

BOARD OF SUPERVISORS

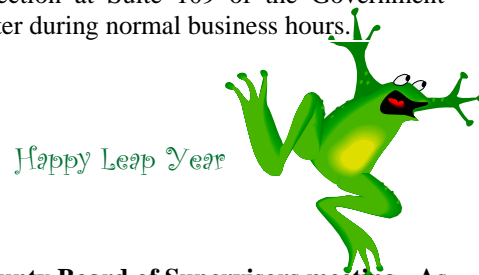
AGENDA

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.

FEBRUARY 28, 2012



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. Thank you.

- I. **PLEDGE OF ALLEGIANCE** - Led by Supervisor Vasquez
- 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. Administrative Services
 1. Authorize Budget Transfer in the amount of \$23,350 from various accounts to Account No. # 101-0900-417-6200 (Buildings and Grounds Fixed Assets) for the completion of security camera project at the Government Center. (072-12)
 - B. Board of Supervisors
 1. Appoint William Ransom to the Community Services Commission as the District One Representative for a term to end December 31, 2014. (073-12)
 - C. Clerk of the Board of Supervisors
 1. Approve minutes of the meetings of February 7 and 14, 2012. (074-12)
 2. Appoint Sarbdeep Atwal to the Housing Advisory and Appeals Board to serve at the pleasure of the Board. (059-12)
 - D. Community Development and Services
 1. Approve removal from inventory and destruction of three Public Works fleet vehicles pursuant to Blue Sky Grant eligibility and requirements. (060-12)
 2. Approve funding for 2012 Community Services Block Grant. (061-12)
 3. Adopt resolution approving contract with Department of Community Services and Development for the 2012 Community Services Block Grant program and authorize the Community Services Commission Executive Director to execute all necessary documents. (062-12)
 4. Adopt resolution authorizing Executive Director of Community Services Commission to execute contracts with agencies approved to receive Community Services Block Grant funding. (063-12)
 5. Award contract to the apparent low bidder for the Smartsville (Chuck Yeager) Road Bridge Replacement at Vineyard Creek Project and authorize the Chair to execute same upon review and approval of County Counsel. (064-12)

E. County Administrator

1. Approve contract agreement with M.M. Rosenberg and Associates effective January 3, 2012 through December 31, 2012 and authorize the Chair to execute same. (065-12)

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. Authorize Budget Transfer in the amount of \$16,110 to return the Administrative Technician position to full time for the period January 1 to June 30, 2012 as it relates to the Yuba-Sutter Enterprise Zone. (Ten minute estimate) (066-12)

B. County Administrator

1. Approve repayment agreement with the City of Marysville regarding traffic fine audit for Fiscal Years 2004/05 through 2008/09 and authorize the Chair to execute same. (Ten minute estimate) (067-12)
2. Receive Mid-year Budget Review; authorize Budget Transfers in the total amount of \$6,713,392 with \$180,576 from General Fund Contingency; approve mid-year personnel request to fund \$40,197 for two positions; and approve mid-year fixed assets requests of \$511,372. (20 minute estimate) (068-12)

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 public comments will be limited to three minutes per person or group.

- A. Public Hearing - Hold public hearing and adopt resolution adopting the East Linda Reinvestment Plan as a visioning guide for the redevelopment of the East Linda Community. (30 minute estimate) (069-12)

VII. **CORRESPONDENCE** – (070-12)

- A. Pamphlet from National Association of Counties regarding National County Government Month, April 2012. (Complete pamphlet on file)
- B. Newsletter from California Oaks.
- C. 2010-2011 Area 4 Agency on Aging Annual Report.
- D. Two notices from State of California Fish and Game Commission regarding notice of proposed action relating to recreational take of abalone and ocean salmon sport fishing. (Copy provided to Fish and Game Advisory Commission)
- E. Letter of resignation from Clarence "Buck" Weckman of the Yuba County Fish and Game Advisory Commission. (Vacancy notice has been posted)

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:** Any person desiring to comment on any matter scheduled for this closed session may address the Board at this time.

- A. Pending litigation pursuant Government Code §54956.9(a) - Yuba County Probation Peace Officers Association vs County of Yuba et al

- B. Personnel pursuant to Government Code §54957 - Department Head Evaluation/Public Guardian (60 minute estimate)

1:30 P.M. X. 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 public comments will be limited to three minutes per person or group.

- B. Ordinance - Hold public hearing, waive reading, and introduce ordinance adding Chapter 7.40 to the Yuba County Ordinance Code addressing marijuana cultivation as a public nuisance. (45 minute estimate) (071-12)

XI. **ADJOURN**

COMMITTEE MEETINGS

3/1/2012 - 4:30 P.M. Marysville City/County Liaison Committee
City of Marysville
Covillaud Room
526 C Street
Marysville, Ca 95901

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 one full business day 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.

PUBLIC INFORMATION

PUBLIC COMMUNICATIONS: Members of the public shall be allowed to address the Board of Supervisors on items not appearing on the agenda which are of interest to the public and are within the subject matter jurisdiction of the Board, provided that no action shall be taken unless otherwise authorized by law. 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.

AGENDA ITEMS: The opportunity of the public to be heard on an item shall be provided during the consideration of that item. In the interest of time, the Board has limited the length of such comment or input on each item to 15 minutes total, with a limit of no more than 5 minutes per person or group. The period for public comments on a particular item may be extended upon a majority vote of the Board. These time limits do not apply to applicants appearing before the Board on behalf of their applications.

ACTION ITEMS: All items on the Agenda under the headings "Consent," "County Departments," Ordinances and Public Hearings," "Items of Public Interest," and "Closed Session," or any of them, are items on which the Board may take any action at this meetings.

PUBLIC HEARINGS: All members of the public shall be allowed to address the Board as to any item which is noticed on the Board's agenda as a public hearing. The Board has limited each person or group input to no more than 3 minutes. Any person or group may provide the Board with a written statement in lieu of or in supplement to any oral statement made during a public hearing. Written statements shall be submitted to the Clerk of the Board.

ORDINANCES: Ordinances shall not be passed within five days of their introductions, nor at other than a regular meeting or at an adjourned regular meeting. The Board of Supervisors will address ordinances at first readings. The public is urged to address ordinances at first readings. Passage of ordinances will be held at second readings, after reading the title, further reading is waived and adoption of the ordinance is made by majority vote. An urgency ordinance may be passed immediately upon introduction. The Board reserves the right to amend any proposed ordinances and to hold a first reading in lieu of a second reading.

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

SCHEDULED LUNCH BREAK: Between the hours of 12:00 noon and 1:00 p.m. and at the discretion of the Chair, the Board will recess one hour for lunch.

SPECIAL MEETINGS: No public comment shall be allowed during special meetings of the Board of Supervisors, except for items duly noticed on the agenda.

PUBLIC INFORMATION: Copies of §6.7 shall be posted along with agendas.

End



CONSENT

AGENDA

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072-12

Administrative Services Memorandum

To: Board of Supervisors
CC: Robert Bendorf, County Administrator
From: Doug McCoy, Director, Administrative Services
Date: February 28, 2012
Re: Budget Transfer

Recommendation

Authorize budget transfer in the amount of \$23,350 from various Administrative Services accounts into 101-0900-417-6200 Buildings & Grounds - Fixed Assets for the purposes of completing a security camera project the Government Center.

Background

Administrative Services has been working for several years to add security cameras at the Government Center facility. This spring, in partnership with our Office of Emergency Services, a matching Homeland Security grant has identified that can help us to fund 50% of a camera project if we match the value.

Discussion

Administrative Services has reviewed our accounts and identified our share of the funding for this project. But due to it being an 'addition' to the fixed asset of the building, the funds must be transferred to and spent from our fixed asset account.

Committee Action

Due to the routine nature of this request, this request has brought directly to the Board for review and approval.

Financial Impact

These funds are already appropriated in Administrative Services accounts; they are just being reallocated into a fixed asset account. Thus there is no net increase to the General Fund.

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WHITE - AUDITOR - CONTROLLER
YELLOW - COUNTY ADMINISTRATOR
PINK - DEPARTMENT

AUDITOR - CONTROLLER TRANSFER NO. 13

COUNTY OF YUBA

DATE: 2/8 20 12

REQUEST FOR TRANSFER OR
REVISION OF APPROPRIATION, ESTIMATED REVENUE OR FUNDS

DEPARTMENT Administrative Services

REQUEST APPROVAL OF THE FOLLOWING TRANSFER FISCAL YEAR ENDING JUNE 30, 20 12

BUDGET OR ESTIMATED REVENUE

☐ ESTIMATED REVENUE INCREASED

☒ APPROPRIATION DECREASED

☒ APPROPRIATION INCREASED

ACCOUNT NO.	NAME	AMOUNT
See Attached		23,350.00

ACCOUNT NO.	NAME	AMOUNT
101-0900-417-6200		23,350.00

FUND TRANSFERS

FUNDS TO BE REDUCED:

FUND	AMOUNT

FUNDS TO BE INCREASED:

FUND	AMOUNT

GENERAL LEDGER (AUDITOR - CONTROLLER USE ONLY)

FUND	ACCOUNT	AMOUNT			FUND	ACCOUNT	AMOUNT	
		DEBIT	CREDIT				DEBIT	CREDIT

REASON FOR TRANSFER:

Move funds to cover year end facility projects.

Gov Center Camera project. 14 cameras ranging from \$100 - \$2500 plus cabling & install.

APPROVED:

☐ AUDITOR - CONTROLLER

Signature

Date

Signature

DEPARTMENT OR PUBLIC OFFICIAL

☒ COUNTY ADMINISTRATOR

Signature

Date

TITLE

Approved as to Availability of Budget Amounts and Balances
in the Auditor/Controllers Office.

AUDITOR - CONTROLLER

Auditor/Controller, Dean E. Sellers

Approved:

BOARD OF SUPERVISORS

Clerk of the Board

Date

Buildings and Grounds - year end project clean up tra Date prepared: 2/8/12

Appropriation Decreased		Appropriation Increased	
101-0950-417-2300	\$10,000.00	101-0900-417-6200	\$23,350.00
101-0950-417-1400	\$8,550.00		
101-0900-417-2300	\$4,800.00		
total	\$23,350.00	total	\$23,350.00

The County of Yuba

073-12

Office of Clerk of the Board of Supervisors



To: Board of Supervisors

From: Donna Stottlemeyer, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Donna Stottlemeyer", is written over the printed name.

Subject: Community Services Commission – District One Representative

Date: February 28, 2012

Recommendation

Appoint William Ransom to the Community Services Commission as the District One Representative for a term to end December 31, 2014.

Background and Discussion

The by-laws of the Community Services Commission allow the option for Board members to designate themselves individually as members of the commission or of appointing a representative. Supervisor Vasquez has been serving on the commission and at this time would like to appoint Mr. Ransom to serve on his behalf. Mr. Ransom's application has been received as is attached for your review.

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

Fiscal Impact

None

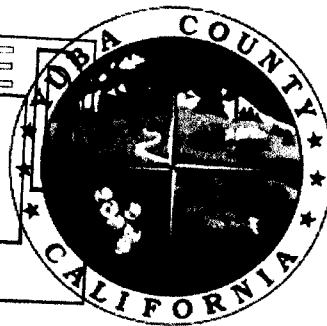
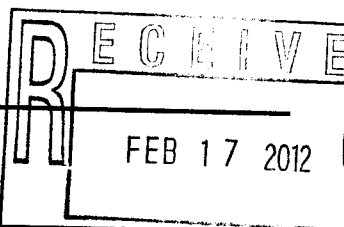
Committee Action

None required.

/rf

attachment

The County of Yuba



Application for Board/Commission/Committee
Appointed by the 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 Yuba County Community Services
ON WHICH YOU WOULD LIKE TO SERVE: DISTRICT ONE REPRESENTATIVE

APPLICANT NAME: WILLIAM DOUGLAS (DOUG) RANSOM

MAILING ADDRESS: [REDACTED]

PHYSICAL ADDRESS: SAME

TELEPHONE: HOME: [REDACTED] WORK: [REDACTED]

EMAIL ADDRESS: [REDACTED]

OCCUPATION/PROFESSION: RECYCLING MANAGEMENT, VOCATIONAL TRAINING, CORRECTIONAL OFFICER (RET)
SUPERVISOR/ DISTRICT NUMBER: #1

REASONS YOU WISH TO SERVE ON THIS BODY: DE OF SERVICE TO COMMUNITY

QUALIFICATIONS: 40 YEARS BUSINESS EXPERIENCE IN YUBA-SUTTER AREA, DESIRE TO ASSIST ELECTED OFFICIALS, TIME TO DO SO

LIST PAST AND CURRENT PUBLIC POSITIONS HELD: CURRENT YUBA Co. COMMUNITY SERVICE COMMISSION (3 YEARS)
PRES./CHAIRMAN YUBA SUTTER RESPIRE & COMMUNITY SERVICES, BSA COMMISSIONER

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.

William Douglas Ransom
SIGNATURE

Feb. 17, 2012
DATE

THIS SECTION FOR OFFICE USE ONLY

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

☐ APPLICANT APPOINTED: _____

☐ OTHER: _____

The County of Yuba

B O A R D O F S U P E R V I S O R S



FEBRUARY 7, 2012 – MINUTES

The Honorable Board of Supervisors of the County of Yuba met in special session on the above date, commencing at 4:37 P.m., within the Government Center, Marysville, California, with a quorum being present as follows: Supervisors Andy Vasquez, John Nicoletti, Roger Abe, and Hal Stocker. Mary Jane Griego was absent. Also present were County Administrator Robert Bendorf, County Counsel Angil Morris-Jones, and Clerk of the Board of Supervisors Donna Stottlemeyer. Chairman Stocker presided.

- I. ROLL CALL - Supervisors Vasquez, Nicoletti, Griego, Abe, Stocker - All present.
- II. CLOSED SESSION: The Board retired into closed session at 4:37 p.m. to discuss the following:
 - A. Potential litigation pursuant to Government Code §54956.9(b) - The Claim of Maria, Louis, Edgar and Joseph Alvarado as the Heirs of Alfredo Flores-Bravo
 - B. Personnel pursuant to Government Code §54957 - Performance Evaluation/County Counsel (Continued from January 24, 2012)

Counsel to the Board Cynthia O'Neil joined closed session at 4:37 p.m. and left at 5:26 p.m. during discussion of item B.

County Administrator Robert Bendorf and Human Resources Director Martha Wilson left closed session at 4:45 during discussion of item B and returned to closed session at 5:26 p.m.

Counsel Angil Morris-Jones joined closed session at 5:30 p.m. during discussion of item A.

The Board returned from closed session at 5:37 p.m. with all present as listed above.

Counsel Angil Morris-Jones advised the Board by unanimous vote rejected the claim.

County Administrator Robert Bendorf advised direction was provided to staff regarding item B.

- III. ADJOURN: 5:38 p.m. by Chairman Stocker.

Chair

ATTEST: DONNA STOTTEMEYER
CLERK OF THE BOARD OF SUPERVISORS

Approved: _____

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The County of Yuba

B O A R D O F S U P E R V I S O R S



FEBRUARY 7, 2012 - MINUTES

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 6:00 p.m., within the Government Center, Marysville, California, with a quorum being present as follows: Supervisors Andy Vasquez, John Nicoletti, Roger Abe, and Hal Stocker. Mary Jane Griego was absent. Also present were County Administrator Robert Bendorf, County Counsel Angil Morris-Jones, and Clerk of the Board of Supervisors Donna Stottlemeyer. Chairman Stocker presided.

- I. PLEDGE OF ALLEGIANCE - Led by Supervisor Abe
- II. ROLL CALL - Supervisors Vasquez, Nicoletti, Griego, Abe, Stocker
All present.
- 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 Consent Agenda MOVED: Mary Jane Griego SECOND: John Nicoletti
AYES: Mary Jane Griego, John Nicoletti, Andy Vasquez, Roger Abe, Hal Stocker
NOES: None ABSENT: None ABSTAIN: None

A. Administrative Services

1. Authorize Budget Transfer in the amount of \$8,838 from 4H Trust Fund to Account No. 101-0101-411-5240 for timber sale administration at the 4H Camp property in Dobbins. (039-12) Authorized.

B. Clerk of the Board of Supervisors

1. Approve minutes of the meeting of January 17 and 24, 2012. (040-12) Approved as written.

C. Community Development and Services

1. Award contract to the apparent low bidder Shasta Constructors, Inc. for the La Porte Road and New York Creek Bridge Replacement Project and authorize the Chair to execute same upon review and approval of Counsel. (041-12) Approved.

D. Sheriff-Coroner

1. Approve amendment of hours the Animal Care Services Shelter is open to the public from current hours of 9:00 a.m. - 12:00 p.m. to proposed hours of 10:00 a.m. - 2:00 p.m. (Law and Justice Committee recommends approval) (042-12) Approved.

2. Approve Memorandum of Understanding and Letter of Understanding with BGE Yuba to provide supplemental law enforcement services at the Sleep Train Amphitheatre and authorize the Chair to execute same. (043-12) Approved.

IV. SPECIAL PRESENTATION

- A. Presentation from Ronald Hayman M.D. regarding usage of medical marijuana. (No background material. Ten minute estimate) (044-12) Dr. Hayman recapped the dangers of pre/adolescent use of marijuana.

V. PUBLIC COMMUNICATIONS:

Mr. Bob Sisemore, Arcano Avenue, Olivehurst, regarding nuisance of all-terrain vehicle usage behind home and on the street.

County Administrator to provide information to Sheriff to see what can be done.

Ms. Evelyn Irusta and neighbors, Cobblestone Drive, regarding closing Grove Avenue for public use.

Community Development Director Kevin Mallen recapped the history of development and roads, and received consensus to review the issue for a possible resolution and bring the information back to the Board in March.

Ms. Carmel Garcia, Olivehurst, commented on benefits of medical marijuana, agenda 21 and the continued loss of property/personal rights.

VI. COUNTY DEPARTMENTS

A. Community Development and Services

1. Adopt resolution authorizing borrowing \$2,200,000 from Fund 713-Plumas Lake Impact Fees for implementation and cash flow for Neighborhood Stabilization Program III and authorize budget amendment of \$45,000 to appropriate interest for Fiscal Year 2011-2012. (Ten minute estimate) (045-12) Finance and Administration Manager Sean Powers recapped the necessity to borrow funds for cash flow purposes, reimbursement, repayment of interest from the General Fund, and advised the budget amendment was pulled from consideration. Mr. Powers responded to Board inquiries.

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

Adopted Resolution No. 2012-08, which is on file in Yuba County Resolution Book No. 43 entitled: "A RESOLUTION AUTHORIZING NEIGHBORHOOD STABILIZATION PROGRAM THREE ADMINISTERED BY COMMUNITY DEVELOPMENT AND SERVICES AGENCY TO BORROW UP TO \$2,200,000 FROM FUND 713 PLUMAS LAKE SPECIFIC PLAN ROAD IMPACT FEES FOR PROGRAM IMPLEMENTATION AND CASH FLOW PURPOSES TO PURCHASE SINGLE FAMILY RESIDENCES FOR REHABILITATION AND RESALE."

VII. CORRESPONDENCE - (046-12)

- A. Letter from Auditor Controller enclosing audit report for Reclamation District No. 784 dated June 30, 2011. Received.
- B. Letter from Area 4 Agency on Aging regarding matching contribution for fiscal year 2012-2013. Received.

- C. Letter from California Energy Commission regarding Energy Efficiency and Conservation Block Grant funds. (Copy provided to Administrative Services) Received.
- D. Notice from State Water Resources Control Board regarding petition of temporary transfer up to 100,000 acre-feet of water between Arvin-Edison Water Storage District and Metropolitan Water District of Southern California. Received.
- E. Memo from Corrections Standards Authority regarding public hearing date change to February 23, 2012 for proposed Title 15 regulations. Received.

VIII. BOARD AND STAFF MEMBERS' REPORTS:

Supervisor Abe:

- o Memorial Adjournment - Mrs. Mary Lou Coker
- o National Flood Insurance Program Ag Zone Coalition held January 25, 2012
- o Bureau of Land Management committee held January 26, 2012
- o Wheatland Lions Club Speech Contest held February 1, 2012
- o South Yuba Water held February 2, 2012
- o Reclamation District 784 held February 7, 2012

Supervisor Griego:

- o Sacramento Area Council of Governments Draft outreach for elected officials held January 25, 2012
- o South County Economic Improvement Committee, Local Government Commission, and First 5 Yuba held January 26, 2012
- o Water Agency Safety Dinner and Awards Ceremony January 28, 2012
- o Feather River Air Quality Management District meeting February 6, 2012

Supervisor Vasquez:

- o Substance Abuse Advisory Committee meeting on February 2, 2012
- o Bi-county Juvenile Hall Mental Health meeting on February 3, 2012
- o Victim Witness presentation February 3, 2012

Supervisor Nicoletti:

- o Memorial Adjournment - Mr. Dick Arnoldy
- o Meetings with individual county department heads
- o Change in representation on Regional Council of Rural Governments and OPUD Liaison Committee due to conflicts
- o Academic Decathlon on February 4, 2012
- o Government Affairs Committee meeting regarding support of Calpine Industries

Supervisor Stocker: Phone survey regarding protecting farmland

Clerk of the Board Donna Stottlemeyer:

- o Cancellation of OPUD/County Liaison Committee scheduled February 10, 2012
- o County Bikeway Master Plan Public Workshop February 9, 2012

County Administrator Robert Bendorf:

- o Midyear budget review upcoming on February 28, 2012
- o State cash flows issues regarding receipt of realignment funds

- Executive Leadership Program
- Peace Officer of the Year Dinner February 18, 2012

IX. ADJOURN: 7:28 p.m. by Chairman Stocker in memory of Mrs. Mary Lou Coker and Mr. Dick Arnoldy.

Chair

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

Approved: _____

The County of Yuba

BOARD OF SUPERVISORS



FEBRUARY 14, 2012 – MINUTES

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

- I. PLEDGE OF ALLEGIANCE - Led by Supervisor Stocker
- II. ROLL CALL - Supervisors Vasquez, Nicoletti, Griego, Abe, Stocker - All Present.
- 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 Consent Agenda MOVED: John Nicoletti SECOND: Andy Vasquez

AYES: John Nicoletti, Andy Vasquez, Mary Jane Griego, Roger Abe, Hal Stocker

NOES: None ABSENT: None ABSTAIN: None

A. Clerk of the Board of Supervisors

1. Appoint Sarbdeep Atwal as a District Three representative to the Yuba County Economic Development Advisory Committee to serve at the pleasure of the Board. (047-12) Approved.

B. Board of Supervisors

1. Appoint Supervisor Abe as the alternate to the OPUD/County Liaison Committee and Supervisor Vasquez as the alternate to Regional Counties of Rural Counties at the request of Supervisor Nicoletti. (No background material) (057-12) Approved.
2. Adopt resolution supporting Calpine Sutter Energy Center. (057-12) Adopted Resolution No. 2012-09, which is on file in Yuba County Resolution Book No. 43 entitled: "RESOLUTION SUPPORTING CALPINE SUTTER ENERGY CENTER."

C. Community Development and Services

1. Approve amendment to agreement with AECOM Technical Services and authorize the Chair to execute same. (048-12) Approved.
2. Adopt resolution authorizing the purchase of public easements from multiple property owners along Rupert Avenue and authorizing the Agency Director to execute all documents required to finalize purchases. (049-12) Adopted Resolution No. 2012-10, which is on file in Yuba County Resolution Book

No. 43, entitled: "RESOLUTION AUTHORIZING THE PURCHASE OF PUBLIC EASEMENTS FROM MULTIPLE PROPERTY OWNERS OF PROPERTIES ALONG RUPERT AVENUE AND AUTHORIZING THE PUBLIC WORKS DIRECTOR TO EXECUTE ALL DOCUMENTS REQUIRED TO FINALIZE THE PURCHASE OF THE PROPERTIES BY THE COUNTY OF YUBA."

3. Accept Rose Avenue Improvement Project as complete and authorize Public Works Director to execute and record notice of completion. (050-12) Approved.
4. Adopt resolution authorizing submission of Yuba County's transportation claim to the Sacramento Area Council of Governments. (051-12) Adopted Resolution No. 2012-11, which is on file in Yuba County Resolution Book No. 43, entitled: "RESOLUTION AUTHORIZING SUBMISSION OF TRANSPORTATION CLAIM FOR FUNDS FROM THE TRANSPORTATION AND DEVELOPMENT ACT OF 1971 AS AMENDED."
5. Approve termination of Cooperative Agreement 03-471 - Amendment No. 1 and approve Cooperative Agreement with California Department of Transportation regarding Feather River Boulevard/State Route 70 Interchange Project and authorize the Chair to execute same. (058-12) Approved.

D. County Administrator

1. Adopt resolution proclaiming support for recertifying Yuba College Police Academy and keeping operation in Yuba County. (052-12) Yuba College Chancellor Doug Houston recapped the closing of the Academy, training needs assessments, program funding, and responded to Board inquiries.

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

Adopted Resolution No. 2012-12, which is on file in Yuba County Resolution Book No. 43, entitled: "RESOLUTION PROCLAIMING SUPPORT FOR RECERTIFYING POLICE ACADEMY AND KEEPING OPERATION IN YUBA COUNTY."

E. Sheriff-Coroner

1. Approve cooperative agreement with the U.S. Forest Services to provide campground patrols on U.S. forestlands, and authorize the Chair to execute same. (053-12) Approved.
2. Authorize the Sheriff to seek legislative inclusion of Yuba County to Penal Code Section 830.1(c) regarding Peace Officer status as it relates to Jail Corrections staff. (054-12) Approved.

IV. PUBLIC COMMUNICATIONS:

Supervisor Abe advised Shoei Foods was inducted in the Agricultural Hall of Fame.

