tubes, compact fluorescent bulbs (CFLs), spent electronic ballasts, spent batteries, and non-empty aerosol cans, will be properly collected, stored, and disposed of in compliance with federal, state and local laws.

E-WASTE :

The Facilities Manager will manage the County Electronic Waste Disposal Program and coordinate appropriate disposal. Information Technology shall monitor and properly collect and dispose of in compliance with federal and state law all materials deemed electronic waste that are not Universal Waste. These items include spent computer monitors, keyboards, CPUs or 'mother-boards,' cases, other computer components, discarded printers, calculators, telephone equipment and other related electronic waste products. Any item containing a circuit board, keyboard, or display screen qualifies as e-waste and must be disposed of in accordance with state and federal law.

HAZARDOUS MATERIALS:

All materials deemed **hazardous** waste that is not universal or electronic waste including but not limited to paint, chemicals, oil, solvents, paint thinner, other unknown liquid, or products that carry words like danger, warning, toxic, flammable, corrosive or explosive must not be put in the regular trash and must be dealt with appropriately. Departments are to contact the Administrative Services Department to arrange for pick-up and disposal.

CONFIDENTIAL DOCUMENT DISPOSAL:

All confidential documents required and certified to be destroyed in accordance with applicable federal, state and local laws, and county policy, shall at the discretion of the Department Head, be shredded on-site by county employees or destroyed through a confidential documents destruction contractor who meets county purchasing and confidentiality guidelines. County departments may contact the Facilities Manager and have their documents destroyed in accordance with *Documents Destruction Procedure Policy*. A copy of this procedure is available in Administrative Services.

Of Special Note:

Public records or writings may only be destroyed in strict accordance with State law as:

A. Certain public records may never be destroyed.
B. Certain public records may be destroyed only after reproduction and with authorization by the Board of Supervisors.
C. Most court records require court approval prior to destruction.
D. County destruction of records procedures must be enacted by Board resolution.

Subject:	Policy Number:	Page Number:
	E-5	Page 1 of 2
USE OF COUNTY FACILITIES	**Date Approved:**	**Revised Date:**
	02/19/08	00/00/14

POLICY:

It is the policy of the Board of Supervisors that all County premises, which includes but is not limited to conference and meeting rooms in County owned or leased buildings are for use by County departments and other authorized groups and individuals for the purposes of conducting public business (Resolution# 2006-77, Government Code 3207).

PROCEDURE:

1. County Conference Rooms

   A. Board of Supervisors Chambers

      For use by the Board of Supervisors, Yuba County Water Agency, County staff, appointed commissions, boards and committees, and other state and federal government entities for conducting public business. Reservations are made with the Clerk of the Board of Supervisors.

   B. Government Center Conference Rooms

      For use by County departments, appointed commissions, boards and committees, and other authorized groups and individuals for the purposes of conducting public business. Reservations are made with Administrative Services Department.

   C. Dan Avenue Conference Rooms

      For use by County departments, appointed commissions, boards and committees, and other authorized groups and individuals for the purposes of conducting public business. Reservations are made with Administrative Services Department.

   D. Courthouse Third Floor Conference Room

      For use by County departments, appointed commissions, boards and committees, and other authorized groups and individuals for the purposes of conducting public business. Reservations are made with Administrative Services Department.

   E. Packard Avenue and One Stop Conference Rooms

      For use by County departments and other authorized groups and individuals for the purposes of conducting public business. Reservations are made with Health and Human Services staff.

F. Library

For use by County departments and other authorized groups and individuals for the purposes of conducting public business or as otherwise permitted with approval of the Library Board. Reservations are made with Library staff.

2. Conditions of Use

Users of conference or meeting rooms will be subject to the conditions of use as from time to time established by the Administrative Services Department. A list *of Room Use Guidelines* is available from Administrative Services (*Attachment A).*

Conditions of use shall include, but not be limited to, providing appropriate liability insurance (for non-government entities), leaving the room in a clean and orderly condition, furniture returned to its original location (unless prior arrangements have been made), returning all borrowed equipment, and placing trash in trash receptacles provided.

Meetings or events taking place after normal business will require after-hours security services. Any group reserving a room will be required to pay for those services. Rates are pre-negotiated with the County's security provider and are available from Administrative Services.

Any event or occurrence requiring the dispatching of an on-call building maintenance or IT maintenance person to come on site (i.e., alarm trip, maintenance issue, etc.) after hours will result in a two-hour minimum charge at the hourly rate for Buildings & Grounds. The Administrative Services Department can provide the current hourly rate. The rate is also available in Title 13 of the County Ordinance Code under the Consolidated Fee Schedule.

After hours meetings by groups other than County Commissions are subject to a room charge to cover the cost of heating/cooling and related services. The current rate can be obtained from the Administrative Services Department.

Any meetings requiring extensive follow-up cleaning will be billed for custodial services. The rate billed will be the published rate at the time of service.

No alcohol is permitted in conference or meeting rooms.

Attachment A

County of Yuba
Department of Administrative Services

Thank you for choosing Yuba County's Government Center as the place to hold your meetings/trainings. We would like to take this time to outline the ground rules while inside the Government Center.

We hope you enjoy your time here inside the Government Center.

Breaks:

1. If you wish to spend your break in our beautiful atrium area, please keep the volume down as there are many County offices facing this direction and people can hear everything going on in the hallways.
2. We do have a break room located down the back hall on the west side of the building. There are many tables to use in there, along with an outside patio area. There are also a few vending machines with sodas and snacks in this room. We also have a microwave, a refrigerator and a sink. The code to enter this room is 1937.

Conference Rooms:

1. While using our conference rooms, please make sure to place all tables and chairs back into their original positions at the end of your day.
2. Please be sure to clean off all chalk or dry erase boards that may have been used.
3. Please be sure to clean off all tables and place all trash in the available trash cans located in the conference rooms.

Parking:

1. There are many parking spaces available to accommodate you. Parking is located in front of the Government Center, as well as to west side near the Save Mart/former CVS Pharmacy and the DaVita Center. Parking is also available on the east side, facing I Street.
2. Please do not park in the 2-hour parking spaces, as those are reserved for people stopping in to do business with our County offices located here.

There is a charge for security services for evening and/or weekend meetings and our office can tell you what the going rate is at the time you schedule your meeting. There may also be charges for room use (for use by other than a County Commission) or if a maintenance person must be called in to respond to an urgent need or alarm. Our office will explain that at the time of your reservation.

Thank you for your time and we hope you have a pleasant time using our Conference Rooms.

Subject:	Policy Number:	Page Number:
	E-6	Page 1 of 2
SECURITY BADGES	**Date Approved:**	**Revised Date:**
	10/27/09	00/00/14

POLICY:

Every employee of Yuba County shall have a security badge that identifies them as a County employee and grants them access to areas where they work or need to access to in order to perform their assigned responsibilities.

PROCEDURE:

1. Current Employees

   Every employee will carry their identification badge with them or at their work station at all times each day they are at work, and will take appropriate care to keep it under their control to prevent unauthorized access to Yuba County facilities.

2. Lost Badges

   If an employee misplaces or loses their identification badge he or she shall:

   A. Notify Administrative Services and their Department/Division Leader as soon as they become aware of the situation.

   B. Contact the Administrative Services Department in the Government Center to obtain a temporary badge.*

      B1. Temporary badges will be authorized for daytime-only access for up to 14 days. Other access can be included by special arrangement.

      B2. By the end of the 14 day period, if the badge is not found, the individual contact the Administrative Services Department to obtain a permanent replacement badge.

      **Some divisions will have a limited set of temporary badges to allow for short-term access privileges. Each department will be responsible for tracking the holder of each temporary badge at all times, and agree to abide by the 14 day limit for temporary badge use. Each of these departments will participate in a six month audit of their cards by Administrative Services to verify the list is current.*

3. New Hires

   Upon hire of any new employee, the hiring department will complete an 'Authorization for a Security Badge' request form (provided by Administrative Services) as well as a Buildings & Grounds work order to request the card. This should be done prior to the employee's start date to insure the badge is ready for their first day of work.

Once the request has been submitted, the hiring department will need to contact Administrative Services to schedule an appointment to have a photo taken of the new hire. The badge will be created shortly thereafter. Administrative Services will notify the employee and/or employee's supervisor when the badge is ready and make arrangements for pick-up.

4. Terminations/Retirement

It is the responsibility of each Department Head or his/her designee to notify Administrative Services as soon as an employee leaves active employment. Advance notice is suggested when possible. Confidential requests can be made by contacting the Director of Administrative Services.

5. Contractor/Vendor Badges

Any vendor that a County department anticipates working on site for an extended or recurring period (i.e. consultant, repair technician, etc.) may be issued a security access badge.

A. Each vendor badge must bear the name of the individual from the vendor. Generic badges may not be issued to a provider (only authorized exception is the US Postal Service letter carrier).

B. For a vendor to be issued a badge, there must be a 'sponsoring' department that will accept responsibility for the vendor.

C. Any vendor that performs work in any confidential department or area (i.e. Sheriff's Office, Health & Human Services, etc.) must have previously passed a background check. This includes California DMV and Department of Justice check with the results being shared with Administrative Services (prior to card issuance).

C1. Cards may be issued to vendors who have not completed a background check, however those vendors must be escorted at all times in any of the 'confidential' designated areas by a County employee authorized to be in these areas.

C2. Vendor cards will automatically expire after three months. Access may be renewed with prior approval.

C3. Vendor cards will be limited to daytime access only unless special circumstances require an alternate schedule.

Subject:	**Policy Number:** E-7	**Page Number:** Page 1 of 1
REAL ESTATE AQUISITION	**Date Approved:** 10/27/09	**Revised Date:** 00/00/14

POLICY:

In an effort to have consistent processes when acquiring real estate, all real estate transactions shall be coordinated through Administrative Services and shall be performed in accordance with Yuba County Ordinance Code Section 2.50, Article 5 relating to the Purchase of Real Property. This will assist in planning for proper maintenance of facilities, and proper record keeping for the County's entire real estate portfolio in a central location. Proper record keeping includes storage of sales contracts, leases and other pertinent negotiation documents, project plans, and etc. This will ensure that the property inventory report is accurate and each property has adequate insurance. When notified of property transactions, Administrative Services shall ensure that the department initiating the transaction has all of the information needed to update all of these documents.

PROCEDURE:

1. Real Estate Purchases & Other Acquisitions

   The Administrative Services Director is responsible for coordination, planning, and negotiation of all real estate purchases, and for maintaining records of those purchases. If the need to purchase real estate arises, departments should contact Administrative Services and provide an explanation of the requirements.

   Departments should notify Administrative Services if property is acquired through any means, even if not purchased. This will allow Administrative Services to share with departments how to properly document acquisition in the centralized repository.

Subject:	Policy Number:	Page Number:
	E-8	Page 1 of 2
EMPLOYEE STATUS CHANGE NOTIFICATION	**Date Approved:**	**Revised Date:**
	10/27/09	00/00/14

POLICY:

There are many items that require coordination with the Administrative Services, Information Technology, and Human Resources departments when hiring, transferring, promoting, reassigning, or releasing an employee. It is critical that these staffing changes are communicated in a timely manner to ensure that the tasks associated with the change are completed when necessary.

PROCEDURE:

1. Required Tasks

The following are some of the required tasks that are involved when a change in employee status occurs.

A. Security Badges : Administrative Services needs to be notified as soon as possible in order to effectively issue, revise, or terminate a County Security Badge. Badges need to be physically turned in to Administrative Services upon employee's departure. It is the responsibility of the department to secure the County Security Badge upon the employee's departure.

B. County Credit Cards for Travel: Administrative Services needs to be notified as soon as possible in order to effectively order, revise, or terminate a County Credit Card issued to a Department Head. Cards need to be physically turned in to Administrative Services upon Department Head's departure by the department.

C. Office Keys: Administrative Services needs to be notified as soon as possible to effectively issue or collect a County Office Key. Keys need to physically turn in to Administrative Services upon employee's departure by the department.

D. Information Technology: Information Technology needs to be notified as soon as possible to effectively configure, change, or terminate technology related services. The services are for the following items: desktop computer, laptop computer, desk phone, cell phone, etc.

E. Personnel Related Items: Human Resources needs to be notified as soon as possible in order to complete the various tasks involved when an employee status change occurs. Tasks include issues related to pay, retirement, benefits, unemployment insurance, etc.

2. Timeframe

Departments need to notify Administrative Services and Human Resources within 48 hours in advance of the proposed staffing change (not after it has already occurred). If the staffing change involves a termination or immediate resignation, departments must notify Administrative Services, Information Technology, and Human Resources immediately.

3. Confidential Notification

If the notification is deemed confidential, (i.e. disciplinary action related, supervisor has not had the opportunity to discuss with staff involved, etc.) departments need to contact the Administrative Services Director or Chief Information Officer directly along with the Human Resources Director.