V. COUNTY DEPARTMENTS

A. Community Development and Services

1. Hold workshop, receive presentation, and comments on the Draft East Linda Reinvestment Plan. (60 minute estimate) (056-12) Project Planner Dan Cucchi provided a Power Point presentation recapping the following and responding to Board inquiries:

- Plan Overview
- Primary Opportunity Areas
 - Peach Tree Town Center Concept Plan
 - Yuba College Mixed Use Center Concept Plan
 - Goldfields Village Center Land Use Concept Plan
- Land Use Areas
 - Parks Concept Plan
 - Proposed Zoning Concept Plan
 - Circulation Concept Plan
- Implementation Strategies regarding:
 - Water/Wastewater/Drainage
 - Zoning Regulations
 - Circulation Improvements
 - Financing/Phasing/Funding Strategies

Following Board discussion regarding funding opportunities, infrastructure funding and fees, and existing businesses, Mr. Cucchi advised that Plan with changes recommended today would be presented to the Board for approval on February 28, 2012.

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

- A. Public Hearing - Hold public hearing to allow comment on potential Community Development Block Grants. (Ten minute estimate) (055-12) Community Services Manager Debbie Phillips read the public notice.

Chairman Stocker opened the public hearing. No one came forward.

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

Community Development and Services Director Kevin Mallen and Yuba Sutter Economic Development Director Brenda Stranix recapped new funding limits and program recommendations for funding Enterprise activities, home ownership assistance, and public improvements.

VII. BOARD AND STAFF MEMBERS' REPORTS:

Supervisor Abe: Memorial Adjournment - Mrs. Madeline Jean Weldon

Supervisor Griego:

- Senior Center meeting held at Olivehurst Community Center; Draft Bike Master Plan meeting and Levee Tour held February 9, 2012
- CALAFCO held February 10, 2012
- So You Can nonprofit organization event held February 11, 2012

Supervisor Vasquez: Grove Avenue traffic counters installation

Supervisor Nicoletti: Alcouffe Center Pink Tractor for Board use during Bok Kai Parade

County Counsel Angil Morris-Jones: Beckworth Celebration June 16, 2012 at Yuba College

County Administrator Robert Bendorf: Ad hoc committees regarding Sheriff facility and host fees

Chairman Stocker established the following ad hoc committees for a period ending December 31, 2012:

- Sheriff's Facility appointing Supervisors Nicoletti and Griego
- Host Fees appointing Supervisor Vasquez and himself

VIII. ADJOURN: 11:35 a.m. in memory of Mrs. Madeline Jean Weldon by Chairman Stocker.

Chair

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

Approved: _____

The County of Yuba

059-12

Office of Clerk of the Board of Supervisors



To: Board of Supervisors
From: Donna Stottlemeyer, Clerk of the Board
Subject: Housing Advisory and Appeals Board
Date: February 28, 2012

A handwritten signature in cursive script, appearing to read "Donna Stottlemeyer", is written over the "From:" line.

Recommendation

Appoint Sarbdeep Atwal to the Housing Advisory and Appeals Board to serve at the pleasure of the Board.

Background and Discussion

The Local Appointment List of all Boards/Commissions/Committees has been continually posted indicating vacancies, appointees, terms of office, qualifications, and meeting information and is updated monthly. This vacancy has existed since the Board was established by Ordinance Code Section 10.05.12 in 2002. An application has been received from Sarbdeep Atwal which is attached for your review. Also attached is a recommendation from the Chief Building Official.

In light of the expressed interest, it would be appropriate to make the appointment at this time. With the appointment of Mr. Atwal, there will be no further vacancies.

Fiscal Impact

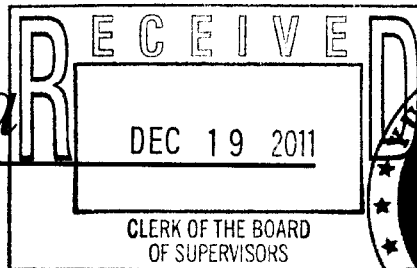
None due to appointment. Board members receive a \$25 per day stipend when meetings are held.

Committee Action

Brought directly to the Board for consideration.

The County of Yuba

Application for Board/Commission/Committee
Appointed by the 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: Housing Advisory And Appeals Board

APPLICANT NAME: SARBOOP Atwal

MAILING ADDRESS: _____

PHYSICAL ADDRESS: _____

TELEPHONE: _____

HOME: _____

WORK: _____

EMAIL ADDRESS: _____

OCCUPATION/PROFESSION:
SUPERVISOR/ DISTRICT
NUMBER:

Attorney / Farmer
3

REASONS YOU WISH TO
SERVE ON THIS BODY: _____

QUALIFICATIONS:

1) California Bar 2010

2) Bachelor Science

2) JD Degree Trinity Law School

Finance / RSC mgmt

LIST PAST AND CURRENT

PUBLIC POSITIONS HELD:

Trustee Dec 784

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.

SIGNATURE

Sarboop Atwal

DATE

12/15/2011

THIS SECTION FOR OFFICE USE ONLY

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

☐ APPLICANT APPOINTED: _____

☐ OTHER: _____

12/20/2011 CC to Building - M. Griffin / nrf

The County of Yuba

Community Development & Services Agency

Kevin Mallen, Director

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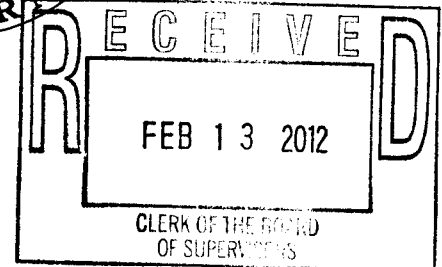
PUBLIC WORKS • SURVEYOR
749-5420 • Fax 749-5424

TO: Board of Supervisors

FROM: Martin W. Griffin, Chief Building Official

SUBJECT: Housing Advisory and Appeals Board

Date: February 13, 2012



The Building Department has reviewed the application of Sardeep Atwal for the Housing Advisory and Appeals Board and finds Mr. Atwal meets the required qualifications. The Building Department feels Mr. Atwal would be a beneficial addition to the Housing Advisory and Appeals Board and recommends the Board of Supervisor appoint Mr. Atwal to the board.

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The County of Yuba

Community Development & Services Agency

Kevin Mallen, Director

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915 8th Street, Suite 123

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February 28, 2012

TO: YUBA COUNTY BOARD OF SUPERVISORS

FROM: MICHAEL LEE, PUBLIC WORKS DIRECTOR

SUBJ: APPROVE REMOVAL FROM INVENTORY AND THE DESTRUCTION OF THREE PUBLIC WORKS FLEET VEHICLES PURSUANT TO BLUE SKY GRANT ELIGIBILITY AND REQUIREMENTS

RECOMMENDATION:

Approve the removal of three Public Works fleet vehicles and their subsequent destruction pursuant to requirements set forth by the Blue Sky grant program.

BACKGROUND:

On December 10, 2010, Yuba County Public Works entered into an agreement with the Feather River Air Quality Management District (FRAQMD) and the California Department of Motor Vehicles (DMV) for a Blue Sky grant of \$25,000 to go toward the purchase of one new Kenworth T800 three axle heavy duty tractor. This grant was in exchange for the destruction of three older medium duty trucks in an effort to increase overall emissions quality from the Public Works fleet.

DISCUSSION:

The fleet vehicles scheduled for the removal from the County inventory, as well as verifiable destruction are:

COUNTY ASSET	VEHICLE NUMBER	VEHICLE YEAR	VEHICLE MAKE / MODEL
05769	0421	1982	Ford 5 Yard Dumptruck
10586	0424	1982	International 5 Yard Dumptruck
10585	0455	1985	International 5 Yard Dumptruck

COMMITTEE ACTION:

Consistent with the grant and executed Agreement, this action item is considered routine and the Land Use and Public Works Committee was bypassed for consent from the full Board.

FISCAL IMPACT:

No impact to the General Fund. The vehicles will be recycled for scrap metal, with the revenue being deposited in the Road Fund.

COUNTY OF YUBA

INVENTORY ADJUSTMENT REQUEST

No. _____

NATURE OF REQUEST

- (1) ☐ Inter-Department Transfer
 (2) ☒ Transfer To Purchasing Department
 (3) ☐ Removal From Inventory of Item(s) Lost or Stolen
 (4) ☐ New Equipment Purchases

On items not covered by blocks explain fully in remarks section.

Inventory No.	Date Acquired	Description	Model	Serial No.	Cost
05769	3/1/82	5 YARD DUMP TRUCK 0421	FORD	1FDXR80U3CVA31123	35,894.
10586	11/30/95	5 YARD DUMP TRUCK 0424	INTERNATIONAL	1HTAA1850CHA14001	6,500.
10585	11/30/95	5 YARD DUMP TRUCK 0455	INTERNATIONAL	1HTLDURG8FHA21479	6,000.

(USE ADDENDUM SHEET IF NECESSARY)

1. INSTRUCTIONS: INTER DEPARTMENT TRANSFER

Fill out form. Have signed by Department Heads concerned and forward to COUNTY AUDITOR for proper adjustment to Inventory Records and distribution of copies.

TRANSFER FROM (Dept. Name)

PUBLIC WORKS DEPT

DEPT No.

9100

APPROVED (Dept. Head)

TRANSFER TO (Dept. Name)

ADMINISTRATIVE SERVICES

DEPT No.

9900

APPROVED (Department Head)

DATE

2/15/12

2. TRANSFER TO PURCHASING AGENT

Fill out form. Have signed by Department Head concerned and PURCHASING AGENT for approval. Purchasing agent forward to COUNTY AUDITOR; same as Interdepartmental Transfer above.

IF DEPARTMENT IS ABANDONING ITEM(S) AND IS TRANSFERRING ITEM(S) TO PURCHASING DIVISION, CHECK REASON.

☐

TRADE IN --- IF SO, TO BE REPLACED ON REQUISITION NO. _____

☒

NO LONGER USEFUL TO DEPARTMENT --- TO BE DISPOSED OF BY PURCHASING MANAGER.

REPORT OF INVESTIGATION

I CERTIFY THAT I HAVE INSPECTED THE ITEMS OF PERSONAL PROPERTY SET FORTH IN THE FOREGOING STATEMENT AND FIND THAT SAME ARE NOT REQUIRED FOR USE BY THE PUBLIC WORKS DEPARTMENT DEPARTMENT(S) AND SAID ITEMS CANNOT BE USED BY ANY DEPARTMENT OF THE COUNTY GOVERNMENT. IT IS THEREFORE RECOMMENDED THAT THE PURCHASING AGENT BE AUTHORIZED TO SELL OR OTHERWISE DISPOSE OF THE SAME IN ACCORDANCE WITH AND IN THE MANNER PROVIDED BY SEC. 25504 OF THE GOVERNMENT CODE.

Purchasing Agent _____

3. INVENTORY REMOVALS, ITEMS LOST OR STOLEN

Complete investigation and fill out forms within 30 days after loss is discovered. Have signed by Department Head concerned and FORWARD TO COUNTY AUDITOR for recommendation to BOARD OF SUPERVISORS. Clerk of Board forward to COUNTY AUDITOR.

INVESTIGATIVE DATA FURNISHED

INVESTIGATIVE DATA FURNISHED

DATE ITEM(S) LAST VERIFIED ON INVENTORY _____

DATE LOSS WAS DISCOVERED _____

PERSON RESPONSIBLE FOR INVESTIGATING LOSS _____

DATE OF INVESTIGATION _____ . WAS A WRITTEN

REPORT MADE _____ ? WAS ITEM LOST _____ OR STOLEN _____ ?

DATE OF POLICE OR SHERIFF'S DEPARTMENT INVESTIGATION (If Stolen) _____

SIGNATURE OF HEAD OF DEPARTMENT _____

(4) NEW EQUIPMENT PURCHASES (List in above columns)

Department purchasing equipment shall prepare and forward to COUNTY AUDITOR, County Auditor will assign a number to the item and return one copy with the number to the Department.

Department Head _____

DEPT. NO. _____

(5) REASONS FOR THE REQUEST ARE AS FOLLOWS: (Use for blocks 1 - 2 - 3)

TO BE DESTROYED MEETING THE REQUIREMENTS SET FORTH BY THE BLUE SKY GRANT PROGRAM.

(USE ADDENDUM SHEET IF NECESSARY)

REVIEWED: FOR PROPER ADJUSTMENT TO INVENTORY RECORDS COUNTY AUDITOR BY _____ DEPUTY _____ DATE _____	REMOVED FROM INVENTORY APPROVED: BOARD OF SUPERVISORS BY _____ Clerk of the Board _____ DATE _____
---	--

- 1 - Auditor - Controller
- 2 - Receiving Department
- 3 - Transferring Department

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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

February 28, 2012

TO: Board of Supervisors

FROM: Wendy Hartman, Planning Director *W. Hartman*
Debra J. Phillips, Housing and Community Services Manager *Debbie*

SUBJECT: **APPROVAL OF FUNDING RECOMMENDATIONS FOR 2012
COMMUNITY SERVICE BLOCK GRANT PROPOSALS**

Recommendation:

Approve the funding recommendations of the Yuba County Community Services Commission (YCCSC) for use of 2012 Community Service Block Grant (CSBG) monies. (YCCSC approved funding recommendations on 10/06/11)

Background:

The Yuba County Community Services Commission (CSC), designated as the authorized Community Action Agency for Yuba County in May of 1988, advises the Board of Supervisors on the distribution of the CSBG funds received from the California State Department of Community Services and Development (HCD). On June 28, 2011 the Board of Supervisors approved the 2012/13 Community Action Plan, which set forth the local needs and priorities. CSC recommends allocating \$52,144 to Administration, making the \$196,800 balance of the \$248,944 minimum funding available for distribution to community based organizations through a competitive Request for Proposal process. Each year, contracts are executed with the community-based organizations that have been allocated funds under the CSBG guidelines.

Discussion:

Notice of Funding Availability was sent to interested parties and the news media, as well as published in the Appeal Democrat, and a Bidder's Conference held. A total of 46 Request for Proposals were distributed, and a total of 22 applications were submitted for consideration. Staff reviewed the applications for completeness and adherence to stated guidelines. Nineteen (19) applications were rated and ranked by eight Commissioners and then submitted to an evaluation committee composed of six Community Services Commission members.



061-12

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The Evaluation Committee rated each proposal, based on the responsiveness to instructions, past performance, and priority areas. Thus, the scoring method afforded an objective decision making process and also considered responsiveness to the identified needs of the community. Scores were then finalized and listed on the attached chart for visual comparison. Further consideration was given to duplication of services among the applications submitted, multiple applications submitted among agencies and priority areas of service listed in the 2012-2013 Community Action Plan.

The Community Service Commission approved the following distribution on 10/06/11. The attached funding recommendation and summary illustrates the process used and reflects the distribution submitted for approval.

FREED Center for Independent Living	\$	10,050
NorCal Services for Deaf & Hard-of-Hearing		6,000
Sutter Yuba Friday Night Live		20,000
Casa de Esperanza		12,000
Yuba Sutter Gleaners Food Bank		12,000
Yuba Feather Community Services		4,000
Community Action Agency of Butte County		20,000
Salvation Army		5,000
Butchie's Pool		18,000
Allyn Scott Youth and Community Center		20,000
St. John's Episcopal Church		7,500
Yuba County Public Works		10,000
Yuba County Seniors		<u>2,250</u>
		\$146,800
Yuba County Housing Authority-FSS		18,500
Salvation Army-FSS		<u>31,500</u>
	\$	50,000
Total Allocation:	\$	196,800

Contracts were distributed to the provider organizations at the Contractor's Meeting on January 4, 2012. Each agreement reflects the funding approved by the Board. The contracts, format drafted by County Counsel, will be presented to the Board after signatures are received.

Fiscal Impact:

None. Source of referenced funds is Community Service Block Grant.

Should you need additional information or have questions, please contact Debra J. Phillips at 749-5460.

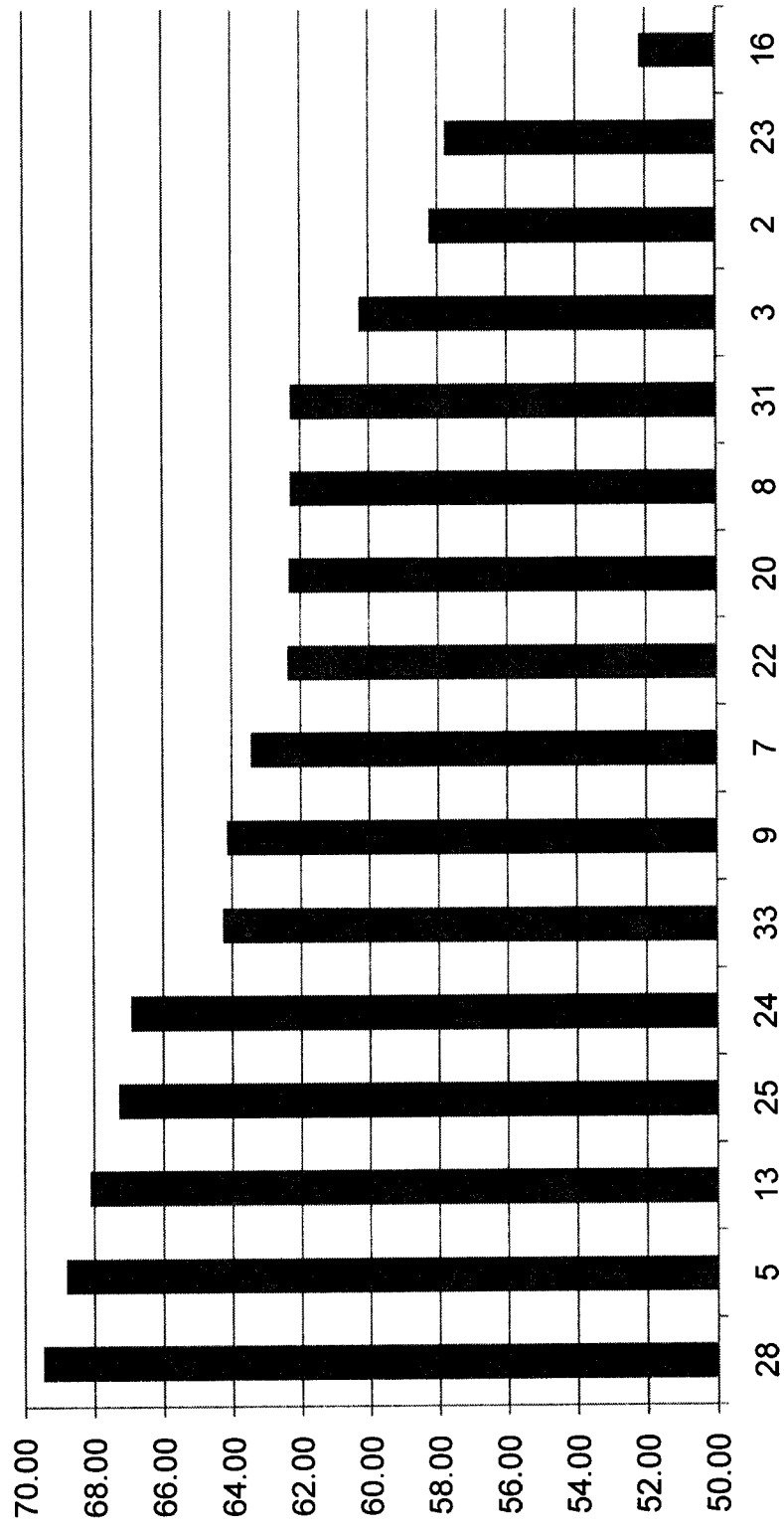
DJP

Attachments

2012 CSBG FUNDING RECOMMENDATIONS OF YUBA COUNTY CSC

NO.	AGENCY	REQUESTED	APPLICATION POINTS	FIRST TIER	SECOND TIER
28	Casa de Esperanza	\$20,000	69.47	\$12,000	
5	FREED	\$15,000	68.80	\$10,050	
13	Yuba Sutter Gleaner's Food Bank	\$25,000	68.12	\$12,000	
25	The Salvation Army	\$35,000	67.29	\$0	
24	The Salvation Army	\$35,000	66.93	\$5,000	
33	Community Action Agency of Butte Co.	\$25,000	64.28	\$20,000	
9	Butchie's Pool	\$27,509	64.15	\$18,000	
7	Allyn Scott Youth & Coimmunity Center	\$64,872	63.45	\$20,000	
22	Sutter Yuba Friday Night Live	\$30,000	62.39	\$20,000	
20	St. John's Episcopal Church	\$10,000	62.34	\$7,500	
8	NorCal Services for the Deaf & Hard of Hearing	\$20,000	62.30	\$6,000	
31	Yuba Feather Communities Services Inc.	\$4,500	62.30	\$4,000	
3	Craftsmen for Christ	\$10,000	60.29	\$0	
2	Central Valley Homeless Veterans Asst. Program	\$20,000	58.23	\$0	
23	Yuba County Public Works	\$30,000	57.77	\$10,000	
16	Yuba County Seniors	\$15,000	52.17	\$2,250	
TOTAL REQUESTS		\$386,881		\$146,800	\$0

2012 CSBG FUNDING RECOMMENDATIONS -- YCCSC



The County of Yuba

Community Development & Services Agency

Kevin Mallen, Director

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February 28, 2012



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TO: Board of Supervisors

FROM: Wendy Hartman, CDSA Planning Director *W. Hartman*
Debra J. Phillips, Executive Director of Community Services Commission *Debra Phillips*

SUBJECT: **Authorize Contract for 2012 CSBG Program and Execution of all Documents**

Recommendation:

It is recommended that the Yuba County Board of Supervisors approve and authorize execution of contract 12F-4453 between the Department of Community Services and Development (CSD) and the Yuba County Community Services Commission for the 2012 Community Services Block Grant (CSBG) program and authorize and empower the Executive Director of the Community Services Commission to execute all necessary documents in connection with this program.

Background:

The Yuba County Community Services Commission is approved to receive and administer \$248,944 in Community Services Block Grant funds for 2012. The State is operating under a continuing resolution and has authorized an initial allocation in the amount of \$36,668. The remainder of the allocation will be released under contract amendments as the funds become available. The Board has approved prior agreements for calendar years 1989 through 2011. It is the general policy of the County that the Chairman of the Board of Supervisors executes contracts. The CSD contract requires a resolution specific to this contract.

The Board of Supervisors previously authorized, empowered, and designated the Executive Director of the Community Services Commission to execute all necessary documents and act in all matters in connection with the CSBG programs in Resolution No. 1990-15. The 2012 CSD contract requires that a new resolution specific to contract 12F-4453 be submitted. This does not alter the action previously taken by the Board of

H:\COMMON\2012\YC-CSBG\CONTRACT RESOLUTION BOS.DOC



Community Services Commission



Housing Authority

Supervisors, but satisfies this requirement.

Discussion:

The attached contract contains many provisions, including budget information reflecting the 2012 distribution of funds previously approved by the Board.

Committee Recommendation:

The Yuba County Community Services Commission approved the attached contract on February 3, 2012.

Fiscal Impact:

These activities are at no cost to the General Fund.

A complete copy of the contract is on file in the Clerk of the Board's office for review.

DJP

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF YUBA

IN RE:

RESOLUTION NO.:

RESOLUTION AUTHORIZING THE
SUBMISSION OF THE STATE CSBG
CONTRACT NO. 12F-4453 REGARD-
ING COMMUNITY SERVICES BLOCK
GRANT, AMENDMENTS AND
REQUIRED REPORTS

WHEREAS, the State of California Department of Community Services and Development has made available Community Services Block Grant (CSBG) funds for 2012, and

WHEREAS, the State of California Department of Community Services and Development has offered CSBG Contract No. 12F-4453 to the Yuba County Community Services Commission, and

WHEREAS, the Yuba County Community Services Commission and the Board of Supervisors have determined that there is a need for anti-poverty programs and are willing to accept the aforementioned contract, and

WHEREAS, should the Yuba County Community Services Commission accept a contract from the California State Department of Community Services and Development, the organization certifies that all uses of funds will be in compliance with the California State Department of Community Services and Development regulations, guidelines and contract provisions, and

WHEREAS, the Chairman of the Board of Supervisors, or Executive Director of the Community Services Commission can act on behalf of the Yuba County Community Services Commission and will sign all necessary documents required to complete the contract.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors hereby authorizes the Chair of the Board of Supervisors, or the Executive Director of the Community Services Commission, subject to approval of County Counsel, to apply for and to enter into contract #12F-4453 and any amendments thereto with the California State Department of Community Services and Development, including amendments to the aforementioned contract #12F-4453 which may alter Section 2, Term and Section 3, Consideration. The Executive Director is further authorized to sign subsequent required fiscal and programmatic reports, and to perform any and all responsibilities in relationship to such contract.

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of
Yuba, State of California, on the 28th day of February 2012, by the following vote:

AYES:

NOES:

ABSENT:

Hal Stocker, Chairman

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

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



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AGREEMENT NUMBER 12F-4453	AMENDMENT NUMBER 0
REGISTRATION NUMBER	

1. This Agreement is entered into between the State Agency and the Contractor named below
STATE AGENCY'S NAME
Department of Community Services and Development
CONTRACTOR'S NAME
Yuba County Community Services Commission
2. The term of this Agreement is: **January 1, 2012 through December 31, 2012**
3. The maximum amount of this Agreement is: **\$ 36,668.00**
4. The parties agree to comply with the terms and conditions of the following exhibits that are by this reference made a part of the Agreement:

Exhibit A - Scope of Work

Exhibit B - Budget Detail and Payment Provisions

Attachment I, CSBG Fiscal Data

Attachment II, CSBG/National Performance Indicators (NPI) Workplan &
CSBG/NPI Programs Report

Attachment III, CSBG Client Characteristic Data

Attachment IV, Contract Year 2012 Allocation Spreadsheet

Exhibit C - General Terms and Conditions

Exhibit D - Special Terms and Conditions

Attachment I, CSD Supplemental Audit Guide

Attachment II, Executive Director and Board Roster

Exhibit E - Additional Provisions

Exhibit F - Definitions

Exhibit G - Certification Regarding Lobbying, Disclosure of Lobbying Activities

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.