Subject:	Policy Number:	Page Number:
	F-1	Page 1 of 7
PRIVACY (HIPAA) POLICY	**Date Approved:**	**Revised Date:**
	02/19/08	00/00/14

BACKGROUND:

The Health Insurance Portability and Accountability Act (HIPAA) was created to assure that health care consumers have the right to communicate in confidence with their health care providers and to have the confidentiality of their Individually Identifiable Health Information (IHII) protected. The County of Yuba, as a hybrid entity under HIPAA regulations, has established the Privacy Policy contained herein. The purpose of this policy is to assure that the County of Yuba complies with HIPAA regulations and insures that reasonable and appropriate administrative, technical and physical safeguards are established and maintained to protect the privacy of Personal Health Information (PHI) for their health care consumers. Additionally, the goals of the County of Yuba are to:

- Better serve our customers, clients, and consumers
- Provide necessary information to meet legal requirements and protect Yuba County and our employees in meeting enforceable federal legislation
- Fulfill our duty to protect the confidentiality and integrity of confidential medical information as required by law and professional ethics and
- Support the general concept of the public's right to have more control over their personal information

The HIPAA Privacy Rule, as recently amended, is addressed in this Privacy Policy. The policy will be reviewed regularly to assure that it addresses any changes to the existing Privacy Rule.

The County has, within its service structure, many departments and offices that receive, collect, store, use, and transmit Individually Identifiable Health Information protected under Federal and State laws. Individual departments have the responsibility to develop departmental policies, procedures and practices necessary to expand and tailor this overall County policy to the particular needs of their department. A department will not be considered HIPAA compliant until department-specific policies, procedures and practices are adopted as necessary in accordance with this County policy.

The HIPAA Privacy rule provides a minimum Federal standard for privacy protection. State and Federal laws that are more stringent remain in force. The Privacy Rule is not intended to serve as a best practices standard, thus, privacy standards that are more protective retain their vitality and must be adhered to. It is not the intention of this County, in establishing this policy, to make compliance so difficult as to hinder the County's myriad responsibilities under other laws and regulations.

DEFINITIONS:

Authorization

Authorization means valid written permission, obtained from the patient, to use or disclose protected health information, in circumstances other than those permitted under HIPAA. The HIPAA Privacy Rule permits a covered entity or a hybrid entity to use and disclose Protected Health Information for the entity's treatment, payment or health care operations (TPO) or specified TPO purpose of another entity.

Breach

The unauthorized acquisition, access, use or disclosure of Protected Health Information, in any medium (paper, electronic, oral) in violation of any State or Federal law, which compromises the privacy, security, or integrity of the information.

Business Associates

Business Associate (BA) is a person or organization, other than a member of a covered entity's workforce, that performs certain functions or activities on behalf of , or provides certain services to, a covered entity that involve the use or disclosure of individually identifiable health information. A Covered Entity (CE) may be a Business Associate of another Covered Entity.

Covered Entity

Covered Entity means a health plan, a health care clearing house or a health care provider who transmits any health information in electronic form in connection with a health care transaction covered by HIPAA regulations.

Hybrid Entity

Hybrid Entity (HE) means a single legal entity that is a Covered Entity and whose covered functions are not its primary functions. Yuba County is designated a Hybrid Entity because, while some departments or offices within the County perform health care provider or health plan functions, providing those functions is not the primary function of Yuba County. The covered components of a Hybrid Entity are subject to change as the HIPAA Privacy Rule is amended. Components, meaning departments or offices of the County can be included in or deleted from the list of covered components that are required to comply with HIPAA mandates at the time of those amendments.

Limited Data Sets

A Data Set is a unit of information that is exchanged between two parties in a transaction. HIPAA allows for the use and disclosure of a limited data set that will not include direct identifiers but will retain certain potentially identifying information. The use or disclosure of any such limited data set information is limited to health care operations, research and public health purposes. Additionally, before disclosing a limited data set the disclosing covered entity or hybrid entity MUST obtain a use agreement from the recipient. The recipient MUST agree to limit the use of the limited data set to the purpose allowed by the HIPAA regulations.

The following direct identifiers MUST be removed from limited data sets:

- Names of individuals
- Postal address information, other than town or city, State and zip code
- Dates-date of birth, death, admission, or discharge
- Telephone numbers
- Fax numbers
- Electronic mail addresses
- Social security numbers
- Medical record number
- Health plan beneficiary numbers
- Account numbers
- Certificate/license numbers
- Vehicle identifiers and serial numbers, including license plate numbers
- Device identifiers and serial numbers
- Web Universal Resource Locators (URLs)
- Internet Protocol (IP) address numbers
- Biometric identifiers, including finger and voice prints
- Full face photographic images and any comparable images
- Any other unique identifying number, characteristic, or code, except as permitted by HIPPA

Minimum Necessary

Minimum necessary refers to the amount of protected health information disclosed when requested. When responding to a request for the disclosure of protected health information, the disclosing entity MUST limit the disclosure to what is reasonably necessary for the intended purpose and should do so without sacrificing the quality of health care. Additionally, the requesting entity needs to limit the request for protected health information to only what is reasonably necessary for the intended purpose.

Notice of Privacy Practices

The HIPAA Privacy rule requires that all Covered Entities and Hybrid Entities provide their patients with a Notice of Privacy Practices written in plain language. The notice MUST advise the patient of how his/her medical information may be used and disclosed and how he/she can request access to their medical information which includes inspections of their medical record, request amendment to and receive paper or electronic copies of their medical record. The patient may request confidential communication. The notice must inform the patient of their right to request a restriction to certain uses and disclosures and their right to request an accounting of disclosures that includes the name of person or entity who received their medical information, date of disclosure, brief description of disclosed information, reason for disclosure and a copy of the request. The notice must inform patients of the policy to use or disclosure of protected health information for marketing and fundraising purposes. The notice must state the Covered Entity or Hybrid Entity is required by law to maintain the privacy of Protected Health Information and whom individuals can contact for further information. The Notice must also identify the procedure for filing a complaint when a patient believes that his/her privacy rights have been violated.

Privacy

Privacy, for the purposes of this Policy, means an individual's right to have his/her health information protected from disclosure to other persons or entities for any purpose other than those required or permitted by the HIPAA Privacy Rule.

Protected Health Information

Protected Health Information means individually identifiable health information, whether it is in electronic, paper or oral form relating to any past, present, or future physical or mental health or condition of an individual, provision of health care to the individual or the payment of health care of that individual (TPO), that is created or received by, or on behalf of, a covered entity or a hybrid entity or its health care component.

Security Incident

An event that has caused or could cause the unauthorized access to , use, disclosure, alteration, or destruction of Protected health Information or interference with information technology system operations that negatively impacts the privacy, confidentiality, security, availability, or integrity of Protected Health Information.

PROCEDURE:

1. Assessments

   The County and its departments will continually assess their business practices in order to determine Individually Identifiable Health Information within the County and its Departments that needs to be protected. Included in the assessments will be a determination of the location, purpose and final destination of the Individually Identifiable Health Information. Additionally, the assessments will identify the existing legal mandates covering the collection, retention and use of the Individually Identifiable Health Information as well as the methods used for handling, sharing and transmitting of the information within the County and with other entities.

2. Training

   A. Although not all departments within the County are covered components in regard to HIPAA, in an attempt to emphasize the importance of confidentiality and to reduce risk throughout the County of Yuba, all employees will receive training regarding the County Privacy Policy at County orientation during the month of hire. Employees will be required to sign a Statement of Understanding and/or a Confidentiality Agreement after they have completed training.

   B. Each department/division performing functions covered under HIPAA will be responsible for providing training and retaining documentation of training provided to its employees on specific department policies, procedures and practices relating to confidentiality and HIPAA.

3. Departmental Policies and Procedures

A. All Departments performing functions covered under HIPAA will develop and maintain written policies, procedures and practices that are necessary to assure compliance with the County Privacy Policy and the HIPAA Privacy Rule and will train their employees on these policies, procedures and practices and retain records of training for audit purposes. The policies must be reasonably designed and take into account the size of and the type of activities that relate to Individually Identifiable Health Information used by the department. The County and departments must change policies and procedures as necessary and appropriate to comply with changes to the HIPAA Privacy Rule.

B. While each department is responsible for monitoring its compliance with County policy, any infraction that appears systemic or repetitive will be reported to the County for investigation.

4. Notice of Privacy Practices

In compliance with the HIPAA Privacy Rule, the County of Yuba will distribute the Notice of Privacy Practices to their health care consumers. The Notice of Privacy Practice is given to each client receiving health care treatment at the first service encounter. The client will sign a written acknowledgement of the receipt of the notice. The service provider must document the reason for any failure to obtain the client's written acknowledgement. Also, the notice must be posted at each service delivery site in a clear and prominent place where people seeking services may be reasonably be expected to be able to read the notice. The notice must be provided to anyone upon request and must be electronically available on the County website.

5. Allowable Uses and Disclosures

In general, subject to specified limitations outlined in Section 164.502 through 164.514 of the HIPAA rule and more stringent State and Federal laws, each covered function within the County may use or disclose Protected Health Information for treatment, payment and health care operations. Departments will maintain an accounting of disclosures of protected health information. Policy and procedures will be developed and implemented within each department that restricts access and uses of protected health information based on the specific roles of the employee. This policy and procedures for routine, recurring disclosures, or requests for disclosures, will limit disclosures of protected health information to the minimum necessary to achieve the purpose of the disclosure.

6. Access

The County's Notice of Privacy Practices states the client's rights to access their Protected Health Information. County Departments will establish policy and procedure for individuals or their personal representative to access inspect and/or obtain a copy of the individual's Protected Health Information. A procedure to provide individuals or their personal representatives with an opportunity to amend their Protected Health Information will also be established. The policies and procedures will be consistent with the requirements of HIPAA regulations.

7. Business Associates

When a covered component of the County uses a contractor or other individual which is a non-workforce member to perform functions, services, or activities that involve the use or disclosure of protected health information, the HIPPA Rule requires that the covered entity include certain protections for the information in a business associated agreement. In the business associate contract, the County must impose specified written safeguards on the individually identifiable health information used or disclosed by its business associates. County Counsel will monitor all contracts to identify Business Associates who are subject to HIPAA regulations. If the County becomes aware of non-compliance with HIPAA regulations on the part of a Business Associate, the County will terminate the contract and report the problems to the Secretary of the U.S. Department of Health and Human Services.

8. Sanctions and Penalties

There are civil and/or criminal penalties imposed by the Federal Government for the misuse or prohibited disclosure of Individually Identifiable Health Information and Protected Health Information with fines ranging from $100 to $1,500,000 and punishment of up to ten years in prison. In addition, the County may impose disciplinary action, up to and including termination of employment for failure to comply with County or department HIPAA and confidentiality policies. The specific disciplinary action will be determined based on the severity of the workforce member's failure to comply with the County or department HIPAA and/or confidentiality policies. The following four areas may be cause for applying sanctions or disciplinary action to a workforce member:

A. Failure to comply
B. Wrongful use or disclosure of Individually Identifiable Health Information
C. Violations of relevant State or Federal Law
D. Violation of the County of Yuba or departmental policies and/or procedures as they relate to HIPAA or confidentiality

9. Privacy Complaints

Health care consumers and other individuals may direct complaints regarding the privacy of their Protected Health Information to:

A. Designees within the County departments
B. The County
C. Privacy Officer of the CA Department of Health Care Services Office of HIPPA Compliance
D. The Secretary of the Department of Health and Human Services (Federal)

10. Complaints and Whistleblowers

Individuals or whistleblowers can report suspected HIPPA Policy violations to specified designees within each department. These complaints can be anonymous and retaliatory actions against the complainants is prohibited. The County will attempt to mitigate, to the extent practicable, any harmful effect resulting from a violation of HIPAA rules. The complaints and resolutions will be documented and retained for six years.

11. Reporting Security Incidents and Breaches

A. Employees shall timely report security incidents and breaches to their department management as appropriate and/or the designee within the department. Department management will consult with County Counsel and escalate incidents and breaches to County authorities as appropriate.

B. Covered entities must ensure Business Associates agree to notify the covered entity of any breach, or security incident involving unsecured protected health information of which the business associate becomes aware, including any access to, or use or disclosure of protected health information not permitted by an Agreement.

C. A breach affecting 500 or more individuals must be immediately reported to the Secretary of the Department of Health and Human Services followed by timely completing and electronically submitting a breach report. For breaches that affect fewer than 500 individuals, the individual breaches are logged and electronically reported to the Secretary of the Department of Health and Human Services within 60 days of the end of the calendar year in which the breaches were discovered. The County may also be required to notify the general public and each individual affected by the breach.