CONTRACTOR		CALIFORNIA Department of General Services Use Only
CONTRACTOR'S NAME (If other than an individual, state whether a corporation, partnership, etc.) Yuba County Community Services Commission		<p>"I hereby certify that all conditions for exemption have been complied with, and this document is exempt from the Department of General Services approval."</p>
BY (Authorized Signature) 	DATE SIGNED (Do not type)	
PRINTED NAME AND TITLE OF PERSON SIGNING Hal Stocker, Chairman		
ADDRESS 915 - 8th Street, Suite 130, Marysville, CA 95901		
STATE OF CALIFORNIA		
AGENCY NAME Department of Community Services and Development		
BY (Authorized Signature) 	DATE SIGNED (Do not type)	
PRINTED NAME AND TITLE OF PERSON SIGNING Jean Johnson, Deputy Director, Administrative Services		<p>APPROVED AS TO FORM ANGIL P. MORRIS-JONES <input type="checkbox"/> Exempt per _____ COUNTY COUNSEL BY: <u>Pan Saramore</u></p>
ADDRESS 2389 Gateway Oaks Drive, Suite 100, Sacramento, California 95833		

EXHIBIT A
(Standard Agreement)

SCOPE OF WORK:

1. COMPLIANCE

All services and activities are to be provided in accordance with all applicable federal and State laws and regulations as amended from time to time including, but not limited to, the following:

- A. The Community Services Block Grant Act, 42 U.S.C. §§ 9901 et seq., and 45 Code of Federal Regulation (CFR) Part 96;
- B. The California Community Services Block Grant Program, Government Code §§ 12725 et seq., and Title 22, California Code of Regulations (CCR), §§ 100601 et seq.; and
- C. The Single Audit Act, 31 U.S.C. §§ 7301 et seq., and Office of Management and Budget (OMB)

2. REQUIREMENTS, STANDARDS AND GUIDELINES

Federal law requires the State to establish fiscal control and fund accounting procedures and to ensure that the cost and accounting standards of the OMB apply to recipients of CSBG funds.

Contractor agrees to apply all of the requirements, standards, and guidelines contained in the following authorities, as they may be amended from time to time, to all of the procurement, administrative, and other costs claimed under this Agreement, including those costs under subcontracts to this Agreement, notwithstanding any language contained in the following authorities that might otherwise exempt Contractor from their applicability.

To the extent that the federal requirements, standards, or guidelines directly conflict with any State law or regulation at Government Code §§ 12725, et seq., or 22 CCR §§ 100601, et seq., or any specific provision of this Agreement, then that federal law, regulation, or provision shall apply instead:

- A. OMB Circular A-102 (Common Rule for State and Local Governments), as codified by the Department of Health and Human Services (HHS) at 45 CFR Part 92;
- B. OMB Circular A-110 (Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals and other Non-Profit Organizations), as codified by HHS at 45 CFR Part 74;
- C. OMB Circular A-87 (Cost Principles for State, Local and Indian Tribal Governments);
- D. OMB Circular A-122 (Cost Principles for Non-Profit Organizations)

EXHIBIT A
(Standard Agreement)

3. FEDERAL CATALOG DOMESTIC ASSISTANCE NUMBER

The Community Services Block Grant, Catalog of Federal Domestic Assistance number is 93.569. The award is made available through the United States Department of Health and Human Services.

4. SERVICE AREA

The services shall be performed in the following service area:

Yuba County

5. ADDRESSES

Send all correspondence to:

State Agency:	Department of Community Services and Development
Section/Unit:	Field Operations Services
Mailing Address:	Post Office Box 1947 Sacramento, CA 95812-1947
Address:	2389 Gateway Oaks Drive, Suite 100 Sacramento, CA 95811-0336
Phone:	(916) 576-7109
Fax:	(916) 263-1406

EXHIBIT B
(Standard Agreement)

BUDGET DETAIL AND PAYMENT PROVISIONS

1. **TERM AND AMOUNT OF AGREEMENT**

As specified on the face sheet of this Agreement (Std. 213), the term of this Agreement is for one year and covers the period January 1, 2012 through December 31, 2012.

The Maximum Amount specified on the initial face sheet of this Agreement is based on a partial allocation of the federal Community Services Block Grant for federal fiscal year (FFY) 2012, awarded to the State pursuant to one or more continuing resolutions passed by the Congress prior to the execution of this Agreement. Upon the issuance of each subsequent federal allocation, including the full annual allocations to the State for FFY 2012, CSD shall issue an amendment to this Agreement to increase the Maximum Amount by the amount to be distributed to Contractor as calculated pursuant to Government Code § 12759. At no time during the term of this Agreement shall Contractor expend more than the Maximum Amount, as that amount may be amended from time to time.

2. **BUDGET**

- A. Concurrent with the submission of this Agreement, Contractor shall complete and submit the CSBG Fiscal Data forms [CSBG Contract Budget Summary (CSD 425.S), CSBG Budget Support - Personnel Costs (CSD 425 1.1), CSBG Budget Support - Non Personnel Costs (CSD 425 1.2), and CSBG Budget Support - Other Agency Operating Funds (CSD 425 1.3)] attached to this Exhibit B. Pursuant to the instructions for CSD 425.S, Contractor must include an itemized list identifying all other funding sources and amounts that make up the total annual operating budget of the community action program(s). Notwithstanding any other provision of this paragraph, Contractor may submit the itemized list of other funding sources by either of the following methods: 1) completing the attached form (CSD 425 1.3), or 2) submitting an internal annual budget document displaying the funding sources and their anticipated revenues.
- B. Contractor shall submit a justification for all projected expenditures in the budget, including a detailed budget narrative justifying expenditures in connection with budget support personnel and related non-personnel costs. The justification must be appended to the CSD 425.S.
- C. Administrative Expenses

For the purpose of administrative expenditures, Contractor shall use funds allocated under this Agreement in an amount not to exceed twelve percent (12%) of the total operating funds of its community action program(s). Contractor shall not use funds provided under this Agreement to cover administrative costs

EXHIBIT B
(Standard Agreement)

incurred in the Low-Income Home Energy Assistance Program (LIHEAP) in excess of the LIHEAP contractual limitations.

- D. To the extent that 22 CCR § 100715(a) requires prior approval by CSD for any change that exceeds ten percent (10%) of an originally approved budget line item, CSD's execution of this Agreement hereby constitutes that prior approval, and the Contractor may make discretionary changes to the Budget Summary that exceed 10% for any line item, subject to all other applicable federal and State law and regulation and generally accepted standards of accounting. (See Exhibit D.1 Travel/Per Diem and Exhibit D.12(B) Modification for special terms and conditions).

3. ADVANCE PAYMENTS

- A. Upon execution of this Agreement or any Amendments thereto, CSD shall issue an advance payment to Contractor not to exceed one hundred percent (100%) of the Maximum Amount of this Agreement. In no case, however, shall the advance payment exceed twenty-five percent (25%) of the total consideration payable to Contractor per the final Amendment to this Agreement in accordance with CA Gov. Code Section 12781(b). In the event that Contractor has already received (an) advance payment(s) totaling twenty-five percent (25%) of the Maximum Amount of this Agreement, no further advance payments will be issued.
- B. In the event the Maximum Amount of this Agreement is increased through subsequent amendments based on a notice of grant award for FFY 2012, a subsequent advance payment of the advance amount plus any previous advances already allowed shall not exceed twenty-five percent (25%) of the total estimated allocation as set forth in Exhibit B, Attachment IV, Contract Year 2012 CSBG Allocation Spreadsheet.
- C. "Maximum Amount of this Agreement" is defined as the amount set forth on the Std. 213, Standard Agreement, item 3.
- D. CSD will initiate and pro-rate the repayment process of advanced funds beginning with the seventh monthly (or fourth bimonthly) reporting period of the contract term and ending with the twelfth month of the contract term.
- E. CSD will initiate repayment of advance payments outstanding whenever seventy-five (75%) of the contract allocation has been expended. As applicable to the funding contract term, CSD shall begin applying approved expenditures to the outstanding advance balance thereby offsetting any subsequent reimbursements. CSD shall determine amounts to be offset by applying the balance of the advance equally into the remaining expenditure reporting periods. An exception may occur if the expenditure reports submitted are less than the applied settlement

EXHIBIT B
(Standard Agreement)

formula (as described immediately above). In that case, CSD shall apply the entire reimbursement amounts against the outstanding advance balance.

- F. If the Contractor will not fully expend the full allocation on or before December 31, 2012, the Contractor must complete a CSD 425b, requesting a contract term extension, and submit it to CSD no later than forty-five (45) days prior to the end of the Agreement term.

4. BUDGET CONTINGENCIES

A. State Budget Contingency

- 1) It is mutually agreed that if the Budget Act of the current year and/or any subsequent years covered under this Agreement does not appropriate sufficient funds for the program, this Agreement shall be of no further force and effect. In this event, the State shall have no liability to pay any funds whatsoever to Contractor or to furnish any other considerations under this Agreement and Contractor shall not be obligated to perform any provisions of this Agreement.
- 2) If funding for any fiscal year is reduced or deleted by the Budget Act for purposes of this program, the State shall have the option to either cancel this Agreement with no liability occurring to the State, or offer an agreement amendment to Contractor to reflect the reduced amount.

B. Federal Budget Contingency

- 1) It is mutually understood between the parties that this Agreement may have been written for the mutual benefit of both parties before ascertaining the availability of congressional appropriation of funds, to avoid program and fiscal delays that would occur if this Agreement were executed after that determination was made.
- 2) This Agreement is valid and enforceable only if sufficient funds are made available to the State by the United States Government for the federal fiscal year 2012 for the purpose of this program. In addition, this Agreement is subject to any additional restrictions, limitations, or conditions enacted by the Congress or to any statute enacted by the Congress that may affect the provisions, terms, or funding of this Agreement in any manner.
- 3) The parties mutually agree that if the Congress does not appropriate sufficient funds for the program, this Agreement shall be amended to reflect any reduction in funds.

EXHIBIT B
(Standard Agreement)

- 4) CSD has the option to invalidate the Agreement under the 30-day cancellation clause or to amend the Agreement to reflect any reduction in funds.

5. PAYMENT AND REPORTING REQUIREMENTS

A. Monthly/Bimonthly Fiscal Reports

- 1) Contractor shall elect to report and be reimbursed on either a monthly or bimonthly basis by selecting the appropriate box on the CSD 425.S and submitting it with the signed Agreement. The reimbursement cycle will be in effect throughout the term of this Agreement.
- 2) Contractor shall complete and submit to CSD a monthly or bimonthly (as specified by Contractor on the CSD 425.S) CSBG CAA Expenditure/Activity Report by entry onto the web-based Expenditure Activity Reporting System (EARS) on or before the twentieth (20th) calendar day following the report period, regardless of the level of activity or amount of expenditure(s) in the preceding report period. For specific due dates, refer to the CSD web site at www.csd.ca.gov.

B. Payments

CSD shall issue bimonthly/monthly payments (as specified by Contractor on the CSD 425.S) to Contractor upon receipt and approval of a certified CSBG CAA Expenditure/Activity Report. The report shall indicate the actual expenditures being billed to CSD for reimbursement for the specific report interval.

Subsequent payments to Contractor shall be contingent on receipt and approval by CSD of the monthly/bimonthly reimbursement and activity reports. If Contractor owes CSD any outstanding balance(s) for overpayments of any Contract, current or previous, the balance(s) will be offset based on arrangements made with the Contractor.

C. Mid-Year Programmatic Report

- 1) The midyear programmatic reports cover the programmatic activities from January 1, 2012, through June 30, 2012. Contractor shall complete and submit to CSD the midyear CSBG/NPI Programs Report (**CSD 801**) and the Client Characteristic Report (**CSD 295**).
- 2) The midyear CSBG/NPI Programs Report (**CSD 801**) and Client Characteristic Report (**CSD 295**) shall be submitted via e-mail no later than July 20, 2012, to CSBGReports@csd.ca.gov

EXHIBIT B
(Standard Agreement)

D. Annual Programmatic Reports

- 1) The annual programmatic reports cover the programmatic activities from January 1, 2012, through December 31, 2012. Contractor shall complete and submit to CSD the CSBG/NPI Programs Report (**CSD 801**) and Client Characteristic Report (**CSD 295**).
- 2) The annual programmatic CSBG/NPI Programs Report (**CSD 801**) and Client Characteristic Report (**CSD 295**) shall be submitted via e-mail no later than January 20, 2013, to CSBGReports@csd.ca.gov.

E. Community Services Block Grant Information Survey (CSBG/IS)

- 1) The CSBG/IS covers the period of January 1, 2012, through December 31, 2012. Contractor shall complete and submit to CSD annually: CSBG Fiscal Data—Other Funds (CSD 425.OF), CSBG Fiscal Data—Other Resources (CSD 425.OR), and CSBG Program and Management Accomplishments (CSD 090).
- 2) The CSBG/IS shall be submitted via e-mail no later than March 1, 2013, to: CSBGIS@csd.ca.gov.

F. Community Action Plan

Contractor submitted to CSD a community action plan for the Contract Years 2012 and 2013, as outlined in Government Code §12747.

G. Close-Out Report

Contractor shall submit all of the appropriate CSD closeout forms within ninety (90) calendar days after the expiration date of this Agreement. Final reimbursement to Contractor, if owed, shall be contingent upon receipt of the closeout report by CSD.

- 1) The closeout report shall include the following forms: CSBG Contract Closeout Checklist and Certification of Documents Transmitted (CSD 715), Close-Out Program Income/Interest Earned Expenditure Report (CSD 715C), Close-Out Equipment Inventory Schedule (CSD 715D).

EXHIBIT B
(Standard Agreement)

- 2) Final expenditures must be submitted by entry onto EARS.
- 3) All adjustments must reflect the actual expenditure period and be submitted by entry onto EARS.
- 4) Subsequent payments for CSBG expenditures and the issuance of other CSD contracts shall be contingent upon timely submission of the closeout report.

H. Transparency Act Reporting

In accordance with requirements of the Federal Funding Accountability and Transparency Act (FFATA), Contractors that 1) are not entities required by the IRS to file annually a Form 990 federal return, 2) receive at least 80% of their annual gross revenues from federal sources (excluding any ARRA funds), and 3) have annual gross revenues totaling \$25,000,000.00 or more from federal grants, contracts, or other federal sources (excluding any ARRA funds), shall provide to CSD a current list of names and total compensation of Contractor's top five (5) highly compensated officials/employees. The list shall be provided with the executed copy of the Agreement returned to CSD. This requirement applies only to Contractors that fall within all three categories set forth in this paragraph.

6. SCHEDULE OF ATTACHMENTS

The following attachments to this exhibit are hereby attached and incorporated by this reference:

A. Attachment I

Concurrent with the submission of this Agreement, Contractor shall complete and submit to CSD a description of projected spending for the term of this Agreement on the following forms, known as the CSBG Fiscal Data Series, which shall be attached to this Exhibit B as Attachment I:

CSBG Contract Budget (Summary)	CSD 425.S
Budget Support (Personnel)	CSD 425.1.1
Budget Support (Non Personnel)	CSD 425.1.2
Budget Support (Other Agency Operating Funds)	CSD 425.1.3

EXHIBIT B
(Standard Agreement)

B. Attachment II

Contractor shall also complete and submit to CSD the CSD 801(W), which shall reflect a description of projections for the 2012 Contract Year, and which shall be attached to this Exhibit B as Attachment II. This information will be used to monitor the outcome of the identified National Performance Indicators relevant to Contractor's programs, activities, problem statement, and delivery strategies.

Additionally, contractors shall complete and submit the CSD 801 to report program activities and outcomes. *(The CSD 801 does not need to be returned with the contract.)*

C. Attachment III

Contractor shall also complete and submit to CSD the CSD 295, which captures demographical data on clients served by the contractor's programs.
(The CSD 295 does not need to be returned with the contract.)

D. Attachment IV

This spreadsheet details the allocation of the Contract Year 2012 CSBG award and the first available advances.

7. FORMS

The latest version of all forms identified in and/or required by this Agreement are available on the Contractor's Portal on the CSD website at www.csd.ca.gov.

EXHIBIT B
(Standard Agreement)

ATTACHMENT I

CSBG FISCAL DATA

CSBG Contract Budget (Summary)	CSD 425 S
Budget Support	CSD 425 1.1
Budget Support	CSD 425 1.2
Budget Support (Other Agency Operating Funds)	CSD 425 1.3

**ATTACHMENT I
CSBG CONTRACT BUDGET SUMMARY**

Contractor Name:	Yuba County Community Services Commission	Contract Number:	12F-4453	Contract Amount:	\$248,944
Prepared By:	Debra J. Phillips, Executive Director	Contract Term:	1/1/12-12/31/12	Amendment #	
Telephone #:	530-749-5460	Fax Number:	530-749-5464		
Date:	1/27/2012	E-mail Address:	dphillips@co.yuba.ca.us		

SECTION 10: ADMINISTRATIVE COSTS

Line Item	Description	CSBG Fund
1	Salaries and Wages	\$33,627
2	Fringe Benefits	\$8,542
3	Operating Expenses	
4	Equipment	
5	Out-of-State Travel	
6	Subcontractor Services	
7	Other Costs:	\$9,975
Subtotal Section 10: Administrative Costs (Not to exceed 12% of the total operating budget Section 80)		\$52,144

SECTION 20: PROGRAM COSTS

Line Item	Description	CSBG Funds (rounded to the nearest dollar)
1	Salaries and Wages	
2	Fringe Benefits	
3	Operating Expenses	
4	Equipment	
5	Out-of-State Travel	
6	Subcontractor Services	\$196,800
7	Other Costs:	
Subtotal Section 20: Program Costs		\$196,800

SECTION 40: Total CSBG Budget Amount (Sum of Subtotal Sections 10 and 20)	\$248,944
SECTION 70: Enter Other Agency Operating Funds Used to Support CSBG	\$3,100,000
SECTION 80: Agency Total Operating Budget (Sum of Sections 40 and 70)	\$3,348,944
SECTION 90: CSBG Funds Administrative Percent (Section 10 divided by Section 80)	2%

INSTRUCTIONS

ATTACHMENT I CSBG – CONTRACT BUDGET SUMMARY CSD 425.S

**Contact
Information**

Enter the identifying information requested at the top of the report form: contractor's name, contract number, contract amount, contract term, and amendment number (*if applicable*). Enter the preparer's name, telephone number, fax number, date, and e-mail address.

**Reporting
Type**

Check either Monthly or Bi-Monthly expenditure reporting.

SECTION 10: ADMINISTRATIVE COSTS:

Administrative costs consist of any costs directly related to the administration of the CSBG contract. Provide the total CSBG amount budgeted for each line item.

**Salaries &
Wages**

Provide the total dollar amount of salaries and wages dedicated to staff performing administrative duties. Include all payments made to administrative staff, permanent or temporary, as well as all regular and overtime pay, as approved by the contract authority.

**Fringe
Benefits**

Provide the total dollar amount of fringe benefits for staff performing administrative duties. Include all payments made in accordance with approved payroll benefit programs. This includes retirement/pension plans and various other forms of insurances related to employee compensation such as disability, life, health and unemployment. Additionally, payroll taxes, workers' compensation, disability insurance, sick leave and accrued vacation should be included.

**Operating
Expenses**

Provide the total dollar amount for all administrative operating expenses related to CSBG programs. All items must be listed on the CSD 425 1.2 budget support-non personnel cost form. Examples of administrative operating expenses include:

- In-state travel costs
- Building costs (such as rental & lease fees)
- Consumable supply costs
- Utility costs
- Administrative operating costs (such as telephones,

- building alarms, maintenance, etc)
- Supply costs (such as printing, duplication, postage, etc)
- Insurance costs not related to personnel insurance costs
- Additional fees related to the administration of the CSBG Program (such as staff trainings, membership dues, costs incurred due to Board meetings, subscriptions, etc)

Funds spent on contractor/consultant services to meet administrative needs in this area.

Equipment

Provide the total dollar amount for all administrative equipment expenses related to CSBG program. Examples of administrative equipment expenses include:

- All equipment/lease purchases dedicated to administrative needs

List all Equipment/Lease costs on the CSBG Budget Support – Non Personnel Cost CSD 425.1.2 with the detailed information.

Out-of-State Travel

Provide the total dollar amount of travel costs, excluding personnel costs related to administrative tasks incurred during travel outside of the State of California. Complete CSBG Budget Support – Non Personnel Cost CSD 425 1.2 with the name of the conference, location, and cost per trip.

Subcontractor Services

Provide the total dollar amount administered to any subcontracting agencies that provide administrative services. Refer to Exhibit

List all subcontractor costs on the CSBG Budget Support – Non Personnel Cost CSD 425 1.2 with the detailed information. Include the subcontractor name and total amount of contract.

Other Costs

Provide a list of all other administrative costs that do not fit in the above categories, including but not limited to any funds directed towards:

- IT Development. IT Development includes only projects in the development phases. Costs of IT projects in use should be included in Operating Expenses & Equipment above.
- Audit and Legal: As defined by the Cost Principles in OMB Circular A-122.
- Indirect Costs. The indirect cost rate is defined as the dollar value of the approved federal rate and the entire amount can be claimed as long as it is not reimbursed by another

funding source. Please note that if indirect costs are reported the approved Indirect Cost Rate Plan must be submitted.

SUBTOTAL: No keying is required in this field; the total will populate automatically. **Administrative Costs** **Calculation for total:** The sum of line items 1 through 7. Total cannot exceed 12% of the agency total operating budget in Section 80.

SECTION 20: PROGRAM COSTS:

Those costs incurred that are not related to the administrative costs reported above, but are directly related to the operation of the program. Provide the total CSBG amount budgeted for each line item.

Salaries and Wages Provide the total dollar amount of salaries and wages dedicated to staff performing programmatic support activities. Include all payments made to programmatic staff, permanent or temporary, as well as all regular and overtime pay, as approved by the contract authority.

Fringe Benefits Provide the total dollar amount of fringe benefits dedicated to staff performing programmatic support duties. Include all payments made in accordance with approved payroll benefit programs. This includes retirement/pension plans and various other forms of insurances related to employee compensation such as disability, life, health and unemployment. Additionally, payroll taxes, workers' compensation, disability insurance, sick leave and accrued vacation should be included.

Operating Expenses Provide the total dollar amount for all programmatic operating expenses linked with CSBG programs. Include:

- In-state travel costs related to programmatic costs
- Building costs related to programmatic operation (such as rental & lease fees)
- Consumable supply costs
- Programmatic operating costs (such as telephones, building alarms, maintenance, etc)
- Programmatic supply costs (such as printing, duplication, postage, etc)
- Additional fees related to the programmatic operation of the CSBG Program
- Funds spent on contractor/consultant services to meet programmatic needs in this area

Equipment	<p>Provide the total dollar amount for all programmatic equipment expenses linked with CSBG programs. Include, equipment/lease purchases dedicated to programmatic needs.</p> <p>List all Equipment/Lease costs on the CSBG Budget Support – Non Personnel Cost CSD 425 1.2 with the detailed information.</p>
Out-of-State Travel	<p>Provide the total dollar amount of travel costs related to programmatic tasks incurred during travel outside of the State of California. Complete CSBG Budget Support – Non Personnel Cost CSD 425 1.2 with the name of the conference, location, and cost per trip.</p>
Subcontractor Services	<p>Provide the total dollar amount paid to any subcontracting agencies that provide programmatic services. List all subcontractors services on the CSBG Budget Support – Non Personnel Cost CSD 425 1.2 with the detailed information. Include the subcontractor name and total amount of contract.</p>
Other Costs	<p>Provide a list of all other programmatic costs that do not fit in the categories above, including but not limited to funds directed towards:</p> <ul style="list-style-type: none">➤ Direct Client Purchases. Include all direct purchases made with CSBG dollars for items designated specifically for client use.
SUBTOTAL: Program Costs	<p>No keying is required in this field; the total will populate automatically. Calculation for total: The sum of line items 1 through 7.</p>

Budget Summary Totals

- SECTION 40 Total CSBG Budget Amount:**
No keying is required; the total will automatically populate into field.
Calculation for total: The sum of Subtotal Sections 10 (Administrative Costs) and Section 20 (Program Costs). The amount shall not exceed the total CSBG allocated amount.
-
- SECTION 70 Other Agency Operating Funds Used to Support CSBG:**
Provide the total operating funds used to support the CSBG program administered by the tripartite board. For public community action agencies, all funds under the administration of the advisory or administrative tripartite board should be considered as community action program operating funds. **Complete the Other Agency Operating Funds form (CSD 425 1.3) to provide a complete list of all other agency operating sources and amount that make up the total annual operating budget of the community action program (s).**
-
- SECTION 80 Agency Total CSBG Operating Budget:**
No keying is required; the total will automatically populate into field.
Calculation for total: The sum of Section 40 (Total CSBG Budget Amount) and Section 80 (Other Agency Operating Funds Used to Support CSBG).
-
- SECTION 90 CSBG Funds Administrative Percent:**
No keying is required in this field; the percent will populate automatically into the field. **Calculation for percent:** Divide Section 10: Administrative Costs by Section 80: Agency Total Operating Budget. This percentage cannot exceed 12% of the community action program's total operating budget.
-

ATTACHMENT I

CSBG BUDGET SUPPORT -- PERSONNEL COSTS

Contractor Name:	Yuba County Community Services	Contract Number:	12F-4453	Contract Amount:	\$248,944
Prepared By:	Debra J. Phillips, Executive	Contract Term:	1/1/12-	Amendment#:	
Telephone #:	530-749-5460	Fax Number:	530-749-5464		
Date:	1/27/2012	E-mail Address:	dphillips@co.yuba.ca.us		

Section 10 -- ADMINISTRATIVE COSTS -- SALARIES AND WAGES

A	B	C	D	E	F
No. of Positions	Position Title	Total Salary for each position	Percent (%) of CSBG time allocated for each position	Number of CSBG months allocated for each position	Total CSBG Funds budgeted for each position
1	Executive Director	\$71,940	33%	# 12	\$23,740
1	Administrative Technician	\$45,636	18%	# 12	\$8,214
1	Community Development & Services Director	\$161,620	1%	# 12	\$1,673
Total (must match Section 10: Administrative Costs on the CSD 425.S Budget Summary form)					\$33,627

SECTION 20 -- PROGRAM COSTS -- SALARIES AND WAGES

Total (must match Section 20: Program Costs on the CSD 425.S Budget Summary form)					

FRINGE BENEFITS

Enter description of Fringe Benefits. Please include the percentage of Salaries and Wages paid in Benefits. (Examples: FICA, SSI, Health Ins., Workers Comp. Etc.)		Section 10 Administrative Costs	Section 20 Program Costs
	Percentage	List CSBG funds Budgeted Line 2	List CSBG Funds Budgeted Line 2
Medicare	1%	\$488	
PERS	13%	\$4,298	
Unemployment and Worker's Compensation	2%	\$639	
Health Insurance	9%	\$3,117	
TOTAL MUST MATCH THE AMOUNT ENTERED ON CSD 425.S (BUDGET SUMMARY)		\$8,542	

INSTRUCTIONS

ATTACHMENT I CSBG BUDGET SUPPORT—PERSONNEL COSTS CSD 425 1.1

**Contact
Information**

The information will populate from the CSD Budget Summary form (CSD 425.S) into the appropriate fields.