D. Each Department shall have policies and procedures regarding when, how, and to whom to report security incidents and breaches of protected health information.

Note: Depending on the date/information involved, security incidents and breaches may be reportable to other state and federal agencies.

12. Severability

In the event any provision of this Policy is declared by a court of competent jurisdiction to be illegal or unenforceable, that policy provision shall be null and void, but such nullification shall not affect any other provision of the Policy, which shall remain in full force and effect.

Policy Authority: *The Privacy Act of 1974 (5 U.S.C. §552a),*
The Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. §1320d)
Health Information Technology for Economic and Clinical Health (HITECH)

Subject:	Policy Number:	Page Number:
	J-1	Page 1 of 2
COUNTY COUNSEL SERVICES	**Date Approved:**	**Revised Date:**
	02/19/08	00/00/14

PROCEDURE:

1. Provision of Legal Services

The office of County Counsel is charged with giving legal advice to the Board of Supervisors and County departments. The County Counsel is also charged with prosecuting legal actions brought by the County and with defending legal actions brought against the County and/or its employees while they are acting within the scope of the employer/employee relationship.

2. Requests for Legal Advice

Except in situations of immediate urgency, requests for legal advice are to be in writing and directed to the County Counsel. A Request for County Counsel Services form has been developed by County Counsel for Department Heads to complete with their request or question. Legal questions and requests for legal advice are never to be sent by e-mail. *See Attachment A.*

A. Department Heads may designate one person in addition to the department head who will have authority to request legal advice from County Counsel. The County Counsel will not respond to a request for legal advice except as provided herein or in situations of immediate urgency.

B. County Counsel will attempt to respond to requests for legal opinions within 14 working days of receipt of a request from a department. This allows prioritization of requests and flexibility to accommodate urgent requests.

C. All contracts, professional services agreements and MOUs submitted to the Office of County Counsel for legal review must first be routed to Risk Management for review and approval. Once the Office of County Counsel receives a Risk Management approved contract/agreement/MOU for legal review, County Counsel will attempt to review and return the documents within 14 calendar days of receipt.

3. Threatened and Actual Litigation

When any employee and/or the County is threatened, either orally or in writing, with suit as a result of employment related activity, such event shall be reported by the person receiving the threat to his/her Department Head who will then advise the County Counsel.

A. When any County employee is served with any legal process (summons, complaint, subpoena) relating to any aspect of his/her employment with the County, the person shall orally advise County Counsel of such service at the first opportunity and shall then follow the instructions given by County Counsel for delivery of the process to the Office of County Counsel.

B. If a County employee is sued as a result of any act or omission relating to his/her employment with the County, the employee shall request, in writing, that the Office of County Counsel provide him/her a defense if the employee so desires.

4. Agenda Review

When any department seeks to place on the Board of Supervisors' agenda any material requiring the review of County Counsel, such material which includes but is not limited to all closed session matters, shall be reviewed by County Counsel prior to submission to the Clerk of the Board for placement on the agenda. Material requiring the review of County Counsel submitted to the Clerk of the Board prior to such required review will be returned to the department.

Attachment A

CONFIDENTIAL ATTORNEY-CLIENT REQUEST FOR COUNTY COUNSEL LEGAL SERVICES

(Supplement requests with attachments if necessary)

Requesting Department _____

Date _____

SPECIFIC QUESTION(S) TO BE ANSWERED:

BACKGROUND INFORMATION – If this is an opinion request, please provide description of the problem/your concern, giving events, names, addresses (zip codes), dates and times; also attach copies of all background documents, including local, state or federal program documentation and names/citations to applicable statutes, (we need more than, e.g., SB 90; we need session law or code cite, e.g., statutes 1972, chapter 1406 or Revenue and Taxation Code §2201 et seq.) ordinances, regulations, cases of which you are aware.

IF THIS IS A LEGAL DOCUMENT REQUEST also include Contract/Lease - attach your draft of any pertinent contract, lease, ordinance or resolution.

Requested Date of Completion _____

Reason for Requested Completion Date if Less Than 21 Working Days:

DEPARTMENT HEAD APPROVAL

_____
(Signature)

Contact Person _____ Telephone/Ext _____

Subject:	Policy Number:	Page Number:
	K-1	Page 1 of 2
REQUISITIONING SUPPLIES	**Date Approved:**	**Revised Date:**
	02/19/08	00/00/14

PROCEDURE:

1. Printing Requisitions

The Department of Administrative Services no longer operates a Copy Center on site at the Government Center. Contractual relationships have been developed with several local print houses to handle the County copy/print needs. Contact information is available from Administrative Services. Departments are encouraged to work directly with these local businesses for their requirements. Most of these businesses create a master monthly invoice which is processed through Administrative Services.

A. At the end of each month, Administrative Services will complete a journal request itemizing the copy/print charges by department. The request will be submitted to the Auditor-Controller's Office for processing. A copy of the journal request will be sent to each department that incurred a charge for their records.

2. Requisitioning Supplies

All requisitions for office supplies and specialty items shall be made through the designated supplier as defined by the Purchasing Department. A countywide contract is in place to ensure that County needs are met, and that the County receives overall best pricing, rapid response times, and centralized billing. Any requests for unusual or specialty items should be coordinated with the Purchasing Coordinator in Administrative Services to ensure that the item is not already under County contract. If an item is not under contract, the guidelines published in the County's Purchasing and Contracts Manual must be followed.

A. At the end of the month, each department will be charged for its total requisitions for the month.

B. Supply invoices are paid centrally by Administrative Services, and departmental costs are allocated back through the Auditor-Controller's Office. Any discrepancies should be discussed and resolved with the Auditor-Controller and Administrative Services.

3. Sufficient Funds Must be Available

Supplies, printed material, and copier material cannot be requisitioned unless the department's budget has sufficient funds to cover the cost.

4. Messenger Service

The Department of Administrative Services shall provide interdepartmental mail and messenger service to all County departments. A centrally located collection station shall be established in each major county facility for deposit and receipt of correspondence. Outgoing U.S. mail shall be segregated by departments and marked with the department number to be charged. Outbound packages must be delivered directly to Administrative Services for UPS/Federal Express processing. All overnight/express packages must be received by Administrative Services by 3:00 p.m. for same day processing.

5. Ergonomic Devices and Workstation Modifications

All requests for ergonomic devices, workstation modifications or accommodation with special devices (i.e. ergonomic keyboards, chairs, desk height changes, etc.), or requests for an ergonomic evaluation of a work station or area shall be coordinated through Human Resources.

Installation of any of the special devices or workstation modifications must be coordinated between Human Resources and Administrative Services.

6. Office Equipment

All purchase and lease agreements for office equipment exceeding $5,000 shall require strict adherence to the guidelines outlined in the County Purchasing and Contracts Manual.

The Purchasing Agent or his/her designee is responsible for purchasing or leasing copiers.

Purchases of information technology equipment require the approval of the Information Technology Manager and may also require approval from the Technical Review Committee (TRC).

Subject:	Policy Number:	Page Number:
	K-2	Page 1 of 3
PROPERTY & EQUIPMENT	**Date Approved:**	**Revised Date:**
	02/19/08	00/00/14

PROCEDURE:

1. Annual Inventory

   The annual inventory is governed by the provisions of Chapter 2.95 of the Yuba County Ordinance Code.

2. New Equipment

   A Capital Asset Acquisition Form will be prepared by the receiving department for all new fixed asset purchases in excess of $5,000 and sent to the Auditor-Controller with payment of invoice. Failure to do so will result in non-payment of merchandise.

3. Surplus County Property

   Surplus county property is classified into two categories:

   A. Departmental Surplus, which is no longer required by the responsible department, but is likely to be useful to another department. Departmental Surplus may be transferred between departments or to the Purchasing Agent.

   B. General Surplus, which is no longer required by the responsible department, and in all probability would not be useful to any of the other departments. General Surplus may be disposed of in accordance with §2.50.060 of the Yuba County Ordinance Code.

4. Surplus Property Transfer

   When a department has surplus property on their inventory that is no longer useful to the department, they may:

   A. Transfer the surplus to another department by completing a Capital Asset Equipment Transfer Form, including signatures from both departments, and directing the form to the Auditor-Controller.

   B. Transfer to General Surplus by completing a Capital Asset Equipment Transfer Form or Capital Asset Disposal Form and directing the form to Administrative Services. A copy of the Surplus Transfer Procedure is available from Administrative Services.

5. Surplus Equipment Pool

The Purchasing Agent shall maintain a pool of extra equipment and furniture and shall make it available to any County agency, department, office or institution having a need. Further details are outlined in §2.50.060 of the Yuba County Ordinance Code.

6. Surplus Property Disposal

Any item of property with a value less than $1,000 may be declared surplus by the head of the department. Any item of property with a value of $1,000 or more shall be declared surplus only by the Board of Supervisors.

Once the property has been declared surplus, the Purchasing Agent shall dispose of the items in accordance with the Yuba County Purchasing and Contract Policy Manual and Chapter §2.50.060 of the Yuba County Ordinance Code.

7. No Other Methods Allowed

Under no conditions are any Department Heads or employees to sell, give away, or exchange County property, other than as provided by the Board of Supervisors. This refers to operating equipment, supplies, office furniture, and any other tangibles belonging to the County of Yuba.

8. Rental or Loan Prohibited

The rental or loan of County property, either real or personal, to persons other than as directed by the Board of Supervisors is prohibited by law.

PERSONAL TELEPHONE USE

9. Long Distance Personal Telephone Calls

County telephones are provided for the conduct of County business and shall not be used for personal long distance telephone calls. In emergency situations, and with the prior approval of the supervisor, such calls may be made if the call is billed to the employee, or to the employee's personal credit card. Abuse of this privilege shall be subject to disciplinary action by the supervising authority in accordance with County procedures.

Department Heads shall establish and implement a monthly review of departmental long distance charges. The Department of Administrative Services shall develop and maintain the programs and databases necessary to assist County departments in identifying unauthorized use of long distance lines by analyses of variances and unusual usage patterns.

10. Local Personal Telephone Calls

The use of County telephones for local personal telephone calls shall be kept to a minimum and such use shall not interfere with the conduct of County business. Frequency and duration of personal calls should be kept to a minimum in order to reduce telephone charges and lost personnel time.

11. Personal Property

The County is not responsible for loss or damage of personal property belonging to the employee.

12. Use of Fax/Copy Machine

Fax/copy machines are not to be used for personal use.

THIS PAGE INTENTIONALLY LEFT BLANK



Land Use and Public Works Committee

YUBA COUNTY
CALIFORNIA

The County of Yuba

Community Development & Services Agency

Kevin Mallen, Director
Phone – (530) 749-5430 • Fax – (530) 749-5424
915 8th Street, Suite 123
Marysville, California 95901
www.co.yuba.ca.us

BUILDING
749-5440 • Fax749-5616

CODE ENFORCEMENT
749-5455 • Fax 749-5424

ENVIRONMENTAL HEALTH • CUPA
749-5450 • Fax 749-5454

HOUSING & COMMUNITY SERVICES
749-5460 • Fax 749-5464

PLANNING
749-5470 • Fax 749-5434

PUBLIC WORKS • SURVEYOR
749-5420 • Fax 749-5424

To: Yuba County Land Use & Public Works Committee

From: Kevin Mallen, CDSA Director

Date: December 9, 2014

Subject: Consider Lease for a portion of Sycamore Ranch Park

Recommendation:

Consider the attached Sycamore Ranch Educational Area Lease between the County and the Tsi Akim Maidu Tribe and provide direction as appropriate.

Background:

The County purchased the 90 acre Sycamore Ranch Park on the Yuba River in March of 2010. The facility has undergone significant and constant improvements to help fully realize the potential of this key facility to the County's park system.

Discussion:

At the time of the County's purchase of the Park, the Tsi Akim Maidu Tribe provided the County technical advice on the facilities native and non-native vegetation as well as areas of potential cultural significance that helped shaped the County's operation and maintenance plans for the Park. The Tribe has also hosted an Indigenous Peoples Day Event over a weekend each October at the Park since 2011 and in 2013 the Board adopted a resolution allowing the Tribe to continue the Event into the future.

Continuing on the theme of education and awareness, the Tribe would like to expand to a more permanent and ongoing basis with additional programs at the Park throughout the year and would like to have a designated area to do so. The attached Lease represents a proposed approach to accomplish their request.

Fiscal Impact:

The proposed Lease does not generate additional revenue directly however it will reduce the County's maintenance obligations for a 2.5 acre portion of the Park as well as increase awareness and use of the Park. The increase use should in turn increase the use of the Park campgrounds and group areas that do generate revenue.