ADMINISTRATIVE and PROGRAM COSTS – SALARIES AND WAGES

Complete Section 10 (Administrative Costs) and Section 20 (Program Costs) for those costs which are directly related to CSBG contract. Provide the specific positions for the salaries and wages and Fringe Benefits.

Column A**Number of Positions**

Specify the number of positions for each Position Title in Column B that are directly related to the administrative (Section 10) and/or program (Section 20) costs of the CSBG contract.

Column B**Position Title**

Specify the position title. Do not abbreviate.

Column C**Annual Salary for each position**

Specify the total dollar amount of salaries and wages for staff performing CSBG administrative and/or program activities. Include all payments made to administrative/program staff, permanent or temporary, as well as all regular and overtime pay, as approved by the contract authority.

Column D**Percent (%) of CSBG Time allocated for each position**

Specify the amount of time (in percent) for the position dedicated to the CSBG administrative and/or program activities.

Column E**Number of CSBG months allocated for Each Position**

Specify the number of months allocated for each position listed in Column A.

Column F

No keying required. This is a pre-calculated field. The field will provide the total CSBG funds budgeted for each position.

**Totals –
Administrative
& Program
Costs**

No keying required. This total should match the total provided on the CSBG Budget Summary form (CSD 425 S.).

**Fringe
Benefits**

Specify the total dollar amount of fringe benefits for staff performing administrative and/or program duties. Include all payments made in accordance with approved payroll benefit programs. This includes retirement/pension plans and various other forms of insurances related to employee compensation such as disability, life, health and unemployment. Additionally, workers' compensation, disability insurance, sick leave and accrued vacation should be included.

**Totals –
Fringe
Benefits**

No keying required. This total should match the total provided on the CSBG Budget Summary form (CSD 425 S.).

Listed below are the formulas to calculate Annualized Salary, Percentage of CSBG Time, Number of CSBG Months, and CSBG Funds.

**Annualized
Salary**

CSBG Funds multiplied by 12 months divided by number of months divided by Percentage (%) of time.

**Percentage
of CSBG
Time**

CSBG Funds times 12 months divided by the number of Months divided by annualized salary.

**Number of
Months**

CSBG Funds times 12 months divided by percentage of time divided by annualized salary.

CSBG Funds

Annualized Salary divided by 12 months multiplied by the number of month's time's (x) percentage (%) of time.

ATTACHMENT I
CSBG BUDGET SUPPORT -- NON PERSONNEL COSTS

Contractor Name:	Yuba County Community Services Commission	Contract Number:	12F-4453	Contract Amount:	\$248,944
Prepared By:	Debra J. Phillips, Executive Director	Contract Term:	1/1/12-12/31/12	Amendment #:	
Telephone #:	530-749-5460	Fax Number:	530-749-5464		
Date:	1/27/2012	E-mail Address:	dphillips@co.yuba.ca.us		

Hit Alt & Enter at the same time to begin a new line or paragraph within the cell.

EXPLAIN AND JUSTIFY EACH LINE ITEM Totals must match CSD 425.S Budget Summary form Attach additional sheet(s) if necessary Missing descriptions shall result in delay of the contract execution.	CSBG			
	Section 10 Administrative Costs		Section 20 Program Costs	
List all Operating Expenses	3	sum should equal total on line item 3 of CSD 425.S Budget Summary form	3	sum should equal total on line item 3 of CSD 425.S Budget Summary form
List all Equipment Purchases	4	sum should equal total on line item 4 of CSD 425.S Budget Summary form	4	sum should equal total on line item 4 of CSD 425.S Budget Summary form
List all Out-of-State Travel: Name of conference; Specify location; Cost per trip	5	sum should equal total on line item 5 of CSD 425.S Budget Summary form	5	sum should equal total on line item 5 of CSD 425.S Budget Summary form
List all Subcontractor Services	6	sum should equal total on line item 6 of CSD 425.S Budget Summary form	6	sum should equal total on line item 6 of CSD 425.S Budget Summary form
Other Costs - Explain & Justify each line item (i - iv): Any additional Other Costs (attach additional sheet if necessary):	Section 10 Administrative Costs		Section 20 Program Cost	
i A-87 Costs		\$3,000		
ii Communications-\$100; Equipment Maintenance-\$175; Copies-\$3,000; Advertising-\$550; Postage-\$100; Memberships-\$1,500; Professional Services-\$1350; Travel-\$200		\$6,975		
iii				
iv				
Total Other Costs (Sum of i, ii, iii, iv):	7	sum should equal total on line item 7 of CSD 425.S Budget Summary form	7	sum should equal total on line item 7 of CSD 425.S Budget Summary form
		\$9,975		

INSTRUCTIONS

ATTACHMENT I – CSBG BUDGET SUPPORT – NON PERSONNEL COSTS CSD 425 1.2

**Contact
Information**

The information will populate from the CSD Budget Summary form (CSD 425.S) into the appropriate fields.

List those costs which are directly related to the **Administrative** and/or **Program** costs of the CSBG contract. All costs must equal the totals listed on the CSBG Contract Budget Summary form (CSD 425.S).

**Operating
Expenses**

Provide a detailed list of all Operating Expenses; include type of expenses and the amount (*i.e. electric bill, \$825.00*).

**Equipment
Purchases
Services**

Provide a detailed list of all equipment purchases; include type of equipment and the amount (*i.e. copy machine, \$6,500*).

**Out-of-State
Travel Only:**

Provide detailed information for each out of state travel trip; include location, purpose of each trip, and related costs per trip (*i.e. Chicago, IL, CAP Law Conference, \$1500*).

**Subcontractor
Services**

List the subcontractor name and total dollar amount administered to any subcontracting agencies that provide services (*i.e. Youth Employment Training Agency, \$20,000*).

Other Costs

Please provide a list of all other administrative (Section 10) and program (Section 20) costs that do not fit in the above categories. Attach additional sheets if necessary.

- i. Any additional Other Costs: List the additional other costs that do not fit in any other category.
- ii. Direct Client Purchases: List all direct client purchases, include the item name, the number purchased, and the cost (e.g. thermal blankets, qty. 3000, cost \$12,000).
- iii. Indirect Costs: The indirect cost rate is defined as the dollar value of the approved federal rate, and the entire amount can be claimed as long as it is not reimbursed by

another funding source. Please note that if indirect costs are reported, the approved Indirect Cost Rate Plan must be accompany budget forms.

- iv. Information Technology (IT) Development: IT Development includes only projects in the development phases. Costs of IT projects in progress should be included in Operating Expenses above.

**Total Other
Costs**

No keying required. The total Other Costs is the sum of i, ii, iii, iv.

Funding Source	Funding Amount
HUD - Section 8 Housing	\$1,800,000
HCD - CDBG FTHB & Housing Rehab	\$500,000
HCD - HOME FTHB Program	\$800,000
Subtotal of Other Agency Operating Funds to Support CSBG	\$3,100,000
Total Other Agency Operating Funds to Support CSBG <i>(Total should match total on CSD 425 S form, Section 70)</i>	\$3,100,000

**Instructions:
CSBG Budget Support –
Other Agency Operating Funds Form
(CSD 425 1.3)**

Purpose

The purpose of the Other Agency Operating Funds is to provide a detailed list identifying all the Other Agency Funding sources and the amounts funded that make up the total annual operating budget. Below are the specific instructions to complete each section of the form.

**Contact
information**

No Keying is required. The contact information will populate from the CSD Budget Summary form (CSD 425.S) into the appropriate fields.

**Funding
Source**

Provide the name of the funding source.

**Funding
Amount**

Enter the amount of funds received from the Funding Source.

Total

This is a pre-calculated field and no keying is required. The total should match the total provided on the CSD Budget Summary Form (CSD 425.S). Verify the dollar amount prior to submitting to CSD.

Example

Below is an example of the information the Department of Community Services and Development (CSD) should see listed on the Other Agency Operating Funds form:

Funding Source:	Amount:
Community Development Block Grant	\$100,00.00
California Lifeline Telephone Service	\$ 15,000.00
Total	\$115,000.00

**Additional
pages as
needed**

Two (2) tabs have been created in the Budget excel workbook to allow space to list the Other Agency Operating Funds. If additional pages are needed follow the steps below to create an additional page:

- Right click on the tab labeled 425 1.3
- Select "Move or Copy"
 - The Move or Copy screen will appear
- Single click on the "Move to end" option listed under the Before sheet field
- Check the "Create a copy" box
- Click Ok

The copied tab will appear as the last tab in the workbook.

EXHIBIT B
(Standard Agreement)

ATTACHMENT II

CSBG/NPI WORKPLAN
AND
CSBG/NPI PROGRAMS REPORT

CSD 801(W)

CSD 801

(The CSD 801 does not need to be returned with the contract.)

CSBG/NPI Workplan

Contractor Name: Yuba County Community Services Commission
 Contact Person and Title: Linda Monroe, Administrative Technician
 Phone Number: 530-749-5460 Ext. Number _____
 E-mail Address: lmonroe@co.yuba.ca.us Fax Number: 530-749-5464

Goal 1: Low-income people become more self-sufficient.**NPI 1.1: Employment****Problem Statement:** (If additional space is needed, please attach a separate sheet.)

There is a great need for legal aid, nutrition services and independent living skills for seniors and individuals with disabilities. Legal issues include: substandard /safe housing, consumer fraud/financial abuse. Without proper nutrition, affordable legal aid and the skills to live independently, the quality of life for seniors w/ disabilities diminishes and they become dependent on others or face institutionalism. Access to healthy nutrition is a major challenge for seniors as they often do not cook or shop for themselves or they are housebound and are unable to cook for themselves due to illness or other disabilities. Legal assistance is often not affordable and individuals with disabilities.

Program Activities and Delivery Strategies: (If additional space is needed, please attach a separate sheet.)

5.2 Financial Assistance/Loan Vouchers-Provide aquatic exercises prescribed by a medical professional to low-income residents of Yuba County. 5.4 Crisis Intervention/Crisis Management 1. Provide 24 hour emergency shelter, counseling, assistance to residents who are homeless due to domestic violence. 2. Provide assistance to obtain and maintain adequate housing/suitable living environment that is violence free. 6.4 HotMeals- Provide seniors w/congregate meals 7.1 Information & Referral-Information/Referral services related to deafness/hearing loss. 7.2 Family/Individual Counseling & Programs 7.5d Independent Living Assistance-Provide residents w/disabilities w/independent living skills, peer support. 7.9d Client/Legal/Paralegal-Assist seniors w. legal services including information/referral.

National Performance Indicator 1.1		Reporting Period	WORKPLAN
Employment	The number and percentage of low-income participants in Community Action employment initiatives who get a job or become self-employed, as measured by one or more of the following:		Number of Participants Expected to Achieve Outcome in Reporting Period (#)
A. Unemployed and obtained a job	Mid-Year	31	
	Annual	31	
B. Employed and maintained a job for a least 90 days	Mid-Year	11	
	Annual	11	
C. Employed and obtained an increase in employment income and/or benefits	Mid-Year	5	
	Annual	5	
D. Achieved "living wage" employment and/or benefits	Mid-Year	3	
	Annual	3	

In the rows below, please include any additional indicators for NPI 1.1 that were not captured above.

	Mid-Year	
	Annual	

CSBG/NPI Workplan**Goal 1: Low-income people become more self-sufficient.****NPI 1.2: Employment Supports****Problem Statement:** (If additional space is needed, please attach a separate sheet.)

Yuba County need case management case programs to assist low-income families in becoming self-sufficient. Yuba County has a variety of services and programs in place which offer services to address specific needs. However, once the need is met, agencies are unable to continue with other needed services either through mandate or lack of personnel. A large number of Yuba County residents participate in these programs and continue to depend on government assistance programs for their financial needs. Many of those involved in programs are not able to move on, because they lack various skills needed to overcome barriers that block their path to self-sufficiency such as drug addiction, homelessness, family violence, lack of education and transportation, child care problems, job retention skills, and personal hygiene.

Program Activities and Delivery Strategies: (If additional space is needed, please attach a separate sheet.)

8.2 Child Care /Development- Provide childcare while parents achieve defined program goals. 8.13 Employment Services- Provide vocational counseling including job search skills, resume writing, job and career assessment and referral to Yuba County adults. 8.14 Income Opportunities- Provide assistance to Yuba County families to obtain at least minimally adequate income while working towards stability and self-sufficiency.

National Performance Indicator 1.2	Reporting Period	WORKPLAN Number of Participants Expected to Achieve Outcome in Reporting Period (#)
Employment Supports The number of low-income participants for whom barriers to initial or continuous employment are reduced or eliminated through assistance from community action, as measured by <u>one or more</u> of the following:		
A. Obtained skills/competencies required for employment	Mid-Year	31
	Annual	31
B. Completed ABE/GED and received certificate or diploma	Mid-Year	6
	Annual	6
C. Completed post-secondary education program and obtained certificate or diploma	Mid-Year	4
	Annual	4
D. Enrolled children in "before" or "after" school programs	Mid-Year	14
	Annual	14
E. Obtained care for child or other dependant	Mid-Year	14
	Annual	14
F. Obtained access to reliable transportation and/or driver's license	Mid-Year	20
	Annual	20
G. Obtained health care services for themselves or a family member	Mid-Year	27
	Annual	27
H. Obtained safe and affordable housing	Mid-Year	31
	Annual	31
I. Obtained food assistance	Mid-Year	27
	Annual	27
J. Obtained non-emergency LIHEAP energy assistance	Mid-Year	
	Annual	
K. Obtained non-emergency WX energy assistance	Mid-Year	
	Annual	
L. Obtained other non-emergency energy assistance (State/local/private energy programs. Do Not Include LIHEAP or WX)	Mid-Year	
	Annual	
In the rows below, please include any additional indicators for NPI 1.1 that were not captured above.		
	Mid-Year	
	Annual	

CSBG/NPI Workplan**Goal 1: Low-income people become more self-sufficient.****NPI 1.3: Economic Asset Enhancement and Utilization****Problem Statement:** (If additional space is needed, please attach a separate sheet.)

Yuba County need case management case programs to assist low-income families in becoming self-sufficient. Yuba County has a variety of services and programs in place which offer services which address specific needs. However, once the need is met, agencies are not able to continue with other either through mandate or lack of personnel. A large number of Yuba County residents participate in these programs and continue to depend on government assistance programs for their financial needs. Many of those involved in programs are not able to move on because they lack various skills needed to overcome barriers that block their path to self-sufficiency such as drug addiction, homelessness, family violence, lack of education and transportation, child care problems, job retention skills, and personal hygiene.

Program Activities and Delivery Strategies: (If additional space is needed, please attach a separate sheet.)

8.4 Financial Assistance- Information on income management, counseling or instruction on household budget/personal credit, and consumer education and protection. Provide budget counseling in individual and family sessions to low income families.

National Performance Indicator 1.3 Economic Asset Enhancement and Utilization The number and percentage of low-income households that achieve an increase in financial assets and/or financial skills as a result of community action assistance, and the aggregated amount of those assets and resources for all participants achieving the outcome, as measured by <u>one or more</u> of the following:	Reporting Period	WORKPLAN Number of Participants Expected to Achieve Outcome in Reporting Period (#)
A. ENHANCEMENT		
1. Number and percent of participants in tax preparation programs who qualified for any type of Federal or State tax credit and the expected aggregated dollar amount of credits.	Mid-Year	10
	Annual	10
2. Number and percent of participants who obtained court-ordered child support payments and the expected annual aggregated dollar amount of payments.	Mid-Year	2
	Annual	2
3. Number and percent of participants who were enrolled in telephone lifeline and/or energy discounts with the assistance of the agency and the expected aggregated dollar amount of savings.	Mid-Year	2
	Annual	2
B. UTILIZATION		
1. Number and percent of participants demonstrating ability to complete and maintain a budget for over 90 days	Mid-Year	18
	Annual	18
2. Number and percent of participants opening an Individual Development Account (IDA) or other savings account	Mid-Year	17
	Annual	18
3. Number and percent of participants who increased their savings through IDA or other savings accounts and the aggregated amount of savings	Mid-Year	17
	Annual	18
4. Of participants in a Community Action assets development program (IDA and others):		
a. Number and percent of participants capitalizing a small business due to accumulated savings	Mid-Year	3
	Annual	3
b. Number and percent of participants pursuing post-secondary education with accumulated savings	Mid-Year	2
	Annual	2
c. Number and percent of participants purchasing a home with accumulated savings	Mid-Year	3
	Annual	3
d. Number and percent of participants purchasing other assets with accumulated savings	Mid-Year	2
	Annual	2
<i>In the rows below, please include any additional indicators for NPI 1.3 that were not captured above.</i>		
	Mid-Year	
	Annual	

CSBG/NPI Workplan

Contractor Name:	Yuba County Community Services Commission		
Contact Person and Title:	Linda Monroe, Administrative Technician		
Phone Number:	530-749-5460	Ext. Number	
E-mail Address:	lmonroe@co.yuba.ca.us	Fax Number	530-749-5464

Goal 4: Partnerships among supporters and providers of services to low-income people are achieved.

NPI 4.1: Expanding Opportunities through Community-Wide Partnerships

Problem Statement: (If additional space is needed, please attach a separate sheet.)

Yuba County Community Services Commission is a governmental organization that administers CSBG funds. Without CSBG funding, Yuba County would lack the necessary resources to provide the following services: financial assistance, legal aid, nutrition services information and referral services, hot meals, independent living assistance, transportation, child care development, substance abuse services/violence programs, employment services, and independent skills for seniors services to low income residents of Yuba County.

Program Activities and Delivery Strategies: (If additional space is needed, please attach a separate sheet.)

To continue in providing basic necessities for low-income persons of Yuba County, CSBG funding is required for the YCCSC to release a NOFA and a RFP in July, review CSBG applications in August and September, making funding decisions in October, and finally make contracts in November.

National Performance Indicator 4.1		Reporting Period	WORKPLAN
Expanding Opportunities Through Community-Wide Partnerships			Number of Organizational Partnerships Expected to Achieve in Reporting Period (#)
The number of organizations, both public and private, community action actively works with to expand resources and opportunities in order to achieve family and community outcomes.			
A. Non-Profit	Mid-Year		3
	Annual		3
B. Faith Based	Mid-Year		1
	Annual		1
C. Local Government	Mid-Year		3
	Annual		3
D. State Government	Mid-Year		
	Annual		1
E. Federal Government	Mid-Year		
	Annual		1
F. For-Profit Business or Corporation	Mid-Year		
	Annual		2
G. Consortiums/Collaboration	Mid-Year		
	Annual		
H. Housing Consortiums/Collaboration	Mid-Year		
	Annual		
I. School Districts	Mid-Year		
	Annual		
J. Institutions of post secondary education/training	Mid-Year		
	Annual		
K. Financial/Banking Institutions	Mid-Year		
	Annual		
L. Health Service Institutions	Mid-Year		
	Annual		1
M. State wide associations or collaborations	Mid-Year		
	Annual		
In the rows below, please add other types of partners with which your CAA has formed relationships that were not captured above.			
	Mid-Year		
	Annual		

CSBG/NPI Workplan

Contractor Name: Yuba County Community Services Commission
 Contact Person and Title: Linda Monroe, Administrative Technician
 Phone Number: 530-749-5460 Ext. Number: _____
 E-mail Address: lmonroe@co.yuba.ca.us Fax Number: 530-749-5464

Goal 6: Low-income people, especially vulnerable populations, achieve their potential by strengthening family and other supportive environments.

NPI 6.1: Independent Living

Problem Statement: (If additional space is needed, please attach a separate sheet.)

There is a great need for legal aid, nutrition services and independent living skills for seniors and individuals with disabilities. Legal issues include: substandard /safe housing , consumer fraud/financial abuse. Without proper nutrition, affordable legal aid and the skills to live independently, the quality of life for seniors w/ disabilities diminishes and they become dependent on others or face institutionalism. Access to healthy nutrition is a major challenge to seniors as they often do not cook or shop for themselves/or they are housebound and are unable to cook for themselves due to illness or other disabilities. Legal assistance is often not affordable and individuals with disabilities.

Program Activities and Delivery Strategies: (If additional space is needed, please attach a separate sheet.)

5.2 Financial Assistance/Loan Vouchers-Provide aquatic exercises prescribed by a medical professional to low-income residents of Yuba County. 5.4 Crisis Intervention/Crisis Management 1. Provide 24 hour emergency shelter, counseling, assistance to residents who are homeless due to domestic violence. 2. Provide assistance to obtain and maintain adequate housing/suitable living environment that is violence free. 6.4 HotMeals- Provide seniors w/congregate meals 7.1 Information & Referral-Information/Referral services related to deafness/hearing loss. 7.2 Family/Individual Counseling & Programs 7.5d Independent Living Assistance-Provide residents w/disabilities w/independent living skills, peer support. 7.9d Client/Legal/Paralegal-Assist seniors w. legal services including information/referral.

National Performance Indicator 6.1	Reporting Period	WORKPLAN Number of Vulnerable Individuals Living Independently Expected to Achieve in Reporting Period (#)
Independent Living		
The number of vulnerable individuals receiving services from community action who maintain an independent living situation as a result of those services:		
A. Senior Citizens (<i>seniors can be reported twice, once under Senior Citizens and again, if they are disabled, under Individuals with Disabilities, ages 55-over. </i>)	Mid-Year	77
	Annual	77
B. Individuals with Disabilities	Mid-Year	113
	Annual	113
Ages:	Mid-Year	
a. 0-17	Annual	9
b. 18-54	Mid-Year	63
	Annual	63
c. 55-over	Mid-Year	118
	Annual	118

In the rows below, please include any additional indicators for NPI 6.1 that were not captured above.

	Mid-Year	
	Annual	

CSBG/NPI Workplan

Goal 6: Low-income people, especially vulnerable populations, achieve their potential by strengthening family and other supportive environments.

NPI 6.2: Emergency Assistance

Problem Statement: (If additional space is needed, please attach a separate sheet.)

Yuba County lacks safety-net services that provides basic survival needs for low-income resident. Without basic needs as housing, food, health and income, the cycle of poverty cannot be broken and families are unable become productive self-sufficient members of the community.

Program Activities and Delivery Strategies: (If additional space is needed, please attach a separate sheet.)

5.2 Financial Assistance/Loan Vouchers-Provide aquatic exercises prescribed by a medical professional to low-income residents of Yuba County.5.4 Crisis Intervention/Crisis Management 1. Provide 24 hour emergency shelter, counseling, assistant to residents who homeless due to domestic violence. 2. Provide assistance to obtain and maintain adequate housing/suitable living environment that is violence free.6.4 HotMeals- Provide seniors w/congregat meals 7.1 Information & Referral-Information/Referral services related to deafness/hearing loss. 7.2 Family/Individual Counseling & Programs 7.5d Independent Living Assistance-Provide residents w/disabilities w/independent living skills, peer support.7.9d Client/Legal/Paralegal-Assist seniors w. legal services including information/referral.

National Performance Indicator 6.2		WORKPLAN
Emergency Assistance		Number of Individuals Expected to Achieve in Reporting Period (#)
The number of low-income individuals served by community action who sought emergency assistance and the number of those individuals for whom assistance was provided.		Reporting Period
A. Emergency Food	Mid-Year	245
	Annual	1,246
B. Emergency fuel or utility payments funded by LIHEAP or other public and private funding sources	Mid-Year	
	Annual	5
C. Emergency Rent or Mortgage Assistance	Mid-Year	25
	Annual	25
D. Emergency Car or Home Repair (i.e. structural appliance, heating systems, etc.)	Mid-Year	
	Annual	3
E. Emergency Temporary Shelter	Mid-Year	5
	Annual	5
F. Emergency Medical Care	Mid-Year	
	Annual	
G. Emergency Protection from Violence	Mid-Year	50
	Annual	50
H. Emergency Legal Assistance	Mid-Year	
	Annual	
I. Emergency Transportation	Mid-Year	8
	Annual	9
J. Emergency Disaster Relief	Mid-Year	
	Annual	
K. Emergency Clothing	Mid-Year	10
	Annual	12
In the rows below, please include any additional indicators for NPI 6.2 that were not captured above.		Mid-Year
		Annual

CSBG/NPI Workplan

Goal 6: Low-income people, especially vulnerable populations, achieve their potential by strengthening family and other supportive environments.

NPI 6.3: Child and Family Development

Problem Statement: (If additional space is needed, please attach a separate sheet.)

The lack of affordable after school recreation programs for children/teens that are at risk of becoming involved in gangs and substance abuse. Gang involvement/substance abuse are due to lack of adult supervision and prevents youth from taking advantage of educational and social opportunities which enables them to grow into self-sufficient adults.

Program Activities and Delivery Strategies: (If additional space is needed, please attach a separate sheet.)

8.2 Child /Care Development-Provide both continued child development instruction/inhome instruction support for the parents including parenting skills.8.3 Family/Individual Counseling- Provide personal/family counseling in groups, individual sessions covering such topics as conflict management, problem solving, self esteem parenting education. 8.10 Substance abuse services-substance abuse problems. 8.11 Neglect/Abuse/Violence Prevention-Provide prevention services programs, crisis counseling/intervention, individual/peer group support promotion of healthy living environments through counseling/classes/role modeling.

National Performance Indicator 6.3		WORKPLAN
Child and Family Development		Number of Participants Expected to Achieve Outcome in Reporting Period (#)
The number and percentage of all infants, children, youth, parents, and other adults participating in developmental or enrichment programs that achieve program goals, as measured by <u>one or more</u> of the following:		
A. INFANTS & CHILDREN		
1. Infants and children obtain age appropriate immunizations, medical, and dental care	Mid-Year	
	Annual	8
2. Infant and child health and physical development are improved as a result of adequate nutrition	Mid-Year	
	Annual	8
3. Children participate in pre-school activities to develop school readiness skills	Mid-Year	
	Annual	6
4. Children who participate in pre-school activities are developmentally ready to enter Kindergarten or 1st Grade	Mid-Year	
	Annual	6
B. YOUTH		
1. Youth improve health and physical development	Mid-Year	1,557
	Annual	1,558
2. Youth improve social/emotional development	Mid-Year	77
	Annual	78
3. Youth avoid risk-taking behavior for a defined period of time	Mid-Year	72
	Annual	73
4. Youth have reduced involvement with criminal justice system	Mid-Year	42
	Annual	48
5. Youth increase academic, athletic, or social skills for school success	Mid-Year	1,569
	Annual	1,571
C. PARENTS AND OTHER ADULTS		
1. Parents and other adults learn and exhibit improved parenting skills	Mid-Year	10
	Annual	11
2. Parents and other adults learn and exhibit improved family functioning skills	Mid-Year	10
	Annual	11
<i>In the rows below, please include any additional indicators for NPI 6.3 that were not captured above.</i>		
	Mid-Year	
	Annual	

CSBG/NPI Workplan

CSBG/NPI Workplan

Goal 6: Low-income people, especially vulnerable populations, achieve their potential by strengthening family and other supportive environments.

NPI 6.4: Family Supports

Program Activities and Delivery Strategies: (If additional space is needed, please attach a separate sheet.)

National Performance Indicator 6.4 Family Supports (Seniors, Disabled and Caregivers) Low-income people who are unable to work, especially seniors, adults with disabilities, and caregivers, for whom barriers to family stability are reduced or eliminated, as measured by one or more of the following:		WORKPLAN Number of Participants Expected to Achieve Outcome in Reporting Period (#)
A. Enrolled children in before or after school programs	Mid-Year	
	Annual	
B. Obtained care for child or other dependent	Mid-Year	
	Annual	
C. Obtained access to reliable transportation and/or driver's license	Mid-Year	
	Annual	
D. Obtained health care services for themselves or family member	Mid-Year	
	Annual	
E. Obtained and/or maintained safe and affordable housing	Mid-Year	
	Annual	
F. Obtained food assistance	Mid-Year	
	Annual	
G. Obtained non-emergency LIHEAP energy assistance	Mid-Year	
	Annual	
H. Obtained non-emergency WX energy assistance	Mid-Year	
	Annual	
I. Obtained other non-emergency energy assistance. (State/local/private energy programs. Do Not Include LIHEAP or WX)	Mid-Year	
	Annual	
In the rows below, please include any additional indicators for NPI 6.4 that were not captured above.		
	Mid-Year	
	Annual	

CSBG/NPI Workplan

Goal 6: Low-income people, especially vulnerable populations, achieve their potential by strengthening family and other supportive environments.

NPI 6.5: Service Counts

Problem Statement: (If additional space is needed, please attach a separate sheet.)

Program Activities and Delivery Strategies: (If additional space is needed, please attach a separate sheet.)

National Performance Indicator 6.5		WORKPLAN
Service Counts	Reporting Period	Number of Services Expected in Reporting Period (#)
The number of services provided to low-income individuals and/or families, as measured by one or more of the following:	Mid-Year	
	Annual	
A. Food Boxes	Mid-Year	
	Annual	
B. Pounds of Food	Mid-Year	
	Annual	
C. Units of Clothing	Mid-Year	
	Annual	
D. Rides Provided	Mid-Year	
	Annual	
E. Information and Referral Calls	Mid-Year	
	Annual	
In the rows below, please include any additional indicators for NPI 6.5 that were not captured above.		
	Mid-Year	
	Annual	

CSBG/NPI Programs Workplan and Report Instructions

Purpose

The CSBG/NPI Programs Report (CSD 801) is used as a Community Action Plan (CAP) workplan, contract workplan and progress reporting form. This form is used to establish performance expectations and goals over the contract term. The Progress Report will capture the agency's success in achieving the goals. The goals and National Performance Indicators (NPI) used in the CSD 801 form are National Goals and Indicators, which CSD is required to annually track and report the outcomes to the U.S. Health and Human Services Agency (HHS), Office of Community Services (OCS), and the National Association of Community Service Programs (NASCSP).

There are six (OCS) Goals and under each goal is a list of indicators that pertain to that goal. The listed indicators were created and taken from the OCS Guide to Organizing and Reporting National Indicators of Community Action Performance, which was created in collaboration within the Community Services Network.

Format of Document

This format is created in an Excel template and designed to be completed and submitted electronically. The CSD 801 is one (1) workbook, broken down into 9 worksheets. At the bottom of the Excel screen are tabs labeled for each goal (1-6), as well as instructions and an explanations section.

- The initial tab, "NPI Guide", contains the NASCSP Instructional Manual. Please read the guide in order to understand what should be reported on the OCS Goals. This manual is useful when completing the NPIs.
- The second tab, "Instructions" contains these instructions as a reference.
- The subsequent tabs are labeled Goals 1 through 6 Workplan and Goals 1 through 6 Reporting.

The entire workbook must be submitted electronically by the due date to CSBGReports@csd.ca.gov. In the subject line, please indicate the agency name the report is being submitted for and contract number. (Example: CAP CSD, 11F-XXXX.)

Completing the NPI Workplan (CAP and Contract Workplan)

- At the beginning of the "Goal 1 Workplan" tab provide your contract number, report period, contractor's name, contact person and title, phone number, fax number and e-mail address. This information will only need to be provided once. The data will automatically populate into all other tabs from the "Goal 1" tab.
- Put an X in the upper right hand box, indicating CAP, Workplan, and the for the Workplan and. Indicate the contract number is next to the Contract Workplan Number.
- **Problem Statement:** In this section you should clearly and

CSBG/NPI Programs Workplan and Report Instructions, Con't

thoroughly describe the problems facing low-income individuals in your community as is relates to achieving each goal. This information should be detailed and include who is effected, what specifically is the problem, where the problem exits and why it exists.

- **Program Activities and Delivery Strategies:** In this section, provide a detailed description of the programs or activities undertaken in order to alleviate the barriers to self-sufficiency identified in the problem statement.
- **Number of Participants/Units Expected to Achieve Outcome in Reporting Period:** This column will be filled out on the Workplan for Goals 1 through 6. Provide the number of participants/units Expected to Achieve for the mid-year and annual reporting period for each indicator. The Workplan numbers will be automatically populated into the Reporting tabs for Goals 1 through 6.
- **ALL DATA FIGURES** should be **NUMERICAL**. If the indicator does not apply to your agency's work, or data pertaining to that question is not available, leave the cell blank. Do not use percentages, fractions, abbreviations or alpha text.

Sample NPI Workplan

Goal 1: Low-income people become more self-sufficient.

NPI 1.1: Employment

Problem Statement: (If additional space is needed, please attach a separate sheet.)

Young women and men in Sacramento County have a difficult time finding gainful employment due to a lack of skills and education. When employed, this population commonly is employed in minimum wage jobs that do not provide health benefits.

Program Activities and Delivery Strategies: (If additional space is needed, please attach a separate sheet.)

The Youth into Jobs program will provide job search and resume assistance in the Young People to Work Program. This program will track individuals in the program to ensure they are in employment that will be maintained and increase their wages.

National Performance Indicator 1.1		WORKPLAN	
Employment		Reporting Period	Number of Participants Expected to Achieve Outcome in Reporting Period (#)
The number and percentage of low-income participants in Community Action employment initiatives who get a job or become self-employed, as measured by one or more of the following:			
A. Unemployed and obtained a job		Mid-Year	
		Annual	10
B. Employed and maintained a job for a least 90 days		Mid-Year	
		Annual	
C. Employed and obtained an increase in employment income and/or benefits		Mid-Year	20
		Annual	40
D. Achieved "living wage" employment and/or benefits		Mid-Year	
		Annual	
In the rows below, please include any additional indicators for NPI 1.1 that were not captured above.		Mid-Year	
		Annual	

Completing the NPI Reporting – Mid-Year

- Put an X in the upper right hand box indicating, Mid-Year Progress Report. The Mid Year Progress Report covers the term of January through June. Each Report will reflect the agency's success in achieving the outcomes. Also,

CSBG/NPI Programs Workplan and Report Instructions, Con't

- indicate the contract number is next to the Contract Workplan Number.
- For the Mid-Year Progress Report, covering January through June, only report data on the grey sections.
 - **Number of Participants/Units Expected to Achieve Outcome in Reporting Period:** The Workplan numbers will be automatically populated into the Reporting Document for Goals 1 through 6.
 - **Number of Participants/Units Enrolled in Program(s) in Reporting Period:** Enter actual number enrolled in program (s) for the reporting period.
 - **Number of Participants/Units Achieving Outcome in Reporting Period:** Enter the number that achieved the outcome for the reporting period.
 - **Percentage Achieving Outcome in Reporting Period:** This field requires no data entry and will be automatically calculated from previous columns.
 - **Required Explanation:** This field requires no data entry and will be automatically calculated from previous columns. If a response is required, provide the explanation for the variance on the last tab, "Required Explanations". The acceptable range for achievement for each reporting period is 80% to 120% of what the agency expected to achieve.
 - ALL DATA FIGURES should be NUMERICAL. If the indicator does not apply to your agency's work, or data pertaining to that question is not available, leave the cell blank. Do not use percentages, fractions, abbreviations or alpha text.

Sample NPI Reporting – Mid-Year

Goal 1: Low-income people become more self-sufficient.

National Performance Indicator 1.1		1	2	3	4	5
Employment		Number of Participants Expected to Achieve Outcome in Reporting Period (#)	Number of Participants Enrolled in Program(s) in Reporting Period (#)	Number of Participants Achieving Outcome in Reporting Period (#)	Percentage Achieving Outcome in Reporting Period (3/1=4) (%)	Explanations Required (Report on last tab)
The number and percentage of low-income participants in Community Action employment initiatives who get a job or become self-employed, as measured by one or more of the following:						
A. Unemployed and obtained a job	Mid-Year	5	2	3	60%	Explanation
	Annual					
B. Employed and maintained a job for a least 90 days	Mid-Year					
	Annual					
C. Employed and obtained an increase in employment income and/or benefits	Mid-Year	20	15	12	60%	Explanation
	Annual					
D. Achieved 'living wage' employment and/or benefits	Mid-Year					
	Annual					
<i>In the rows below, please include any additional indicators for NPI 1.1 that were not captured above.</i>						
		Mid-Year				
		Annual				

CSBG/NPI Programs Workplan and Report Instructions, Con't

Completing the NPI Reporting – Annual

- Put an X in the upper right hand box indicating, Annual Report. The Annual Report covers the term of January through December. Each Report will reflect the agency's success in achieving the outcomes. Also, indicate the contract number is next to the Contract Workplan Number.
- For the Annual Report, covering January through December, report data on the blue sections. Do not delete the data that was reported for the Mid-Year Progress Report.
- **Number of Participants/Units Expected to Achieve Outcome in Reporting Period:** The Workplan numbers will be automatically populated into the Reporting Document for Goals 1 through 6.
- **Number of Participants/Units Enrolled in Program(s) in Reporting Period:** Enter actual number enrolled in program (s) for the reporting period.
- **Number of Participants/Units Achieving Outcome in Reporting Period:** Enter the number that achieved the outcome for the reporting period.
- **Percentage Achieving Outcome in Reporting Period:** This field requires no data entry and will be automatically calculated from previous columns.
- **Required Explanation:** This field requires no data entry and will be automatically calculated from previous columns. If a response is required, provide the explanation for the variance on the last tab, "Required Explanations". The acceptable range for achievement for each reporting period is 80% to 120% of what the agency expected to achieve.
- **ALL DATA FIGURES should be NUMERICAL.** If the indicator does not apply to your agency's work, or data pertaining to that question is not available, leave the cell blank. Do not use percentages, fractions, abbreviations or alpha text.

Sample NPI Reporting – Annual

Goal 1: Low-income people become more self-sufficient.						
National Performance Indicator 1.1	Reporting Period	1	2	3	4	5
Employment		Number of Participants Expected to Achieve Outcome in Reporting Period (#)	Number of Participants Enrolled in Program(s) in Reporting Period (#)	Number of Participants Achieving Outcome in Reporting Period (#)	Percentage Achieving Outcome in Reporting Period (3/1=4) (%)	Explanations Required (Report on last tab)
The number and percentage of low-income participants in Community Action employment initiatives who get a job or become self-employed, as measured by one or more of the following:						
A. Unemployed and obtained a job	Mid-Year	35	25	23	60%	Explanation
	Annual	10	10	8	80%	
B. Employed and maintained a job for a least 90 days	Mid-Year	20	15	12	60%	Explanation
	Annual	40	35	35	88%	
C. Employed and obtained an increase in employment income and/or benefits	Mid-Year					
	Annual					
D. Achieved "living wage" employment and/or benefits	Mid-Year					
	Annual					
In the rows below, please include any additional indicators for NPI 1.1 that were not captured above.						
	Mid-Year					
	Annual					

EXHIBIT B
(Standard Agreement)

ATTACHMENT III

CSBG CLIENT CHARACTERISTIC DATA

Contractor shall also complete and submit to CSD the CSD 295, which captures demographical data on clients served by the contractor's programs. Contractor is to submit the CSD 295 to CSD no later than July 20, 2012 for the midyear programmatic report and on January 20, 2013 for the annual programmatic report. *(The CSD 295 does not need to be returned with the contract.)*

Remember to include All Other ARRA Data

Please use the CSD 295 Client Characteristic Report Instructions and Helpful Hints to complete this form.

1 Contractor Name:		Contract #:	
Prepared By (name):		Report Period:	
Phone Number:		Email address:	

Demographic data should be collected on ALL clients receiving services under any program administered by the designated Community Action Agency.

Yellow Highlighted Sections represent demographics collected on INDIVIDUALS			
2 Total unduplicated number of persons about whom one or more characteristics were obtained			0
3 Total unduplicated number of persons about whom no characteristics were obtained			
Blue Highlighted Sections represent demographics collected on FAMILIES			
4 Total unduplicated number of families about whom one or more characteristics were obtained			
5 Total unduplicated number of families about whom no characteristics were obtained			
6. Gender		Number of Persons*	12. Family Size
a. Male			a. One
b. Female			b. Two
			c. Three
			d. Four
			e. Five
			f. Six
			g. Seven
			h. Eight or more
	*Total	0	**Total
7. Age		Number of Persons*	
a. 0-5			
b. 6-11			
c. 12-17			
d. 18-23			
e. 24-44			
f. 45-54			
g. 55-69			
h. 70+			
	Sum of 7e thru 7h =		
	0		
	*Total	0	
8. Ethnicity/Race			13. Source of Family Income
I. Ethnicity			a. Unduplicated # of Families Reporting One or More Sources of Income***
a. Hispanic, Latino or Spanish Origin			b. Unduplicated # of Families Reporting No Income
b. Not Hispanic, Latino or Spanish Origin			Total UNDFP Families who responded
	*Total	0	as either having a source of income or having no income***
II. Race			Record the sources of each family income as reported in 13a above:
a. White			c. TANF
b. Black or African American			d. SSI
c. American Indian and Alaskan Native			e. Social Security
d. Asian			f. Pension
e. Native Hawaiian and Other Pacific Islander			g. General Assistance
f. Other			h. Unemployment Insurance
g. Multi-Race (any 2 or more of the above)			i. Employment + Other Source
	*Total	0	j. Employment only
			k. Other
			**Total (c. through k.)
9. Education Level of Adults		Number of Persons 24+**	14. Level of Family Income % of HHS guideline
a. 0-8			a. Up to 50%
b. 9-12/Non-Graduate			b. 51% to 75%
c. High School Graduate/GED			c. 76% to 100%
d. 12+ Some Post Secondary			d. 101% to 125%
e. 2 or 4 yr. College Graduates			e. 126% to 150%
	** Total	0	f. 151% to 175%
			g. 176% to 200%
			h. 201% and over
			**Total
10. Other Characteristics		Number of Persons*	15. Housing
	Yes	No	Number of Families***
a. Health Insurance			a. Own
b. Disabled			b. Rent
			c. Homeless
			d. Other
			**Total
11. Family Type		Number of Families***	16. Other family characteristics
a. Single Parent/Father			a. Farmer
b. Single Parent/Mother			b. Migrant Farmworker
c. Two-Parent Household			c. Seasonal Farmworker
d. Single Person			
e. Two Adults - No Children			
f. Other			
	**Total	0	

* The sum in this category should not exceed the value of Section 2.

*** The sum in this category should not exceed the value of Section 4.

**** The sum in this category should be greater than or equal to Section 13.a.

***** Reminder, September 30, 2010 was the cutoff date for reporting CSBG clients served up to 200% of the Federal Poverty Guidelines.

CSD 295 INSTRUCTIONS

Purpose: To assist in the completion of the CSD 295—Client Characteristic Report.

- The 295 is designed to collect demographics on all clients served by the agency.
 - ✓ *Non-Profit Agencies: data is to be collected for all clients served by any of the programs administered by the Community Action Agency.*
 - ✓ *Local Government Agencies: data is to be collected for all clients served by the CSBG program. Additionally, client data is to be captured for all clients served by all programs administered external to CSBG.*

Retrieving the form:

- This form can be downloaded from the CSD Web Page at www.csd.ca.gov.
- The correct form should have the revision date of 2011.
- Use the form as is – do not recreate or alter the form in any way. Any form that has been altered or recreated will not be accepted.

Completing the CSD 295:

- Use the Tab key to navigate to the next data entry cell, using Shift & Tab will send you to the previous data entry cell.
- Do not use characters such as N/A, if the data is unavailable or not applicable to your agency, leave the cell blank.
- Please note that zeros should not be used to indicate that you do not collect that information, but rather used to indicate the null value (0).

Printing the form for your records:

- When printing the 295 for your records, the form should be already formatted. However some printers, have different defaults that can alter the settings set by CSD. Therefore if you are experiencing the following problems here are some solutions to try:
 - **One or more columns are printing on a separate page:**
 1. Go to view,
 2. Click Page Break Preview. (This will show where the page is breaking with either blue solid lines and/or blue broken lines.)
 3. Click and grab the blue line that is breaking the columns and drag to the last column. (This should reformat the page to one page wide.)
 4. Select print and the problem should be corrected.

Submitting the forms:

- Please do not send hard copies of the CSD 295, CSD only wants the electronic copy.
- Submit the report via e-mail to CSBGReports@csd.ca.gov by January 20.
- Please do not send the reports directly to your Field Representative or Field Operations managers. Please only send a copy to CSBGReports@csd.ca.gov.

CSD 295 –General Hints:

- Make sure to use the correct CSD 295 reporting form. This form has a revision date of 2011.
- The cells that show a red triangle in the right corner are cells that have a comment/reminder to assist in the completion of the form. To see the comment place the mouse in that cell and the message will pop up. Another option is to right click in the cell with a comment and choose *show comment* **and** the comment will appear permanently. To hide the comment, right click in the cell again and choose *hide comment* and it will disappear.
- If any of the TOTAL boxes turn red in any section, then you will need to check the footnotes to verify that the values were entered correctly. The value must be corrected prior to submitting this form to CSD. Below is the list of footnotes that are on the CSD 295 form.
 - ✓ * The sum in this category should not exceed the value of Section 2.
 - ✓ ** The sum in this category should not exceed the value of Section 7e-h.
 - ✓ *** The sum in this category should not exceed the value of Section 4.
 - ✓ **** The sum in this category should be greater than or equal to Section 13.a.
 - ✓ ***** Reminder, September 30, 2010 was the cutoff date for reporting CSBG clients served up to 200% of the Federal Poverty Guidelines.

Sections 2, 3, and 6-10 collect INDIVIDUAL demographic data.

Sections 4, 5 and 11-16 collect FAMILY demographic data.

Both Individual AND Family demographic data should be collected on all clients.

1 client = 1 individual and 1 family.

4 clients from same family = 4 individuals and 1 family.

"Family" is self-defined by the client(s) being served.

Section 1:

- Enter contractor name, preparer's name, phone number, contract number, reporting period, and email address.

Sections 2, 3 and 6 – 10 Collects Demographics on INDIVIDUALS

Section 2- Total unduplicated number of persons about whom one or more characteristics were obtained:

- To the extent possible, agencies should attempt to report unduplicated counts.
- To obtain unduplicated counts, an agency will need to have a system to distinguish each individual so the number of services the individual is provided can be assigned to that individual.
 - ✓ For example: if a person enters an agency and receives seven different services, an unduplicated count would record one person, not seven services.

Section 3 – Total unduplicated number of persons about whom no characteristics were obtained:

- Enter the total number of persons for whom characteristics were not obtained.
 - ✓ Please note: This would include any clients that were served, however demographics were not collected.

Section 6 – Gender:

- Report the Gender on individuals receiving services.
- Make sure that the total of this section does not exceed the value in Section 2. See Asterisk Note * on the bottom of CSD 295.
 - ✓ If the total box of this section is red then the total exceeds the value in section 2. This data will need to be corrected prior to submitting this form to CSD.

Section 7—Age:

- Report the age of the individuals receiving services.
- Make sure that the total of this section does not exceed the value in Section 2. See Asterisk Note * on the CSD 295.
 - ✓ If the total box of this section is red then the total exceeds the value in section 2. This data will need to be corrected prior to submitting this form to CSD.

Section 8 – Ethnicity and Race:

- Report one ethnicity AND one race for each individual receiving services.
- Ethnicity and Race are determined by self-identification: *Ethnicity and Race shall not be limited to being biologically or genetically determined, it can also be thought of in terms of social and cultural characteristics as well as ancestry.*
- Make sure that the total of this section does not exceed the value in Section 2. See Asterisk Note * on the CSD 295.
 - ✓ If the total box of this section is red then the total exceeds the value in section 2. This data will need to be corrected prior to submitting this form to CSD.

Section 9 – Education Level of Individuals 24 years or older:

- Only collect the education level of those individuals receiving services that are 24 years or older.
- The total of this section cannot exceed the sum of Section 7e-7h. See Asterisk Note ** on the CSD 295.
 - ✓ If the total box of this section is red then the total exceeds the value in section 2. This data will need to be corrected prior to submitting this form to CSD.

Section 10 – Other Characteristics:

- Report the number of individuals receiving services that were surveyed about their health insurance or disability. All individuals that are asked about each of the two items should be reported in the # Surveyed column. Of those surveyed, the number that report having no health insurance and/or disabled should be reported in the # of Persons column. If an individual receiving services has any form of health insurance, including Medicare or Medicaid, they should be included in the # surveyed column only. Do not count any other family members.
- The definition of “disabled” used in this form is taken from the Americans With Disabilities Act of 1990: “The term disability means, with respect to an individual (a) a physical or mental impairment that substantially limits one or more of the major life activities of such individual, (b) a record of such an impairment, (c) being regarded as having such an impairment.” Any individual who responded to this question but is not disabled should be included in the # Surveyed column only.
- The number reported under the column # of Persons should not exceed the number reported under # Surveyed for that line item.
- Make sure that the total of this section does not exceed the value in Section 2. See Asterisk Note * on the CSD 295.
 - ✓ If the total box of this section is red then the total exceeds the value in section 2. This data will need to be corrected prior to submitting this form to CSD.

Sections 4, 5 and 11-16 Collects Demographics on FAMILIES**Section 4 – Total Unduplicated number of families about whom one or more characteristics were obtained:**

- To the extent possible the numbers reported here should be unduplicated.

- This requires that a similar system of unique identifiers be in place, which, in addition to identifying an individual, also identifies a family.
 - ✓ For example: if a family member comes in and receives four services and another family member comes in and receives six services, an unduplicated count would record one family, and two individuals.

Section 5 – Total unduplicated number of families about whom no characteristics were obtained:

- Enter the total number of families for whom characteristics were not obtained. Please note: This number would include clients that were served, but demographics were not collected on the family.
- To the extent possible the numbers reported here should be unduplicated.

Section 11 – Family Type:

- Based on the clients, family composition, report the type of family. If the family type of the recipient is not reflected in one of these types please mark "other."
- Make sure that the total of this section does not exceed the value in Section 4. See Asterisk Note *** on the CSD 295.
 - ✓ If the total box of this section is red then the total exceeds the value in section 4. This data will need to be corrected prior to submitting this form to CSD.

Section 12 – Family Size:

- Report the number of persons in the client's family.
- Make sure that the total of this section does not exceed the value in Section 4. See Asterisk Note *** on the CSD 295.
 - ✓ If the total box of this section is red then the total exceeds the value in section 4. This data will need to be corrected prior to submitting this form to CSD.

Section 13 – Source of Family Income:

- 13.a: Enter the total number of families reporting one or more sources of income
- 13.b: Enter the total number of families reporting NO income
- Please enter the type or types of income received by all persons in the family.
- Food Stamps, Medicaid and other in-kind benefits (LIHEAP, WAP, etc.) will not be included in these calculations.
 - ✓ Item 13.a: Unduplicated # of Families Reporting One or More Sources of Income: With this Section we are attempting to collect an unduplicated count of families who indicated that the household receives one or more sources of income.
 - ✓ Item 13.b: Unduplicated # of Families Reporting No Income: This section attempts to collect an unduplicated count of families who indicate that the household has no income.
 - ✓ Item 13.c: TANF: Enter the unduplicated number of families who receive funds from the HHS Temporary Assistance for Needy Families program.
 - ✓ Item 13.d: SSI - Supplemental Security Income: This is federal assistance usually provided to persons whose Social Security payments are inadequate. Please enter the unduplicated number of families who receive SSI benefits.
 - ✓ Item 13.e: Social Security: Enter the unduplicated number of families who receive Social Security benefits.
 - ✓ Item 13.f: Pension: Any type of income earned from private pensions, e.g., company retirement, IRA income or 401(k). Please enter the number of families who receive Pension benefits.
 - ✓ Item 13.g: General Assistance: This is usually a state-funded program available for emergencies and in some instances becomes a regular source of income for single clients. It has a variety of names, for instance, in some states it is called General Relief. Please enter the unduplicated number of families that receive General Assistance.
 - ✓ Item 13.h: Unemployment insurance payments: Enter the unduplicated number of families that receive Unemployment Insurance payments.