SYCAMORE RANCH EDUCATIONAL AREA LEASE

THIS LEASE, made on the _____day of _____, 2015, by and between the COUNTY OF YUBA, a political subdivision of the State of California (hereinafter referred to as "Lessor") and the Tsi Akim Maidu Tribe (hereinafter referred to as "Lessee").

WITNESSETH:

1. DESCRIPTION OF PREMISES. Lessor does hereby lease to Lessee, and Lessee does hereby rent and accept from Lessor, for the consideration and subject to all of the terms and conditions hereinafter set forth, the premises (the "Premises") as depicted in Exhibit A is a portion of APN 005-270-037 at approximately 2.5 acres of land that includes an approximately 1,000 square foot building with power and no plumbing located within the Lessor's 90 acre Sycamore Ranch Park.

2. TERM. The term of the Lease shall be for five (5) years commencing on the _____day of _____, 2015 (Effective Date). The Lease shall automatically renew on the anniversary date for a subsequent five (5) years unless the Lessee is notified in writing ninety (90) days in advance of the expiration by the Lessor to terminate the Lease. Ninety (90) days in advance of renewal, the Lessor has the ability to notify the Lessee of any revised terms the Lessor has elected to enact upon renewal.

3. RENT. The annual lease Rent of this Lease Agreement shall be at the rate of $1 per year for the Premises.

4. OTHER CHARGES AND FEES:

Lessee shall meet all expenses and payments in connection with the use of the Premises and the rights and privileges herein granted, including any fees, taxes or assessments lawfully levied or assessed upon the Premises due to the Lessee's use of the Premises. Lessee may, however, at their sole expense and cost, contest any tax, fee, or assessment.

5. USE OF PREMISES. Lessee shall be limited in the use of the Premises to activities that are consistent and/or beneficial to the Lessor's operation of Sycamore Ranch Park as determined by the Lessor. Types of activities conducted by the Lessee will be subject to approval by the Lessor and Lessor has the right to enter Premises to inspect their use with twenty four (24) hour notice to the Lessee. Activities envisioned include those of an educational nature that promote historical, ecological, and/or a scientific nature. Lessor retains the right to access through or over Premises for purposes of accessing other portions of Lessor's property. Lessee's use of Sycamore Ranch Park outside of Premises is subject to all terms and conditions as any other member of the public as set forth in County Ordinance, State and Federal laws.

6. LESSEE'S IMPROVEMENTS ON PREMISES. Lessee shall not make any physical alterations or improvements to the Premises without first obtaining approval of the Lessor. Any physical alterations or improvements to the Premises by the Lessee shall be at their sole expense unless a separate agreement is reached with the Lessor on an individual basis. Any physical alterations or improvements to the Premises during the term of the Lease shall remain with the Premises upon termination of the Lease unless otherwise stated at termination by the Lessor or agreed to by the Lessor at the time of improvement.

7. MAINTENANCE OF PREMISES. Lessee, at its own cost and expense, shall keep the said Premises and improvements and permanent equipment in good condition and repair during the full term of this Lease, and Lessor may inspect said Premises from time to time, and notify Lessee of any repairs that may be necessary, and if the Lessee shall not promptly make

such necessary repairs, then the Lessor may make same at the expense and cost of the Lessee. Lessee shall maintain the vegetation on the Premises in a manner consistent with the maintenance of the surrounding vegetation in Sycamore Ranch so as to reduce fire danger and ensure an overall cohesive appearance for the area.

8. COMPLIANCE WITH LAWS. Lessee, at its own expense, shall promptly observe and comply with all rules, regulations, orders, and laws now in effect or which may hereafter be enacted during this Lease by any municipal, county, state, or federal authorities, with respect to the operation and use of the Premises by Lessee.

9. INSURANCE: Lessee shall throughout the existence of this Lease, at its own cost and expense, procure and maintain in full force and effect comprehensive general liability insurance in the minimum amounts of ONE MILLION DOLLARS ($1,000,000.00) combined single limit as follows:

A. The terms of the attached Exhibit C, "Insurance Provisions," are made a part of this Lease and are incorporated herein by reference.

B. Full Worker's Compensation and Employers' Liability Insurance covering all employees of Lessee as required by law in the State of California.

C. Additional Insureds: The insurance required shall include the County of Yuba, its officers and employees, as additional insureds except with regard to occurrences that are the result of their sole negligence.

D. Cancellation Notice: The insurance required shall provide that no cancellation or material change in any policy shall become effective except upon thirty (30) days' prior written notice to the County of Yuba.

E. Proof of Insurance: Lessee shall furnish proof of coverage satisfactory to the Yuba County Risk Manager as evidence that the insurance required above is being

maintained.

10. INDEMNITY: Lessee shall indemnify and defend the County and its officers, agents, and employees against and hold it harmless from any and all loss, damage, and liability for damages, including attorneys' fees and other costs of defense incurred by County, whether for damage to or loss of property, or injury to or death of person, including properties of County and injury to or death of County's officers, agents, and employees, which shall in any way arise out of or be connected with Lessee's operations hereunder, unless such damage, loss, injury or death shall be caused solely by the negligence of County.

11. TAXES AND ASSESSMENTS: Under this Lease, a possessory interest subject to property taxation may be created. Notice is hereby given pursuant to California Revenue and Taxation Code Section 107.6 that such property interest may be subject to property taxation created, and that the party to whom the possessory interest is vested may be subject to the payment of property taxes levied on such interest. Lessee shall pay all taxes and assessments of whatever character that may be levied or charged upon Lessee's operations hereunder and upon Lessee's right to use.

12. UTILITIES: Lessee shall have sole and exclusive responsibility for obtaining all electricity, gas, water, telephone, sewer, or other utility services and for the payment of all rates or charges levied, assessed, or charged against said Premises in the operation thereof for such services. Lessee will furnish its own heat, light, and power for the operation of said Premises, including but not limited to any service charges, connection or installation fees, related thereto.

13. ASSIGNMENT OR SUBLEASE:

A. Lessee shall not assign or transfer in whole or in part by operation of law or otherwise this Lease or any of the Lessee's rights, duties, or obligations hereunder nor sublet any portion or all of the Premises leased hereunder or the equipment constructed upon said Premises

without Lessor's consent to assignment of this Lease. Lessor retains the right at time of proposed assignment to terminate Lease and renegotiate a new Lease with proposed assignees at Lessor's option.

B. If Lessee, without securing prior written approval of Lessor, attempts to effect such a transfer, assignment, sublease, or if a transfer occurs by operation of law, Lessor may terminate this Lease upon thirty (30) days' notice to Lessee without further liability to Lessee and such assignment, transfer, or sublease shall be void.