- ✓ Item 13.i: Employment plus any other sources: Enter the unduplicated number of families that have income from employment and from any other sources such as those included in this list.
 - ✓ Item 13.j: Employment only: Please enter the unduplicated number of families for whom employment is the only source of income. Employment is considered wages and salaries before deductions and self-employed income less operating expenses. Sections 13.i and 13.h are mutually exclusive.
 - ✓ Item 13.k: Other: Enter the unduplicated number of families that report other sources of income, including investments, rent, etc.
- Make sure the values reported in Item 13.a and 13.b do not exceed the value in Section 4. See Asterisk Note *** on the CSD 295
 - ✓ If the total box of this section is red then the total exceeds the value in section 4. This data will need to be corrected prior to submitting this form to CSD.
 - The value in items 13.c-k should be greater than or equal to the value reported in item 13.a. See Asterisk Note **** on the CSD 295
 - For all the items you will report the number of families receiving that source, not the number of individuals in the family receiving the source.
 - ✓ For example: A family of four, where both parents are employed and the mother is receiving SSI, and the father and mother has 2 types of investments would be reported as follows:
 - Item 13.a = 1
 - Item 13.d = 1
 - Item 13.i = 1
 - Item 13.k = 1

Each item they have would be reported as 1, even though both parents are working because they are 1 family.

Section 14 – Level of Family Income % of HHS Guidelines:

- Section refers to income levels of the families served compared to the current HHS Poverty Income Guidelines, published annually in the Federal Register.
- Make sure that the total of this section does not exceed the value in Section 4. See Asterisk Note *** on the CSD 295.
 - ✓ If the total box of this section is red then the total exceeds the value in section 4. This data will need to be corrected prior to submitting this form to CSD.

Section 15 – Housing:

- Report the housing situation of the family:
 - ✓ Item 15.a: Own: Enter the number of families that own their home.
 - ✓ Item 15.b: Rent: Enter the number of families that rent their housing. Rent can be considered as money or services exchanged for housing and payment of a portion of rent in units shared with others.
 - ✓ Item 15.c: Homeless: Enter the number of families that were homeless. The definition of the term "Homeless" used for this form, taken from the Stewart B. McKinney Homeless Assistance Act, follows: "Homeless" or "homeless individual" includes: (1) An individual who lacks a fixed, regular, and adequate nighttime residence; and (2) An individual who has a primary nighttime residence that is: A supervised, publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill); An institution that provides a temporary residence for individuals intended to be institutionalized; A temporary, makeshift arrangement in the accommodations of other persons or A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings." The term "homeless" or "homeless individual" does not include any individual imprisoned or otherwise detained pursuant to an Act of the Congress or a State law.
 - ✓ Item 15.d: Other: If neither Items 15.a, 15.b nor 15.c describe the family's housing situation record them here.

- Make sure that the total of this section does not exceed the value in Section 4. See Asterisk Note *** on the CSD 295.
 - ✓ If the total box of this section is red then the total exceeds the value in section 4. This data will need to be corrected prior to submitting this form to CSD.

Section 16 – Other Family Characteristics:

- Report families that are farmworkers in the categories below:
 - ✓ Item 16.a: Farmer: Enter the number of families served who are farmers. The value of this item should not exceed the value in Section 4.
 - ✓ Item 16.b: Migrant Farmworker: Enter the number of families served who are migrant farm workers. The value of this item should not exceed the value in Section 4.
 - ✓ Item 16.c: Seasonal Farmworker: Enter the number of families served who are seasonal farm workers. The value of this item should not exceed the value in Section 4.
- Make sure that the value of each item in this section does not exceed the value in Section 4. See Asterisk Note *** on the CSD 295.

If you need further training and technical assistance, please contact your assigned Field Representative.

CSD 295 - Client Characteristics Report Quick Check

- ✓ **Is item 4 greater than item 2? It should not be.**
 - ✖ For example: one family of 4 comes in for services. This would mean that 4 individuals are receiving service (Item 2) and 1 Family is receiving services (Item 4).
 - ✖ The numbers reported in items 2 & 4 should be comparable (item 2 will probably always be greater). Since every individual is a family of one- it should not happen where an agency serves 10,000 individuals and only 500 families. This should tell you that the agency is collecting families. this should tell you that the agency is collecting family information on all clients.
 - ✖ This information also applies to item 3 & 5.
- ✓ **Is the total in item 6 greater than item 2? It should not be.**
 - ✖ The agency should not report the ages of more people than they report serving.
- ✓ **Is the total in item 8 greater than item 2? It should not be.**
 - ✖ the agency should not report the ages of more people than they report serving.
- ✓ **Is the total in Item 8 greater than Item 2? It should not be.**
 - ✖ The agency should not be reporting the ethnicity of more people than they report serving.
 - ✖ **Common Error:** Often the total reported in item 8-1 is far below the number reported in Item 2-- this is not necessarily wrong. However, if this happens it does tell you that the agency is not collecting the ethnicity of all their clients.
- ✓ **Is the total in Item 9 greater than the total of Item 7.e-h? It should not be.**
 - ✖ Item 9 is collecting the education level of adults only (individuals 24 years old or older). Therefore, you add up the totals reported in Item 7e-h only. The total in Item 9 cannot be greater than this total.
- ✓ **Is each total in Item 10 greater than Item 2? It should not be.**
 - ✖ The agency should not be reporting health insurance of more than they reported serving.
 - ✖ The agency should not be reporting disable persons of more than they reported serving.
- ✓ **Is the total in Item 11 greater than the total in Item 4? It should not be.**
 - ✖ The agency should not be reporting the family type of more families than they report serving
- ✓ **Is the total in Item 12 greater than the total in Item 4? It should not be.**
 - ✖ the agency should not be reporting the family size of more families than they report serving.
- ✓ **Is the total in Item 13a greater than Item 4? It should not be.**
 - ✖ The total numbers of families reporting one or more sources of income should not be greater than the total number of families the agency report serving

- ✓ **Is the total in Item 13b greater than Item 4? It should not be.**
 - ✖ The total numbers of families reporting no income should to be greater than the total number of families the agency reports serving.
- ✓ **Look at each total in Item 13c-13k. Are any of these individual line item totals greater than 13a? They should not be.**
 - ✖ Each family reports each source of income only once (even if two family members receive SSI, they would only report the source once). So, the total number of families reporting each source of income cannot be greater than the total number of families the agency is reporting thy collected sources of income on.
 - ✖ Note: the total 13c-13k should be greater than or equal to the total number of families the agency reports serving in 13a.
- ✓ **Is the total in Item 14 greater than Item 4? It should not be.**
 - ✖ The total number of families reporting their family income should not be greater than the total number of families the agency reports serving.
- ✓ **Is the total in Item 15 greater than Item 4? It should not be.**
 - ✖ The total number of families reporting their housing type should not be greater than the total number of families the agency reports serving.
- ✓ **Is the total in Item 16 greater than Item 4? It should not be.**
 - ✖ the total number of families reporting their other characteristic should not be greater than the total number of families the agency reports serving.

(2012 CSBG)

EXHIBIT B
(Standard Agreement)

ATTACHMENT IV

2012 CSBG ALLOCATION SPREADSHEET

Contract Year 2012 CSBG Allocation Spreadsheet

State of California
Department of Community Services and Development
2012 CSBG Allocation
CAAs

Attachment IV

County	Agency	Contract Number	2012 ALLOCATION			2012 ADVANCE	
			A	B	C	D	E
			Total Estimated Allocation (For Budgeting)	First Release (11/4/11) PCA 40112	Total 2012 Contract*	First Available (11/4/11)	Total 2012 Advance Available
Alameda	Berkeley CAA	12F-4401	252,454	37,185	37,185	37,185	37,185
Alameda	City of Oakland, Department of Human Services	12F-4402	1,253,958	184,699	184,699	184,699	184,699
Alpine	Inyo Mono Advocates for Community Action, Inc.	12F-4403	2,150	317	317	317	317
Amador/Tuolumne	Amador/Tuolumne CAA	12F-4404	247,176	36,407	36,407	36,407	36,407
Butte	CAA of Butte County, Inc.	12F-4405	357,659	52,681	52,681	52,681	52,681
Calaveras/Mariposa	Calaveras-Mariposa CAA	12F-4406	246,542	36,314	36,314	36,314	36,314
Colusa	SEE GLENN						
Contra Costa	Contra Costa Employment & Human Services Dept/CSB	12F-4407	653,846	96,307	96,307	96,307	96,307
Del Norte	Del Norte Senior Center	12F-4408	43,418	6,395	6,395	6,395	6,395
El Dorado	El Dorado County Department of Human Services	12F-4409	248,399	36,587	36,587	36,587	36,587
Fresno	Fresno County EOC	12F-4410	1,635,690	240,925	240,925	240,925	240,925
Glenn/Colusa/Trinity	Glenn County Human Resource Agency	12F-4411	247,923	36,517	36,517	36,517	36,517
Humboldt	Redwood CAA	12F-4412	254,652	37,508	37,508	37,508	37,508
Imperial	Campesinos Unidos, Inc.	12F-4413	271,254	39,954	39,954	39,954	39,954
Inyo/Mono	Inyo Mono Advocates for Community Action, Inc.	12F-4414	244,866	36,067	36,067	36,067	36,067
Kern	CAP of Kern	12F-4415	1,196,355	176,214	176,214	176,214	176,214
Kings	Kings CAO, Inc.	12F-4416	253,338	37,315	37,315	37,315	37,315
Lake/Mendocino	North Coast Opportunities	12F-4417	497,500	73,278	73,278	73,278	73,278
Lassen/Plumas/Sierra	Lassen/Plumas/Sierra CAA	12F-4418	246,225	36,267	36,267	36,267	36,267
Los Angeles	Foothill Unity Center	12F-4419	351,211	51,731	51,731	51,731	51,731
Los Angeles	Long Beach CSDC, Inc.	12F-4420	944,875	139,173	139,173	139,173	139,173
Los Angeles	County of Los Angeles Dept of Public Social Services	12F-4421	6,683,336	984,406	984,406	984,406	984,406
Los Angeles	City of Los Angeles, CDD, HS & NDD	12F-4422	7,316,982	1,077,737	1,077,737	1,077,737	1,077,737
Madera	City of Madera County, Inc.	12F-4423	254,878	37,542	37,542	37,542	37,542
Marin	Community Action Marin	12F-4424	250,596	36,911	36,911	36,911	36,911
Mariposa	SEE CALAVERAS						
Mendocino	SEE LAKE						
Merced	Merced County CAA	12F-4425	411,395	60,595	60,595	60,595	60,595
Modoc/Siskiyou	Modoc-Siskiyou CAA	12F-4426	247,923	36,517	36,517	36,517	36,517
Mono	SEE INYO						
Monterey	Monterey County CAP	12F-4427	472,007	69,523	69,523	69,523	69,523
Napa	Community Action Napa Valley	12F-4428	247,855	36,507	36,507	36,507	36,507
Nevada	Nevada County Dept of Housing & Community Services	12F-4429	246,610	36,324	36,324	36,324	36,324
Orange	CAP of Orange County	12F-4430	2,644,188	389,469	389,469	389,469	389,469

State of California
Department of Community Services and Development
2012 CSBG Allocation
CAAs

Attachment IV

County	Agency	Contract Number	2012 ALLOCATION			2012 ADVANCE	
			A	B	C	D	E
			Total Estimated Allocation (For Budgeting)	First Release (11/4/11) PCA 40112	Total 2012 Contract*	First Available (11/4/11)	Total 2012 Advance Available
Placer	County of Placer Dept of Health and Human Services	12F-4431	249,940	36,814	36,814	36,814	36,814
Plumas	SEE LASSEN						
Riverside	CAP of Riverside County	12F-4432	1,955,521	288,034	288,034	288,034	288,034
Sacramento	Sacramento Employment and Training Agency	12F-4433	1,551,005	228,452	228,452	228,452	228,452
San Benito	San Benito County DCS & WD	12F-4434	245,590	36,174	36,174	36,174	36,174
San Bernardino	CAP of San Bernardino County	12F-4435	2,406,035	354,391	354,391	354,391	354,391
San Diego	County of San Diego, HHSA, CAP	12F-4436	3,091,263	455,320	455,320	455,320	455,320
San Francisco	EOC of San Francisco	12F-4437	790,978	116,505	116,505	116,505	116,505
San Joaquin	San Joaquin County Dept of Aging & Community Svcs	12F-4438	886,842	130,625	130,625	130,625	130,625
San Luis Obispo	CAP of San Luis Obispo County, Inc.	12F-4439	272,113	40,080	40,080	40,080	40,080
San Mateo	TBD	12F-4440	371,846	54,770	54,770	54,770	54,770
Santa Barbara	CAC of Santa Barbara County, Inc.	12F-4441	503,389	74,145	74,145	74,145	74,145
Santa Clara	Sacred Heart Community Services	12F-4442	1,137,031	167,476	167,476	167,476	167,476
Santa Cruz	CAB of Santa Cruz County, Inc.	12F-4443	268,246	39,511	39,511	39,511	39,511
Shasta	Shasta County CAA	12F-4444	254,901	37,545	37,545	37,545	37,545
Sierra	SEE LASSEN						
Siskiyou	SEE MODOC						
Solano	CAP of Solano County	12F-4445	286,299	42,170	42,170	42,170	42,170
Sonoma	CAP of Sonoma County	12F-4446	331,867	48,882	48,882	48,882	48,882
Stanislaus	Central Valley Opportunity Center, Inc.	12F-4447	643,100	94,724	94,724	94,724	94,724
Sutter	Sutter County CAA	12F-4448	248,875	36,657	36,657	36,657	36,657
Tehama	Tehama County CAA	12F-4449	247,651	36,477	36,477	36,477	36,477
Trinity	SEE GLENN						
Tulare	Community Services & Employment Training, Inc.	12F-4450	790,978	116,505	116,505	116,505	116,505
Tuolumne	SEE AMADOR						
Ventura	Community Action of Ventura County, Inc.	12F-4451	625,905	92,191	92,191	92,191	92,191
Yolo	County of Yolo, Dept of Employment & Social Services	12F-4452	272,113	40,080	40,080	40,080	40,080
Yuba	Yuba County CSC	12F-4453	248,944	36,668	36,668	36,668	36,668
TOTAL, all counties			45,905,693	6,761,568	6,761,568	6,761,568	6,761,568

* Equals contract facesheet (STD 213, Item 3)

State of California
Department of Community Services and Development
2012 CSBG Allocation
Non-CAAs

Attachment IV

NATIVE AMERICAN INDIANS

Agency	Contract Number	2012 ALLOCATION			2012 ADVANCE	
		A	B	C	D	E
		Total Estimated Allocation (For Budgeting)	First Release (11/4/11) PCA 40312	Total 2012 Contract*	First Available (11/4/11)	Total 2012 Advance Available
Karuk (Core Funding)	12F-4454	42,000	6,186	6,186	6,186	6,186
Karuk	12F-4455	60,793	8,954	8,954	8,954	8,954
NCIDC (Core Funding)	12F-4456	122,000	17,970	17,970	17,970	17,970
NCIDC/LIFE (Core Funding)		(Included with NCIDC below)				
NCIDC	12F-4457	1,756,390	258,703	258,703	258,703	258,703
LA City/County NAIC	12F-4458	371,408	54,706	54,706	54,706	54,706
TOTAL		2,352,591	346,519	346,519	346,519	346,519

MIGRANT & SEASONAL FARMWORKERS

Agency	Contract Number	2012 ALLOCATION			2012 ADVANCE	
		A	B	C	D	E
		Total Estimated Allocation (For Budgeting)	First Release (11/4/11) PCA 40212	Total 2012 Contract*	First Available (11/4/11)	Total 2012 Advance Available
California Human Development Corporation	12F-4459	1,387,426	204,358	204,358	204,358	204,358
Proteus, Inc.	12F-4460	2,231,945	328,749	328,749	328,749	328,749
Central Valley Opportunity Center, Inc.	12F-4461	542,906	79,966	79,966	79,966	79,966
Center for Employment Training	12F-4462	1,870,009	275,438	275,438	275,438	275,438
TOTAL		6,032,286	888,511	888,511	888,511	888,511

LIMITED PURPOSE AGENCIES
(DISCRETIONARY FUNDS)

Agency	Contract Number	2012 ALLOCATION			2012 ADVANCE	
		A	B	C	D	E
		Total Estimated Allocation (For Budgeting)	First Release (11/4/11) PCA 40412	Total 2012 Contract*	First Available (11/4/11)	Total 2012 Advance Available
Campeños Unidos, Inc.	12F-4463	81,846	12,055	12,055	12,055	12,055
Community Design Center	12F-4464	123,262	18,155	18,155	18,155	18,155
Del Norte Senior Center	12F-4465	89,600	13,197	13,197	13,197	13,197
Rural Community Assistance Corporation	12F-4466	138,053	20,335	20,335	20,335	20,335
TOTAL		432,761	63,742	63,742	63,742	63,742

* Equals contract facesheet (STD 213, Item 3)

EXHIBIT C
(Standard Agreement)

GENERAL TERMS AND CONDITIONS GTC 610

1. APPROVAL

This Agreement is of no force or effect until signed by both parties.

2. AMENDMENT

No amendment or variation of the terms of this Agreement shall be valid unless made in writing, signed by the parties and approved as required. No oral understanding or Agreement not incorporated in the Agreement is binding on any of the parties.

3. ASSIGNMENT

This Agreement is not assignable by the Contractor, either in whole or in part, without the consent of the State in the form of a formal written amendment.

4. AUDIT

Contractor agrees that the awarding department, the Department of General Services, the Bureau of State Audits, or their designated representative shall have the right to review and to copy any records and supporting documentation pertaining to the performance of this Agreement. Contractor agrees to maintain such records for possible audit for a minimum of three (3) years after final payment, unless a longer period of records retention is stipulated. Contractor agrees to allow the auditor(s) access to such records during normal business hours and to allow interviews of any employees who might reasonably have information related to such records. Further, Contractor agrees to include a similar right of the State to audit records and interview staff in any subcontract related to performance of this Agreement. (Gov. Code § 8546.7, Pub. Contract Code § 10115 et seq., CCR Title 2, Section 1896.)

5. INDEMNIFICATION

Contractor agrees to indemnify, defend and save harmless the State, its officers, agents and employees from any and all claims and losses accruing or resulting to any and all contractors, subcontractors, suppliers, laborers, and any other person, firm or corporation furnishing or supplying work services, materials, or supplies in connection with the performance of this Agreement, and from any and all claims and losses accruing or resulting to any person, firm or corporation who may be injured or damaged by Contractor in the performance of this Agreement.

6. DISPUTES

Contractor shall continue with the responsibilities under this Agreement during any dispute.

EXHIBIT C
(Standard Agreement)

7. TERMINATION FOR CAUSE

The State may terminate this Agreement and be relieved of any payments should the Contractor fail to perform the requirements of this Agreement at the time and in the manner herein provided. In the event of such termination the State may proceed with the work in any manner deemed proper by the State. All costs to the State shall be deducted from any sum due the Contractor under this Agreement and the balance, if any, shall be paid to the Contractor upon demand.

8. INDEPENDENT CONTRACTOR

Contractor, and the agents and employees of Contractor, in the performance of this Agreement, shall act in an independent capacity and not as officers or employees or agents of the State.

9. NON-DISCRIMINATION CLAUSE

During the performance of this Agreement, Contractor and its subcontractors shall not unlawfully discriminate, harass, or allow harassment against any employee or applicant for employment because of sex, race, color, ancestry, religious creed, national origin, physical disability (including HIV and AIDS), mental disability, medical condition (e.g., cancer), age (over 40), marital status, and denial of family care leave. Contractor and subcontractors shall insure that the evaluation and treatment of their employees and applicants for employment are free from such discrimination and harassment. Contractor and subcontractors shall comply with the provisions of the Fair Employment and Housing Act (Gov. Code 12990 (a-f) et seq.) and the applicable regulations promulgated thereunder (California Code of Regulations, Title 2, Section 7285 et seq.). The applicable regulations of the Fair Employment and Housing Commission implementing Government Code Section 12990 (a-f), set forth in Chapter 5 of Division 4 of Title 2 of the California Code of Regulations, are incorporated into this Agreement by reference and made a part hereof as if set forth in full. Contractor and its subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other Agreement.

Contractor shall include the nondiscrimination and compliance provisions of this clause in all subcontracts to perform work under the Agreement.

10. CERTIFICATION CLAUSES

The CONTRACTOR CERTIFICATION CLAUSES contained in the document CCC 307 are hereby incorporated by reference and made a part of this Agreement by this reference as if attached hereto.

11. TIMELINESS

Time is of the essence in this Agreement.

EXHIBIT C
(Standard Agreement)

12. COMPENSATION

The consideration to be paid Contractor, as provided herein, shall be in compensation for all of Contractor's expenses incurred in the performance hereof, including travel, per diem, and taxes, unless otherwise expressly so provided.

13. GOVERNING LAW

This contract is governed by and shall be interpreted in accordance with the laws of the State of California.

14. CHILD SUPPORT COMPLIANCE ACT

For any Agreement in excess of \$100,000, the contractor acknowledges in accordance with Public Contract Code 7110, that:

- a. The contractor recognizes the importance of child and family support obligations and shall fully comply with all applicable state and federal laws relating to child and family support enforcement, including, but not limited to, disclosure of information and compliance with earnings assignment orders, as provided in Chapter 8 (commencing with section 5200) of Part 5 of Division 9 of the Family Code; and
- b. The contractor, to the best of its knowledge is fully complying with the earnings assignment orders of all employees and is providing the names of all new employees to the New Hire Registry maintained by the California Employment Development Department.

15. UNENFORCEABLE PROVISION

In the event that any provision of this Agreement is unenforceable or held to be unenforceable, then the parties agree that all other provisions of this Agreement have force and effect and shall not be affected thereby.

16. PRIORITY HIRING CONSIDERATIONS

If this Contract includes services in excess of \$200,000, the Contractor shall give priority consideration in filling vacancies in positions funded by the Contract to qualified recipients of aid under Welfare and Institutions Code Section 11200 in accordance with Pub. Contract Code § 10353.

EXHIBIT D
(Standard Agreement)

SPECIAL TERMS AND CONDITIONS

1. TRAVEL/PER DIEM

- A. Contractor's total travel and per diem costs for in-state and/or out-of-state shall be included in the Agreement Budget(s). Out-of-state travel costs that exceed the budgeted amount shall not be reimbursed without prior written authorization from CSD.
- B. Contractor's employee travel costs and per diem reimbursement rates shall be reimbursed in accordance with Contractor's written policies and procedures not to exceed federal per diem requirements, and subject to the requirements of OMB Circular A-87 Attachment B, Paragraph 43 (2 CFR, Part 225) or OMB Circular A-122 Attachment B, Paragraph 51 (2CFR, Part 230), as applicable.
- C. In the absence of a written travel reimbursement policy, Contractor shall be subject to the provisions of California Code of Regulations Sections 599.615 through 599.638 and shall be reimbursed in accordance with the terms contained therein.

2. CERTIFICATIONS

- A. Contractor's signature affixed hereon shall constitute a certification that to the best of its ability and knowledge it will comply with the provisions set forth in the following:
 - 1) Drug-Free Workplace Requirements Contract Certification Clause (CCC-307)
 - 2) National Labor Relations Board Certification (CCC-307)
 - 3) Expatriate Corporations (CCC-307)
 - 4) Domestic Partners (CCC-307)
 - 5) Amendment for Change of Agency Name (CCC-307)
 - 6) Resolution (CCC-307)
 - 7) Air and Water Pollution Violation (CCC-307)

EXHIBIT D
(Standard Agreement)

- 8) Information Integrity and Security (Department of Finance, Budget Letter 04-35)
- 9) Safeguarding Against and Responding to a Breach of Security Involving Personal Information (Department of General Services, Management Memo 08-11)

B. The above documents are hereby incorporated by reference into this Agreement. To access these documents, please visit www.csd.ca.gov

3. INTERNAL CONTROL CERTIFICATION

Contractor shall ensure the establishment and maintenance of a system of internal accounting and administrative control. This responsibility includes documenting the system, communicating system requirements to employees, and assuring that the system is functioning as prescribed and is modified, as appropriate, for changes in conditions. The system of internal accounting and administrative control shall be attested to within the Contractor's independent audit conducted pursuant to this Agreement, and include:

- A. Segregation of duties appropriate to safeguard State assets.
- B. Access to agency assets is limited to authorized personnel who require these assets in the performance of their assigned duties.
- C. Authorization and recordkeeping procedures adequate to provide effective accounting controls over assets, liabilities, revenues, and expenditures.
- D. Practices to be followed in performance of duties and functions.
- E. Personnel of a quality commensurate with their responsibilities.
- F. Effective internal review.

4. CONFLICT OF INTEREST

- A. Contractor certifies that its employees and the officers of its governing body shall avoid any actual or potential conflicts of interest and that no officer or employee who performs any functions or responsibilities in connection with this Agreement shall have any personal financial interest or benefit that either directly or indirectly arises from this Agreement.
- B. Contractor shall establish written safeguards to prohibit its employees or its officers from using their positions for a purpose that could result in private gain or that gives the appearance of being motivated for private gain for themselves or others, particularly those with whom they have family, business, or other ties.

EXHIBIT D
(Standard Agreement)

5. CODES OF CONDUCT

- A. Contractor shall maintain written standards of conduct governing the performance of its employees engaged in the award and administration of contracts or subcontracts. No employee, officer, or agent of the Contractor shall participate in the selection, award, or administration of a subcontract supported by federal funds if a real or apparent conflict of interest would be involved. Such a conflict would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization that employs or is about to employ any of the parties indicated herein, has a financial or other interest in the firm selected for an award. The officers, employees, and agents of the Contractor shall neither solicit nor accept gratuities, favors, or anything of monetary value from subcontractors or parties to sub agreements. The standards of conduct shall provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the recipients.
- B. Contractor shall not pay federal funds received from CSD to any entity in which it (or one of its employees, officers, agents, any member of his or her immediate family, his or her partner, or an organization that employs or is about to employ any of the parties indicated herein) has an interest. As ownership constitutes a financial interest, Contractor shall not subcontract with a subsidiary. Similarly, Contractor shall not subcontract with an entity that employs or is about to employ any person described in 45 CFR Part 92 (for states and local governments) and 45 CFR Part 74 (for nonprofit organizations), and/or OMB Circular A-110, Section 42.