14. DEFAULT: In the event Lessee is in default in the payment on any amount due under the terms of this Lease or defaults in the performance of any of the covenants or conditions on Lessee's part to be performed, then Lessor, at its option, may terminate this Lease and re-enter the Premises. Lessor shall have the right to retain all rents and any other sums owing and unpaid to the date of termination hereunder.

15. BANKRUPTCY: In the event of bankruptcy, either voluntary or involuntary, or any assignment for the benefit of creditors made by Lessee, Lessee's interest hereunder shall automatically terminate.

16. FIRE DAMAGE: It is mutually understood and agreed between the parties hereto that in the event any portion of the Premises is damaged by fire through no fault of the Lessee and the same cannot be repaired within ninety (90) days, then Lessee may elect to terminate this Lease.

17. BREACH OR NONCOMPLIANCE: The waiver of any breach or noncompliance with any terms, covenants, conditions, or provisions of this Lease or any rules, regulations, or decisions adopted pursuant thereto shall not constitute the waiver of any subsequent breach thereof whether such breach or noncompliance be the same or of a different kind or character.

18. ATTORNEY'S FEES: In case Lessor, without fault on its part, be made a party to

any litigation commenced by or against Lessee, Lessee shall pay all costs, reasonable attorney's fees, and expenses which may be incurred or imposed on Lessor by or in connection with such litigation. Should either party hereto bring any action at law or in equity to enforce any of the rights hereunder, the prevailing party in such action shall be entitled to recover attorney's fees and any other relief that may be granted by the court, whether or not the party prevailing in such action be the party who instituted the same.

19. NOTICES: Any notice, demand, request, consent, or approval that either party desires or is required to give to the other party pursuant to this Lease shall be in writing and either served personally or sent by prepaid, first-class mail. Such matters shall be addressed to the other party at the following address:

To County At:

Director, Administrative Services
Yuba County
915 8th Street; Suite 119
Marysville, CA 95901

To Lessee At:

Title:
Organization:
Street address:

Copy:

Yuba County
County Counsel
Suite 111
915 8th Street
Marysville, CA 95901

IN WITNESS WHEREOF the parties hereto have set their hands the day and year first above written.

COUNTY OF YUBA

By _____
Chairman

Tsi Akim Maidu Tribe

By_____
Title:

ATTEST: DONNA STOTTLEMEYER
Clerk of the Board of
Supervisors

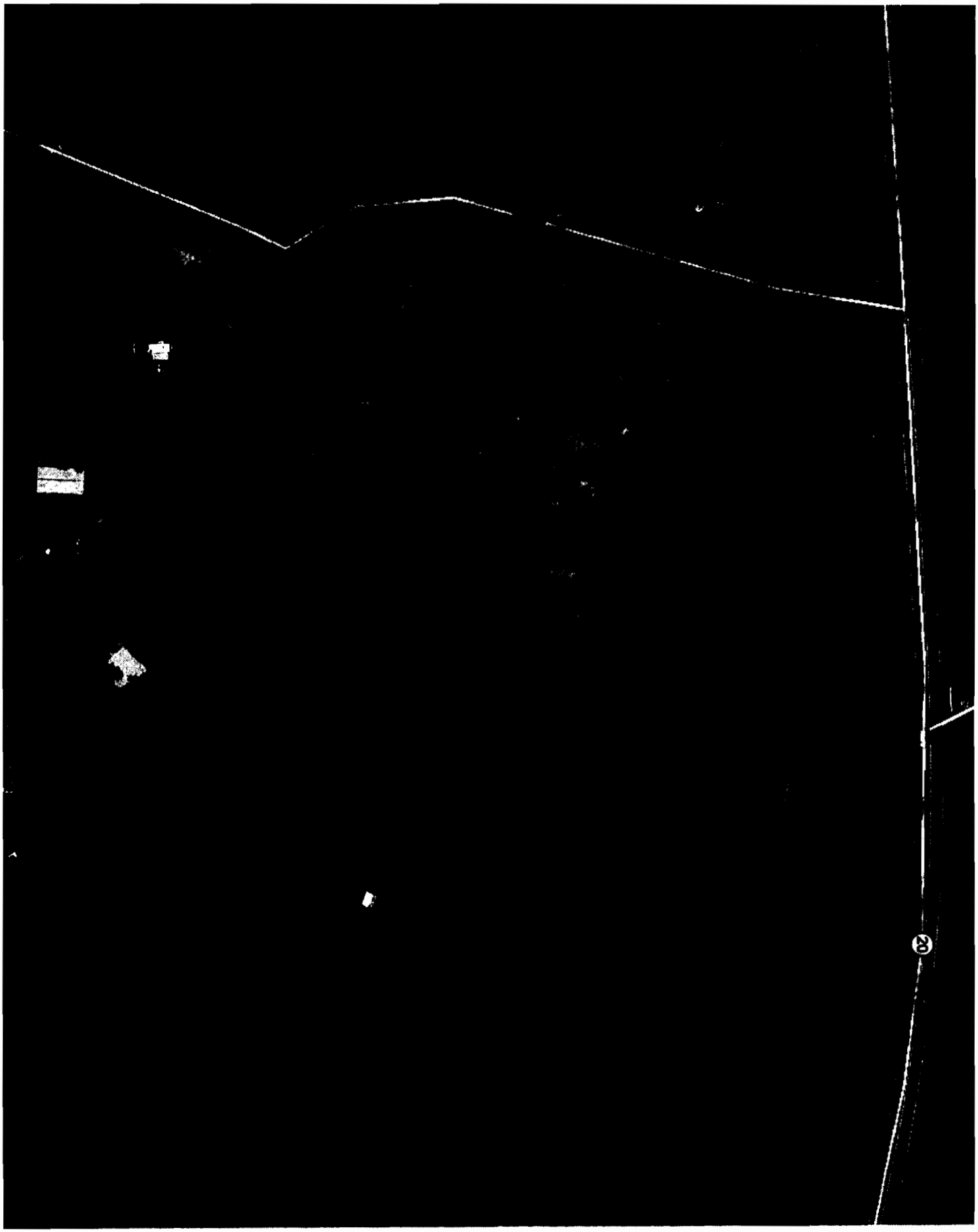
By _____

REVIEW OF INSURANCE:

_____
Risk Manager

APPROVED AS TO FORM:

_____
Angil Morris-Jones
County Counsel



THIS PAGE INTENTIONALLY LEFT BLANK