6. COMPLIANCE MONITORING

- A. As the recipient of federal CSBG funds under this Agreement, Contractor is responsible for substantiating that all costs claimed under this Agreement are allowable and allocable under all applicable federal and State laws, and for tracing all costs to the level of expenditure.
- B. As the State administrator for the CSBG, CSD is required to ensure that funds allocated to Contractor are expended for the purposes identified in federal and State CSBG law, and for allowable and allocable costs under the applicable rules of the OMB.
- C. CSD is required to conduct onsite and follow-up monitoring of Contractor to ensure that Contractor meets the performance goals, administrative standards, financial management requirements, and other requirements of the federal and State CSBG program.

EXHIBIT D
(Standard Agreement)

- D. CSD shall provide Contractor reasonable advance written notice of on-site monitoring reviews of Contractor's program or fiscal performance.

Contractor shall cooperate with CSD program and audit staff and other representatives, and provide access to all programs, records, documents, resources, personnel, inventory, and other things reasonably related to the administration and implementation of the services and activities funded directly or indirectly by this Agreement.

- E. In the event CSD determines that Contractor is not in compliance with material or other legal requirements of this Agreement, CSD shall provide Contractor with the observations, recommendations, and/or findings in writing, along with a specific action plan for correcting the noncompliance.

7. SPECIAL CONDITIONS FOR ENTITIES NOT MEETING TERMS OF THE AGREEMENT

- A. In addition to CSD's authority to terminate, suspend, or deny funding or refunding under federal and State laws and regulations, CSD has authority to establish fiscal control and accounting procedures to fulfill its oversight responsibilities and ensure that CSBG funds are appropriately expended. Thus, notwithstanding the express exception in 45 CFR Part 92 as applied to the CSBG Program, CSD hereby incorporates by reference 45 CFR Part 92.12 and may impose special conditions on Contractor, according to that Section, as a result of unsatisfactory performance of and/or noncompliance with the requirements, standards, and guidelines of this Agreement.
- B. Contractor shall ensure that requirements set forth in this Agreement are met, that all required documentation is submitted in a timely manner, and that any corrective action plans are fulfilled. Failure by Contractor to meet prescribed timelines or take corrective action shall be deemed a material breach of this Agreement, and CSD shall take appropriate action, including, but not limited to, withholding advance payments and initiation of the suspension and termination procedures prescribed by State and federal CSBG laws and/or regulations.

8. BOARD ROSTER, BYLAWS, RESOLUTION AND MINUTES

- A. Concurrent with Contractor's submission of this Agreement, Contractor shall submit to CSD the following:
- 1) Unless otherwise specified in 2) and 3) below, a current roster of the tripartite board, including the name and sector (i.e., low-income, public, private) of each board member, contact information for each member at a location other than the office of the eligible entity, and the most recent

EXHIBIT D
(Standard Agreement)

version of the organizational bylaws. Contractor is to complete Exhibit D, Attachment II, Executive Director and Board Roster (CSD 188).

Contractor is responsible to notify CSD of any changes to the tripartite board within thirty (30) days of such occurrence.

- 2) In the case of Native American Indian (NAI) Contractors that have established another mechanism (in consultation with CSD and subject to CSD approval) to assure low-income individuals' participation in the management of programs funded by this Agreement, a current roster of the NAI governing council, commission, board, or other body responsible for administration of CSBG-funded programs, and the most recent version of the organizational bylaws. The roster shall include contact information for each member of the governing body at a location other than the office of the NAI Contractor, and shall identify how low-income individuals are represented in the organization's governance. NAI Contractors shall also submit the most recent version of the organizational bylaws. Contractor is responsible to notify CSD of any changes to its governing body within (30) days of such occurrence.
 - 3) In the case of Limited Purpose Agency (LPA) Contractors, a current roster of Contractor's board, including the name of each board member, contact information for each member at a location other than the office of the LPA, and the most recent version of the organizational bylaws. Contractor is responsible to notify CSD of any changes to its board within thirty (30) days of such occurrence.
- B. Contractor's current governing board must authorize the execution of this Agreement. Contractor has the option of demonstrating such authority by either: 1) direct signature of a board member; or 2) any lawful delegation of such authority that is consistent with Contractor's bylaws.
- C. Where Contractor elects to delegate the signing authority to the chief executive officer (CEO), CSD will accept either a resolution specific to this Agreement or a resolution approved by the current governing board that is more generally applicable to any CSD program contract or amendment. Where Contractor provides a general resolution, Contractor shall maintain documentation that the CEO provided timely and effective communication of the execution and terms of this Agreement to the board. Either a specific or current general resolution must be on file with CSD prior to CSD's final execution of this Agreement.
- D. Contractor shall submit to CSD minutes from the tripartite board, LPA contractor's board, NAI governing council, commission, board, or other body responsible for administration of CSBG-funded programs, for regularly scheduled

EXHIBIT D
(Standard Agreement)

meetings no later than thirty (30) days after the minutes are approved. Regularly scheduled meetings shall be in accordance with the contractor's bylaws.

- E. If Contractor's tripartite board is advisory to the elected members governing a local government, the Contractor shall submit to CSD the minutes from any meeting of the elected officials where matters relating to this Agreement are heard, including, but not limited to, discussions about or decisions affecting the community action program. Such minutes shall be submitted to CSD no later than thirty (30) days after the minutes are approved.

9. AUDITING STANDARDS AND REPORTS

A. Auditing Standards

Contractor must follow all audit requirements as set forth in OMB Circular A-133 and the 2009 CSD Supplemental Audit Guide. The 2009 Supplemental Audit Guide is attached herein as Exhibit D, Attachment I. The 2009 Supplemental Audit Guide may be accessed at www.csd.ca.gov.

B. Audit Reports

- 1) a. Funds provided under this Agreement shall be included in an audit conducted in accordance with the provisions of OMB Circular A-133 for nonprofit and public agencies, standards promulgated by the American Institute of Certified Public Accountants (AICPA), and those standards included in "Government Auditing Standards, 2007 Revision, as amended."
- b. Contractors falling below the federal funding threshold that mandates a single agency-wide audit in accordance with OMB Circular A-133 shall:
 - i. Submit an annual program-specific audit within nine months of the end of the Contractor's fiscal year; and
 - ii. Be subject to an audit and/or other fiscal- or program-specific review conducted by CSD or its agents, upon thirty (30) days written notice.
- 2) The financial and compliance audit report shall contain the following supplementary financial information: a combined statement of revenue and expenditures for each contract that presents, by budget line item, revenue and expenditures for the audit period and a description of the

EXHIBIT D
(Standard Agreement)

methodology used to allocate and claim indirect costs and any administrative cost pools.

- 3) The audit report must specifically mention that a review for compliance with OMB Circulars A-87 and A-122 was conducted.
- 4) Contractor shall submit to CSD one (1) printed copy and one (1) electronic copy of the required audit report(s) and any management letter(s) issued by the accountant, within nine (9) months of the end of the Contractor's fiscal year, accompanied by a copy of the signed, final engagement letter between Contractor and the independent auditor.

If the Contractor's independent auditor is unable to meet this deadline, the Contractor shall submit to CSD Audit Services Unit a written request for an extension, which includes a copy of a letter from the independent auditor explaining the anticipated delay. CSD may grant an extension not to exceed thirty (30) calendar days from the original due date. The audit report(s) and all supplemental financial information are to be submitted to the following addresses:

Electronic copy:
audits@csd.ca.gov.

Printed copy:
Department of Community Services and Development
Attention: Audit Services Unit
P.O. Box 1947
Sacramento, CA 95812-1947

In accordance with the guidelines of the Division of Audits of the California State Controller's Office (SCO), if Contractor is a local government agency, additional copies of the audit report must be submitted to the following address:

State Controller's Office
Division of Audits
300 Capitol Mall, Fifth Floor
Sacramento, CA 95814

- 5) In the event an audit required under this Agreement has not been submitted in a timely fashion, CSD may impose sanctions as provided in OMB Circular No. A-133 at § ___.225, to include:
 - a) Withholding a percentage of federal awards until the audit is completed satisfactorily;

EXHIBIT D
(Standard Agreement)

- b) Withholding or disallowing overhead costs;
- c) Suspending federal awards until the audit is conducted; and/or
- d) Terminating the federal award.

10. SUBCONTRACTS

Contractor may enter into subcontract(s) to perform part or all of the direct services covered under this Agreement. Prior to the commencement of subcontracted services under this Agreement, Contractor shall obtain board approval, to include but not be limited to, an assurance that the subcontractor agreement(s) shall comply with all terms, conditions, assurances, and certifications of this Agreement for the nonprofit and local governmental agencies performing services in the area(s) described in EXHIBIT A, SCOPE OF WORK, Section 2.

- A. Contractor shall provide written notification to the State within 60 calendar days of execution of each subcontractor agreement the name of the subcontractor entity, its address, telephone number, contact person, contract amount, and program description of each subcontractor activity to be performed under this Agreement. This written notification shall also include a certification that, to the best of Contractor's knowledge, the subcontractor is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency. For purposes of this certification of subcontractor eligibility, Contractor may rely on information provided via the Excluded Parties List System (EPLS), available at <https://www.epls.gov>.
- B. If CSD determines that Contractor has executed a subcontract with an individual or entity listed as disbarred, suspended, or otherwise ineligible on EPLS as of the effective start date of the subcontract, costs Contractor has incurred under the subcontract may be disallowed.
- C. Contractor remains responsible to substantiate the allowable and allocable use of all funds under this Agreement and to adopt fiscal control and accounting procedures sufficient to permit the tracing of funds paid to any subcontractor to a level of expenditure adequate to establish that such funds have not been used in violation of this Agreement. Contractor shall ensure that any subcontracts under this Agreement contain all provisions necessary to ensure adequate substantiation and controls of the expenditure of such funds. Contractor may achieve this through detailed invoices, by periodic monitoring of subcontractor's program activities and fiscal accountability, by retaining a right of reasonable access to the subcontractor's books and records, or by any other method sufficient to meet Contractor's responsibility to substantiate costs required by OMB Circulars A-87, 122, and 133.

EXHIBIT D
(Standard Agreement)

- D. In the event CSD suspends, terminates, and/or makes changes to the services to be performed under this Agreement, Contractor shall notify all of its subcontractors in writing within five (5) days of receipt of notice of such action.
- E. Contractor is the responsible party and shall remain liable for the performance of the terms, conditions, assurances, and certifications of this Agreement, without recourse to the State, regarding the settlement and satisfaction of all contractual and administrative issues arising out of subcontract agreement(s) entered into in support of this Agreement, including disputes, claims, or other matters of a contractual nature as well as civil liability arising out of negligence or intentional misconduct of the subcontractor(s).
- F. Nothing contained in this Agreement shall create any contractual relation between CSD and any subcontractors, and no subcontract shall relieve the Contractor of its responsibilities and obligations hereunder. Contractor agrees to be as fully responsible to CSD for the acts and omissions of its subcontractors and of persons either directly or indirectly employed by any of them as it is for the acts and omissions of persons directly employed by the Contractor. The Contractor's obligation to pay its subcontractors is independent from CSD's obligation to make payments to the Contractor. As a result, CSD shall have no obligation to pay or to enforce the payment of any moneys to any subcontractor.

11. INSURANCE

A. General Requirements

- 1) By execution of this Agreement, Contractor agrees that the insurance policies and bond required under this Agreement; including Self Insurance, Workers' Compensation Insurance, General Liability Insurance, Vehicle Insurance, and a Fidelity Bond; shall be in effect at all times during the term of this Agreement.
- 2) Contractor shall provide CSD with written notice at least thirty (30) calendar days prior to cancellation or reduction of insurance coverage to an amount less than that required in this Agreement.
- 3) In the event said insurance coverage expires at any time or times during the term of this Agreement, Contractor agrees to provide within thirty (30) calendar days prior to said expiration date a new Certificate of Insurance (ACORD 25) evidencing insurance coverage as provided for herein for not less than the remainder of the term of this Agreement. The Certificate shall identify and name CSD as the Certificate Holder.

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(Standard Agreement)

- 4) New Certificates of Insurance will be reviewed for content and form by CSD.
- 5) In the event Contractor fails to maintain in effect at all times the specified insurance and bond coverages as herein provided, CSD may, in addition to any other available remedies, suspend this Agreement.
- 6) With the exception of workers' compensation and fidelity bond, CSD shall be named as additional insured on all Certificates of Insurance required under this Agreement.
- 7) The issuance of other CSD contracts, to include any cash advances and reimbursement payments, to the Contractor shall be contingent, in part, upon proof of current insurance coverage, as required by this Agreement, being on file at CSD.
- 8) Should Contractor utilize a subcontractor(s) to provide services under this Agreement, Contractor shall indemnify and hold the State harmless against any liability incurred by that subcontractor(s).

B. Self-Insurance

- 1) When Contractor is a self-insured governmental entity, CSD, upon satisfactory proof, may waive the appropriate insurance requirements. To qualify for a waiver, an appropriate county or city risk manager shall sign a certification that shall contains assurance of the adequacy of the governmental entity's ability to cover any potential losses under this Agreement.
- 2) Contractor shall specify in writing a list of which coverage(s) will be self-insured under this Agreement and shall list all applicable policy numbers, expiration dates, and coverage amount.
- 3) In the event that the Contractor's self-insurance coverage has not changed since the prior year, CSD will accept a certified letter signed by authorized personnel stating that no changes have occurred since last year. This letter must be submitted concurrent with the Agreement.

C. Workers' Compensation Insurance

- 1) Contractor shall have and maintain for the term of this Agreement workers' compensation insurance issued by an insurance carrier licensed to underwrite workers' compensation insurance in the State of California.

EXHIBIT D
(Standard Agreement)

- 2) Contractor shall submit either an applicable Certificate of Insurance or a Certificate of Consent to Self Insure issued by the Director of the Department of Industrial Relations to the State as evidence of compliance with the workers' compensation insurance requirement concurrent with submission of the Agreement. No initial cash advance(s) will be issued to the Contractor until this requirement is met.

D. Commercial or Government Crime Coverages (Fidelity Bond)

- 1) Contractor shall maintain a commercial crime policy, or if Contractor is a public entity, a government crime policy (hereinafter "fidelity bond") that shall include the following coverages or their substantial equivalents: Employee Dishonesty/Theft, Forgery or Alteration, and Computer Fraud.
- 2) Contractor's fidelity bond coverage limits shall not be less than a minimum amount of four percent (4%) of the total amount of consideration set forth under this Agreement.
- 3) Contractor shall submit an applicable Certificate of Insurance (ACORD 25) to the State as evidence of compliance with the fidelity bond requirement prior to issuance of an initial cash advance.

E. General Liability Insurance

- 1) Contractor shall have and maintain for the term of this Agreement general liability and property damage insurance for a combined single limit of not less than \$500,000 per occurrence.
- 2) Contractor shall submit to CSD an applicable Certificate of Insurance naming CSD as an additional insured, as evidence of compliance with general liability insurance requirements concurrent with submission of the Contract. No initial cash advance(s) will be issued to the Contractor until this requirement is met.

F. Vehicle Insurance

- 1) Contractor shall have and maintain for the term of this Agreement vehicle insurance in the amount of \$500,000 for each person and each accident for bodily injury and in the amount of \$500,000 for each person and each accident for property damage.
- 2) When Contractor will allow employees to use their own vehicles to perform duties within the scope of their employment, Contractor shall have and maintain for the term of this Agreement non-owned and hired

EXHIBIT D
(Standard Agreement)

automobile liability insurance in the amount of \$500,000 for each person and each accident for bodily injury and \$500,000 for each person and each accident for property damage. (Driving to and from work is not within the scope of employment.)

- 3) Concurrent with submission of the signed Agreement, Contractor shall submit an applicable Certificate of Insurance, which designates CSD as an additional insured, to the State as evidence of compliance with said vehicle insurance requirements. No initial cash advance(s) will be issued to the Contractor until this requirement is met.

12. AGREEMENT CHANGES

A. Amendment

Formal amendments to this Agreement are required for changes to: the term, total cost or Maximum Amount, scope of work, and/or formal name changes. No amendment to this Agreement shall be valid unless made in writing, signed by the parties, and approved as required. No oral understanding or Agreement not incorporated in the Agreement is binding on any of the parties.

If Contractor intends to request a formal amendment to this Agreement, the request must be submitted on a CSD 425b, Justification for Contract Amendment/Modification, no later than forty-five (45) days prior to the expiration of the Agreement term. (CSD Form 425b can be located at www.csd.ca.gov under the CSD Contractors' page and CSBG tab).

B. Modification

- 1) Any request(s) for modification to Attachment I or Attachment II (Exhibit B), must be submitted on a CSD 425b, Justification for Contract Amendment/Modification, no later than forty-five (45) calendar days prior to the expiration date of this Agreement.
- 2) Contractor may modify problem statements, program activities, and/or delivery strategies, to either: a) add program(s) not previously projected on the CSD 801, or b) remove program(s) previously projected on the CSD 801 for which no clients have been served and the program was terminated.

EXHIBIT D
(Standard Agreement)

- 3) Any increase to out-of-state travel costs or equipment purchases will require a request for modification to the budget and must be submitted on a CSD 425b, Justification for Contract Amendment/Modification.

13. SYSTEM SECURITY REQUIREMENTS

Contractor shall, in cooperation with CSD, institute measures, procedures, and protocols designed to ensure the security of data and to protect information in accordance with California State Administrative Manual (SAM) Section 5310, Item 4, and such other State and Federal laws and regulations as may apply. The parties hereto agree to the following requirements, obligations, and standards:

A. General Information/Data Description

The interconnection between CSD and Contractor is a two-way data exchange. The purpose of the data exchange or direct input is to deliver application records for payment processing or contract activity reimbursement.

B. Services Offered

Data exchange between CSD and Contractor shall be handled through two methods: 1) a Contractor user must authenticate to upload data files in a secure socket layer connection; or 2) a secure user interface that is only available to Contractor users with a unique software authentication to see the login window and also secure tunnel between CSD and the Contractor user.

C. Data Sensitivity

- 1) The sensitivity of data exchanged between CSD and Contractor may vary from sensitive to personal or confidential because of personal data such as social security numbers to private data, e.g., family income level, family member name, etc. No personal financial information, i.e., credit card, bank account numbers, shall be stored or exchanged in the data exchange sessions.
- 2) Appropriate levels of confidentiality for the data shall be based on established data classification (see SAM Section 5320.5).

D. Information Exchange Security

- 1) The security of the information being passed on this primary two-way connection shall be protected through the use of encryption software. The connections at each end shall be secured plus the physical location the application systems shall be within a controlled access facilities.

EXHIBIT D
(Standard Agreement)

Individual users may not have access to the data except through their systems security software that is logged in detail or controlled. All access will be controlled by authentication methods to validate the approved users.

- 2) Standards for secure transmission may be accomplished through such means as certificates, secure socket layer, etc., and storage of the data with encryption, if applicable.
- 3) Both CSD and Contractor shall maintain security patches and anti-virus software updates.

E. Trusted Behavior Expectations

CSD's application system and users shall protect Contractor's application system/data, and the Contractor's application system and users shall protect CSD's application system/data, in accordance with the Privacy Act and Trade Secrets Act (18 U.S. Code 1905) and the Unauthorized Access Act (18 U.S. Code 2701 and 2710).

F. Formal Security Guidelines

CSD's Computer Security Policy and Contractor's policy and procedures for internal controls shall conform to the standards and obligations for the protection of data established herein and shall ensure their implementation.

G. Incident Reporting

Any party discovering a security incident shall report it in accordance with its incident reporting procedures. Contractor shall within twenty-four (24) hours of discovery report to CSD any security incident contemplated herein. Policy governing the reporting of Security Incidents is detailed in section D 2 – L of the SAM Management Memorandum entitled, "Safeguarding Against and Responding to a Breach of Security Involving Personal Information."

H. Audit Trail Responsibilities

Both parties are responsible for auditing application processes and user activities involving the interconnection. Activities that will be recorded include event type, date and time of event, user identification, workstation identification, success or failure of access attempts, and security actions taken by system administrators.

EXHIBIT D
(Standard Agreement)

I. Data Sharing Responsibilities

All primary and delegated secondary organization that share, exchange, or use personal, sensitive, or confidential data shall adhere to all CSD's policies and SAM guidelines. If data sharing is accomplished via interconnectivity of an application system, then data sharing must be certified to be secure by both parties.

14. SCHEDULE OF ATTACHMENTS

The following attachment to this exhibit is hereby attached and incorporated by this reference:

ATTACHMENT I	2009 SUPPLEMENTAL AUDIT GUIDE
ATTACHMENT II	EXECUTIVE DIRECTOR AND BOARD ROSTER (CSD 188)

(2012 CSBG)

EXHIBIT D
(Standard Agreement)

ATTACHMENT I

2009 CSD SUPPLEMENTAL AUDIT GUIDE

DEPARTMENT OF COMMUNITY SERVICES AND DEVELOPMENT

P.O. Box 1947
Sacramento, CA 95812-1947
(916) 341-4200
(916) 341-4203 (FAX)
(916) 327-6318 (TDD)



To: All Community Service Block Grant, Low-Income Home Energy Assistance Program, Department of Energy, and Other Program Contractors

From: CSD Audit Services Unit

Date: February 3, 2010

SUPPLEMENTAL AUDIT GUIDE**Introduction**

The purpose of this 2009 Supplemental Audit Guide is to provide further instructions for the independent auditor and/or CPA firms that perform audits of agencies that contract with the California Department of Community Services and Development (CSD) to deliver programs. As specified in each program contract, all independent auditors and CPA firms must follow this Supplemental Audit Guide if the Contractor being audited is funded totally or in part by CSD contracts. This guide is not intended to be an auditing procedure manual but rather to further instruct the independent auditor and CPA firm in testing certain costs identified by CSD as needing more detailed disclosure.

The primary focus of this guide is auditing and reporting on specific items of costs funded by CSD contracts. The procedures outlined in this guide either clarify and complement or, exceed the requirements of Office of Management and Budget (OMB) Circular A-133.

Auditor's Judgment

Auditors performing the work according to this Supplemental Audit Guide must continue to exercise professional judgment. The auditor shall follow the procedures included in this audit guide unless, in the exercise of his or her professional judgment, the auditor determines that other procedures are more appropriate in particular circumstances. The auditor, however, must justify in writing any change from the audit procedures suggested by this Supplemental Audit Guide. The audit report must contain assurances that a review for compliance with OMB Circulars A-87 and A-122 was conducted.

Supplemental Audit Guide

Selected Items of Cost

Inventory System (All Contracts)

1. The independent auditor or CPA firm must gather evidence to validate the inventory listed as an asset on the balance sheet.
2. The closeout report on CSD contracts requires an inventory listing on all items purchased with CSD contract funds.
3. Inventories listed on the balance sheet and on the CSD closeout reports must be verified that they physically exist, are owned (not leased), and are in operable condition.
4. Inventory listings must be accurately compiled in the inventory accounts. Inventories are to be properly stated at cost (except when the market rate is lower).

Subcontracts (All Contracts)

1. Subcontracts must be arms-length agreements and free of actual or apparent conflicts of interest. Validate and report to CSD. CSD-funded agencies should be aware that contracting with wholly owned subsidiaries might not be considered arms-length agreements. This is especially true where both boards have similar members.
2. Contractors are required to substantiate that all costs expended under subcontracts are allowable and allocable to the particular program pursuant to the same standards as the costs expended directly by the Contractor under the specific CSD contract. Document the Contractor's system of ensuring this level of accountability, and report to CSD.

Weatherization Crew Hours (LIHEAP and DOE Contracts)

Document the methodology the Contractor uses to capture the actual hours each weatherization worker spends on each house, specific work performed and address. If this data is maintained in an automated system, obtain and review system documentation.

1. Verify that the monthly report summaries used to report weatherization crew hours provide accurate information by selecting and testing a representative sample.
2. Trace the monthly closeout report totals for weatherization labor hours to the Contractor's monthly report summaries and reconcile this to the supporting source documents.

Supplemental Audit Guide

Prohibition on Lobbying

The independent auditor shall verify that no CSD contract funds were used to influence or attempt to influence an officer or employee of a state or federal government agency, or a member of Congress or the State Legislature, in connection with the awarding of any contract, grant, loan, or cooperative agreement.

System of Internal Control

Audits must include an examination of the systems of internal control. Internal control systems must be established to ensure compliance with laws and regulations affecting the expenditure of State and/or Federal funds, financial transactions and accounts, and the agency's process for submission of Contractor billings submitted to CSD for the performance of the contract.

The Contractor's accounting system must provide for accumulating and recording of expenditures by cost category (budget line items) shown in the approved budget. The independent auditor or CPA firm must give an opinion on the internal controls of the Contractor being reviewed.

Administrative Cost Cap

CSD contracts have an administrative cost cap. Administrative costs charged to each CSD contract must not exceed this cost. In addition, other Federal funds must not be used to exceed the total administrative cost cap charged to the CSD contract, unless specifically allowed by Federal statute.

Use of Indirect Cost Rates or Other Indirect Cost Methodology

1. A Federally Approved Indirect Cost Allocation Rate may be used for selected items of costs up to the maximum allowed by the CSD contract's administrative cost rate. Costs claimed for a specific line item in the budget cannot be reported as direct costs and also as indirect costs.
2. Validate the indirect cost rate or methodology and the application of the rate used by the Contractor.
3. Ensure compliance with OMB Circulars A-87 and A-122.

Basis for Allocation of Costs

1. The independent auditor or CPA firm must identify the Contractor's basis for allocating costs to CSD contracts. Costs charged to CSD contracts must be allocable, allowable, and based on actual expenses incurred by the Contractor for the CSD contract. Costs charged to the CSD contract must also have an approved contract budget line item.
2. Ensure Compliance with OMB Circulars A-87 and A-122.

Supplemental Audit Guide

Going Concern and Subsequent Events

The independent auditor or CPA firm must provide a "positive assurance" statement that any (significant) subsequent events, related directly or indirectly, that occurred after the final closeout report and single agency-wide audit are submitted to CSD do not materially affect the closeout report, as submitted by the Contractor. Additionally, the independent auditor or CPA firm must provide "positive assurance" whether or not the Contractor will continue as a going concern. Some examples are litigation settlement, bankruptcy, mergers, large loans, cash flow problems, etc.

Representation Letter

A Representation Letter between the independent auditor or CPA firm and the Contractor must be forwarded to CSD. The Representation Letter must be signed by the Contractor's controller (or equivalent) and either the Chair of the Audit Committee if it exists or the Executive Director.

Engagement Letter

In the event a Contractor is more than one month late in submitting the required independent audit report, the Contractor shall submit one copy of the finalized, signed Engagement letter between the Contractor and the Contractor's independent auditor or CPA firm.

Supplemental Statements

Beginning with the 1994 program year, CSD contract provisions have required the financial and compliance audit to include supplemental statements. These supplemental statements must be included as part of the package submitted to CSD with the single agency-wide audit for each fiscal year. CSD uses the above information to reconcile the audited costs to the costs reported by the Contractor.

The supplemental statements should be based on the budget line items contained in the contract. The supplemental statement must include the contract budget line items, expenditures for each budget line item by fiscal year, total audited costs and total reported expenses by budget line item.

Auditing Standards and Reports

The financial and compliance audit report shall contain the following supplemental financial information: a combined statement of revenue and expenditures for each contract that presents, by budget line item, revenue and expenditures for the audit period and a description of the methodology used to allocate and claim indirect costs and any administrative cost pools.

Supplemental Audit Guide

Testing of Transactions

A sufficient number of items should be selected for review that represent all material costs categories. The audit should determine whether:

- a. Contractor's internal control over the contract is effective and working as intended;
- b. Reported program expenditures are allowable and allocable;
- c. Reported expenditures conform to funding or program limitations or exclusions;
- d. Reported expenditures are not charged to, or reimbursed by, other programs or funding sources;
- e. Transactions are properly approved, reported, and supported by source documents;
- f. Reported expenditures were incurred within the appropriate contract term; and
- g. Contractor complied with applicable laws, regulations, and contract requirements.

American Recovery and Reinvestment Act of 2009 (ARRA) Funds

ARRA IDENTIFICATION

Contractors covered under the Single Audit Act and OMB circular A-133 must specifically identify ARRA funds on the SEFA by CFDA number, contract number, and by attaching the prefix "ARRA-" to the Federal program name. This information may be used by CSD to monitor the Contractor's expenditures of ARRA funds. In addition, the Contractor should maintain documentation to identify sub-award and project funded through the ARRA.

SEPARATE ACCOUNTING

Contractors must segregate the obligations and expenditures related to funding under the Recovery Act. Financial and accounting systems should be revised as necessary to segregate, track and maintain these funds apart and separate from other revenue streams. No part of the funds from the Recovery Act shall be commingled with any other funds or used for a purpose other than that of making payments for costs allowable for Recovery Act projects. Recovery Act funds can be used in conjunction with other funding sources as necessary to complete projects, but tracking and reporting must be separate to meet the reporting requirements of the Recovery Act and OMB Guidance.

PREVAILING WAGE

Supplemental Audit Guide

Determine if there is a designated payroll person to certify, on a weekly basis, that the Contractor is paying residential prevailing wage in accordance with the wage determinations as set forth in the ARRA contract.

(2012 CSBG)

EXHIBIT D
(Standard Agreement)

ATTACHMENT II

EXECUTIVE DIRECTOR AND BOARD ROSTER (CSD 188)

Executive Director and Board Roster- CSBG

Agency Name: _____

Agency Address: _____

Submitted By: _____

Effective Date: _____

Total Number of board seats: _____

As per Exhibit D. Please also list any vacancies within the board itself, so that the required amount of board members is equal to the board by-laws.
 Sector: Please indicate P=Public, PR= Private, L= Low Income
 **Please indicate vacancy title, and date of vacancy in the "Name" field.

Name:	Title/Position:	Address:	Sector:	Phone Number:	Email:
	Executive Director				
	Board Chair				
	Additional Authorized signer of the Contract				

DEPARTMENT OF COMMUNITY SERVICES AND DEVELOPMENT
Executive Director and Board Roster
Exhibit D, Attachment II
CSD 188 New

Received by CSD:

Name:	Title/Position:	Address:	Sector:	Phone Number:	Email:

INSTRUCTIONS
EXHIBIT D- ATTACHMENT II
EXECUTIVE DIRECTOR AND BOARD ROSTER
CSD 188

Agency Name:

Legal entity title as stated on Federal Tax ID Form, STD 204

Address:

Legal entity address as stated on Federal Tax ID Form, STD 204

Submitted by:

Person submitting form.

Effective Date:

Date entered into Contract with CSD and/or date of effective change(s) to the Executive Director Board Roster, CSD 188

Board Member information:

This should include submission of current board member names, their title, and sector. The address provided should be an address other than the Contractor's office and phone number should be the best reachable number per member. Please provide an email for each board member if applicable as well as identifying the total number of board seats as per your agency's board by-laws.

* Any changes to Roster are the Contractor's responsibility and CSD should be notified within thirty days of such occurrence. These changes should also be submitted electronically to Contractor's field representative. *

EXHIBIT E
(Standard Agreement)

ADDITIONAL PROVISIONS:

1. **FEDERAL CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND RELATED MATTERS**

Contractor hereby certifies to the best of its knowledge that it, any of its officers, or any subcontractor(s):

- A. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency.
- B. Have not within a three (3) year period preceding this Agreement been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or State antitrust statutes; commission of embezzlement, theft, forgery, or bribery; falsification or destruction of records; making false statements; or receiving stolen property.
- C. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph B of this certification.
- D. Have not, within a three (3) year period preceding this Agreement, had one or more public (federal, state, or local) transactions terminated for cause or default.
- E. If any of the above conditions are true for the Contractor, any of its officers, or any subcontractor(s), Contractor shall describe such condition and include it as an attachment to this Exhibit E. Based on the description, CSD in its discretion may decline to execute this Agreement, or set further conditions of this Agreement. In the event any of the above conditions are true and not disclosed by Contractor, it shall be deemed a material breach of this Agreement, and CSD may terminate this Agreement for cause immediately pursuant to the termination provisions of State and federal law governing the CSBG program.
- F. As provided in EXHIBIT D, Paragraph 10.A. of this Agreement, Contractor must certify in writing to the best of its knowledge that any subcontractor(s) are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency.

EXHIBIT E
(Standard Agreement)

2. PROCUREMENT

A. Contract Administration

- 1) Contractors shall administer this Agreement in accordance with all federal and State rules and regulations governing CSBG pertaining to procurement, including Office of Management and Budget (OMB) Circulars and amendments thereto, consistent with the general OMB compliance requirement in Exhibit A to this Agreement. Contractors shall establish, maintain, and follow written procurement procedures consistent with the procurement standards in OMB Circulars A-102 and A-110 and all additional provisions in this Agreement, including but not limited to a code of conduct for the award and administration of contracts and a procedure that provides, to the maximum extent practical, open and free competition.
- 2) Contractor shall not permit any organizational conflicts of interest or noncompetitive practices that may restrict or eliminate competition or otherwise restrain trade. In order to ensure objective subcontractor performance and eliminate unfair competitive advantage, individuals, or firms that develop or draft specifications, requirements, statements of work, invitations for bids, and/or requests for proposals shall be excluded from competing for such procurements. Contractor shall award any subcontract to the bidder or offeror whose bid or offer is responsive to the solicitation and is most advantageous to Contractor when considering price, quality, and other factors. Contractor's solicitations shall clearly set forth all requirements that the bidder or offeror shall fulfill in order for the bid or offer to be evaluated by the recipient.
- 3) Contractor assures that all supplies, materials, equipment, or services purchased or leased with funds provided by this Agreement shall be used solely for the activities allowed under this Agreement, unless a fair market value for such use is charged to the benefiting program and credited to this Agreement.
- 4) In addition to adhering to all OMB requirements and the Contractor's established procedures for all procurement transactions of any amount, for each purchase, lease, or subcontract for any articles, supplies, equipment, or services obtained from vendors or subcontractors where the per-unit cost or total value of contract exceeds \$5,000, three competitive quotations shall be obtained or adequate justification documented and maintained as to the absence of bidding. In cases of a bona fide emergency where awarding a subcontract is necessary for the immediate preservation of

EXHIBIT E
(Standard Agreement)

public health, welfare, or safety, documentation of the emergency will be sufficient in lieu of the three-bid process.

- 5) To ensure that significant procurement transactions are conducted in an open and freely competitive manner, Contractor shall comply with the following requirement:
 - a. Contractor shall prepare and submit a Request for Purchase/Lease Pre-Approval (CSD 558) to CSD at least fifteen (15) calendar days prior to executing the subcontract for each of the following procurement transactions:
 - i. Any articles, supplies, equipment or services having a per-unit cost in excess of \$5,000; or
 - ii. Any articles, supplies or equipment where the total contract amount exceeds \$100,000.
- 6) Noncompliance with any of the provisions in this Section 2 shall result in a disallowance of the costs of the procurement transaction.
- 7) Contractor assures that it shall exercise due care in the use, maintenance, protection, and preservation of state-owned property in Contractor's possession or any other property or equipment procured by Contractor with State funds. Such care shall include, but is not limited to, the following:
 - a. Maintaining insurance coverage against loss or damage to such property or equipment.
 - b. Ensuring that the legal ownership of any motor vehicle or trailer is in the name of the Contractor.

B. Limitation on Use of Funds

Contractor shall assure that funds received under this Agreement shall not be used for the purchase or improvement of land or for the purchase, construction, or permanent improvement of any building or other facility other than low-income weatherization or energy-related home repairs.

EXHIBIT E
(Standard Agreement)

3. **AFFIRMATIVE ACTION COMPLIANCE**

- A. Each Contractor or subcontractor with 50 or more employees and an agreement of \$50,000 or more shall be required to develop a written Affirmative Action Compliance Program.
- B. The written program shall follow the guidelines set forth in Title 41 CFR Section 60-1.40, Sections 60-2.10 through 60-2.32, Sections 60-250.1 through 60-250.33, and Sections 60-741.4 through 60-741.32.
- C. Each Contractor or subcontractor with less than 50 employees shall comply with Section 202 of Part II of Executive Order 11246, as amended by Executive Order 11375. Contractor shall ensure that subcontractors falling within the scope of this provision shall comply in full with the requirements thereof.

4. **NONDISCRIMINATION COMPLIANCE**

- A. Contractor's signature affixed hereon shall constitute a certification that to the best of its ability and knowledge will, unless exempted, comply with the nondiscrimination program requirements set forth in this section.
- B. Contractor hereby certifies compliance with the following:
 - 1) Federal Executive Order 11246, as amended by Executive Order 11375, relating to equal employment opportunity.
 - 2) Title VI and Title VII of the Civil Rights Act of 1964, as amended.
 - 3) Rehabilitation Act of 1973, as amended.
 - 4) Vietnam Era Veterans Readjustment Assistance Act of 1972, as amended.
 - 5) Title 41, Code of Federal Regulations (CFR), Chapter 60, Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor, as amended.
 - 6) Public Law 101-336, Americans with Disabilities Act of 1990, as amended.

EXHIBIT E
(Standard Agreement)

5. SPECIFIC ASSURANCES

A. Pro-Children Act of 1994

- 1) This Agreement incorporates by reference all provisions set forth in Public Law 103-227, Part C - Environmental Tobacco Smoke, also known as the Pro-Children Act of 1994 (Act).
- 2) Contractor further agrees that the above language will be included in any subcontracts that contain provisions for children's services and that all subcontractors shall certify compliance accordingly. For detailed explanation, see www.csd.ca.gov.
- 3) This Agreement incorporates by reference all provisions set forth in the Child Support Services and Referrals (Section 678 (b) 1998 CSBG Reauthorization Act)." For detailed explanation, see www.csd.ca.gov.

B. American-Made Equipment/Products

Contractor shall assure, pursuant to Public Law 103-333, Section 507, to the extent practicable, that all equipment and products purchased with funds made available under this Agreement shall be American made.

C. Federal and State Occupational Safety and Health Statutes

Contractor assures that it shall be in compliance with the provisions as set forth in Federal and State Occupational Safety and Health Statutes; the California Safe Drinking Water and Toxic Enforcement Act of 1986; Universal Waste Rule (Hazardous Waste Management System: Modification of the Hazardous Waste Recycling Regulatory Program); Final Rule; and Workers' Compensation laws.

D. Political Activities

- 1) Contractor shall refrain from all political activities if such activities involve the use of any funds that are the subject of this Agreement.
- 2) Contractor is prohibited from any activity that is designed to provide voters or prospective voters with transportation to the polls or to provide similar assistance in connection with an election if such activities involve the use of any funds that are subject to this Agreement.

EXHIBIT E
(Standard Agreement)

E. Lobbying Activities

- 1) Contractor shall refrain from all lobbying activities if such activities involve the use of any funds that are the subject of this Agreement or any other fund, programs, projects, or activities that flow from this Agreement.
- 2) If Contractor engages in lobbying activities, Contractor shall complete, sign and date the CERTIFICATION REGARDING LOBBYING/DISCLOSURE OF LOBBYING ACTIVITIES, EXHIBIT G, as required by the U.S. Department of Health and Human Services under 45 CFR Part 93.

6. RIGHT TO MONITOR, AUDIT, AND INVESTIGATE

- A. Any duly authorized representative of the federal or State government, which includes but is not limited to the State Auditor, CSD Staff, and any entity selected by CSD to perform inspections, shall have the right to monitor and audit Contractor and all subcontractors providing services under this Agreement through on-site inspections, audits, and other applicable means the State determines necessary.
- B. Contractor shall make available all reasonable information necessary to substantiate that expenditures under this agreement are allowable and allocable, including, but not limited to books, documents, papers, and records. Contractor shall agree to make such information available to the federal government, the State, or any of their duly authorized representatives including representatives of the entity selected by CSD to perform inspections, for examination, copying, or mechanical reproduction, on or off the premises of the appropriate entity upon a reasonable request.
- C. Any duly authorized representative of the federal or State government shall have the right to undertake investigations in accordance with Public Law 97-35, as amended.
- D. All agreements entered into by Contractor with audit firms for purposes of conducting independent audits under this Agreement shall contain a clause permitting any duly authorized representative of the federal or State government access to the working papers of said audit firm(s).

7. RECORD-KEEPING

- A. All records maintained by Contractor shall meet the OMB requirements contained in the following Circulars: A-102, Subpart C, ("Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local

EXHIBIT E
(Standard Agreement)

Governments”) or A-110, Subpart C, Nonprofit Organizations, whichever is applicable.

- B. Contractor shall maintain all records pertaining to this Agreement for a minimum period of three years after submission of the final report. However, Contractor shall maintain all such records until resolution of all audit and monitoring findings are completed.
- C. Contractor assures that employee and applicant records shall be maintained in a confidential manner to assure compliance with the Information Practices Act of 1977, as amended, and the Federal Privacy Act of 1974, as amended.

8. ADMINISTRATIVE HEARING FOR DENIAL OF CLIENT BENEFITS BY CONTRACTOR

- A. Contractor has read and agrees to strictly comply with Title 22 of the California Code of Regulations, Section 100751, as amended, which sets forth elements to be included in client benefit denial appeal procedures and shall advise individuals who have been denied assistance of their twenty (20) day right to appeal to the State for an administrative hearing pursuant to 42 USC 8624(b)(13), as amended.
- B. Within five (5) working days of receipt of an appeal from a client, CSD's Fair Hearings Officer shall schedule an administrative hearing to be conducted no later than thirty (30) calendar days from the receipt of the request.
- C. The client may withdraw request for appeal for administrative hearing at any time during the appeal process by rendering written or oral notice to the State. Where oral notice is given, such notice shall be confirmed in writing by the Parties.

9. CSBG TERMS, CONDITIONS AND PROVISIONS FISCAL YEAR 2012

A. Program Standards

The provisions of Public Law 105-285, Title II – Community Services Block Grant Program, Subtitle B – Community Services Block Grant Program of the Community Services Block Grant Act, the provision of the current approved Community Services Block Grant State plan, including all approved amendments or revision.

- B. Administrative Requirements in accordance with Title 45 of the Code of Federal Regulations (CFR).

45 CFR Part 16 – Procedures of the Departmental Grant Appeals Board;
45 CFR Part 30 – Claims Collection;

EXHIBIT E
(Standard Agreement)

45 CFR Part 76 – Debarment and Suspension from Eligibility for Financial Assistance (Nonprocurement);
45 CFR Part 80 - Nondiscrimination Under Programs Receiving Federal Assistance through the Department of Health and Human Services, Effectuation of Title VI of the Civil Rights Act of 1964;
45 CFR Part 81 - Practice and Procedure for Hearings Under Part 80 of this Title;
45 CFR Part 84 - Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving Federal Financial Assistance;
45 CFR Part 86 – Nondiscrimination on the Basis of Sex in Education Programs and Activities Receiving or Benefiting from Federal Financial Assistance;
45 CFR Part 87 – Equal Treatment for Faith-Based Organizations;
45 CFR Part 91 – Nondiscrimination on the Basis of Age in HHS Programs or Activities Receiving Federal Financial Assistance;
45 CFR Part 93 – New Restrictions on Lobbying;
45 CFR Part 96 – Block Grants;
45 CFR Part 97 – Consolidation of Grants to the Insular Areas;
45 CFR Part 100 – Intergovernmental Review of Department of Health and Human Services Programs and Activities

The above documents are hereby incorporated by reference into this Agreement. to access these documents, please visit www.csd.ca.gov

- C. In accordance with Public Law 103-333, the “Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act of 1995,” the following provisions are applicable to this grant award:

Section 507: “Purchase of American-Made Equipment and Products - It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.”

Section 508: “When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all States receiving Federal funds, including but not limited to State and local governments and recipients of Federal research grants, shall clearly state (1) the percentage of the total costs of the program or project which will be financed with Federal money, (2) the dollar amount of Federal funds for the project or program, and (3) percentage and dollar amount of the total costs of the project or program that will be financed by nongovernmental sources.”

- D. In accordance with Part C of Public Law 103-227, the “PRO-KIDS Act of 1994,” smoking may not be permitted in any portion of any indoor facility owned or regularly used for the provision of health, day care, education, or library services to children under the age of 18, if the services are funded by Federal programs

EXHIBIT E
(Standard Agreement)

with either directly or through State or local governments. Federal programs include grants, cooperative agreements, loans and loan guarantees, and contracts. The law does not apply to children's services provided in private residences, facilities funded solely by Medicare or Medicaid funds, and portions or facilities and used for inpatient drug and alcohol treatment.

- E. OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations and the Single Audit Act of 1984, as amended.

10. CENTRAL CONTRACTOR REGISTRATION AND UNIVERSAL IDENTIFIER (DUNS) REQUIREMENTS

- A. Contractor shall provide to CSD a nine-digit Data Universal Numbering System (DUNS) number and register/maintain active registration in Central Contractor Registration (CCR) as a prerequisite to execution of this Agreement and/or release of any funds under this Agreement. Contractor shall include its DUNS number and verification of CCR status with its Community Action Plan.

EXHIBIT F
(Standard Agreement)

DEFINITIONS

All terms used in this Agreement shall be those as defined in applicable federal and state law (see 42 U.S.C. § 9902 and Govt. Code § 12730) and regulation (see 45 C.F.R. Part 96 and 22 C.C.R. § 100601), or as more specifically defined as:

Agreement:

The complete contents of this contract entered into by and between the CSD and Contractor, including all rights, duties, and obligations whether expressed or implied required toward the legal performance of the terms hereof, and including all documents expressly incorporated by reference.

Amendment:

A formal change to the Agreement of a material nature including but not limited to the term, scope of work, or name change of one of the Parties, or a change of the maximum amount of this Agreement.

Authorized Agent:

The duly authorized representative of the Board of Directors of Contractor, and the duly elected or appointed, qualified, and acting officer of the State. In the case of Contractor, the State shall be in receipt of a board resolution affirming the agent's representative capacity to bind Contractor to the terms of this Agreement.

Board of Directors:

For the purposes of a private nonprofit Community Action Agency, Board of Directors refers to the tripartite board as mandated by 42 U.S.C. § 9910 and Government Code § 12751. For the purposes of a publicly governed Community Action Agency, Board of Directors refers to the tripartite advisory/administering board that is mandated by 42 U.S.C. § 9910 and California Government Code § 12752.1 and established by the political subdivision or local government.

Community Action Agency: A public, or private nonprofit, agency that fulfills all requirements of Government Code § 12750.

Contractor:

The entity (partnership, corporation, association, agency, or individual) designated on the face sheet (STD 213) of this Agreement.

CSD:

The State of California Department of Community Services and Development.

Equipment:

An article of nonexpendable, tangible personal property having a useful life of more than one year and an acquisition cost which

EXHIBIT F
(Standard Agreement)

equals or exceeds the lesser of the capitalization level established by the non-profit organization for financial statement purposes, or \$5000.

Final Allocation:

The actual amount of funds available to Contractor under this Agreement, as calculated pursuant to Government Code § 12759 after CSD receives the notice of grant award for the full allocation based on the appropriation by Congress for the related federal fiscal year, and as publicly announced by CSD's Director or designee, subsequent to the execution of this Agreement.

Limited Purpose
Agency (LPA):

A community-based nonprofit organization without a tripartite board, as defined in California Government Code § 12775 and 42 U.S.C. § 9921

Maximum Amount:

The dollar amount reflected on line 3 of the face sheet (STD 213) of this Agreement.

Modification:

An immaterial change to this Agreement that does not require an Amendment.

Native American
Indian program (NAI):

A tribal or other Native American Indian organization in an urban or rural off-reservation area, as defined in California Government Code section 12772, such as an Indian nonprofit organization, which meets the criteria of 'eligible entity' as defined in subdivision (g) of Section 12730. An NAI may be considered a 'public organization' for purposes of tripartite board requirements or other mechanisms of governance in accordance with 42 U.S.C. section 9910(b).

Parties:

CSD on behalf of the State of California, and the Contractor.

Program:

The Community Services Block Grant (CSBG) Program, 42 USC §§ 9901 et seq., as amended.

State:

The State of California Department of Community Services and Development.

Subcontractor:

An entity (partnership, tribe, corporation, association, agency, or individual) that enters into a separate contract or agreement with

EXHIBIT F
(Standard Agreement)

Contractor to fulfill direct program or administrative tasks in support of this Agreement.

Subcontract:

A separate contract or agreement entered into by and between Contractor and Subcontractor to fulfill direct program or administrative tasks in support of this Agreement.



EXHIBIT G

CERTIFICATION REGARDING LOBBYING

DEPARTMENT OF HEALTH AND HUMAN SERVICES
FAMILY SUPPORT ADMINISTRATION

PROGRAM: Community Services Block Grant

PERIOD: January 1, 2012 through December 31, 2012

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award document for subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Title

Signature

Agency/Organization

Date

APPROVED AS TO FORM

NGIL P. MORRIS-JONES

COUNTY COUNSEL

Pat Germaine

DISCLOSURE OF LOBBYING ACTIVITIES

Approved by OMB
0348-0046

Complete the form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure.)

1. Type of Federal Action: <input type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	2. Status of Federal Action: <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	3. Report Type: <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change For Material Change Only: year _____ quarter _____ date of Last report _____
4. Name and Address of Reporting Entity: <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known: Congressional District, if known: _____	5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime: Congressional District, if known: _____	
6. Federal Department/Agency:	7. Federal Program Name/Description: CFDA Number, if applicable: _____	
8. Federal Action Number, if known:	9. Award Amount, if known: \$ _____	
10. a. Name address of Lobbying Entity (if individual, last name, first, name, MI): <div style="text-align: center;">(attach Continuation Sheet(s) SF-LLL-A, if necessary)</div>		
11. Amount of Payment (check all that apply): \$ _____ <input type="checkbox"/> actual <input type="checkbox"/> planned	13. Type of Payment (check all that apply): <input type="checkbox"/> a. retainer <input type="checkbox"/> b. one-time fee <input type="checkbox"/> c. commission <input type="checkbox"/> d. contingent fee <input type="checkbox"/> e. deferred <input type="checkbox"/> f. other; specify: _____	
12. Form of Payment (check all that apply): <input type="checkbox"/> a. cash <input type="checkbox"/> b. in-kind; specify: nature _____ value _____		
14. Brief Description of Services Performed or to be Performed and Date(s) of Services, including officer(s), employee(s), or Member(s), contacted, for Payment Indicated in Item 11: <div style="text-align: center;">(attach Continuation Sheet(s) SF-LLL-A, if necessary)</div>		
15. Continuation Sheet(s) SF-LLL-A attached: <input type="checkbox"/> Yes <input type="checkbox"/> No		
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> 16. Information requested through this form is authorized by Title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1353. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty for not less than \$10,000 and not more than \$100,000 for each such failure. </div> <div style="width: 50%;"> Signature: _____ Print Name: _____ Title: _____ Telephone No.: _____ Date: _____ </div> </div>		
Federal Use Only:		Authorized for Local Reproductions Standard Form - LLL

DISCLOSURE OF LOBBYING ACTIVITIES
CONTINUATION SHEET

Approved by OMB
0348-0046

Reporting Entity: _____ Page _____ of _____

INSTRUCTION FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Use the SF-LLL-A Continuation Sheet for additional information if the space on the form is inadequate. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, state and ZIP Code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in Item 4 checks "Subawardee", then enter the full name, address, city, state and zip code of the prime Federal recipient. Include Congressional District, if known
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, state and zip code of the lobbying entity engaged by the reporting entity identified in item 4 to influence the covered Federal action.
(b) Enter the full name of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).
11. Enter the amount of compensation paid or reasonably expected to be paid by the reporting entity (item 4) to the lobbying entity (item 10). Indicate whether the payment has been made (actual) or will be made (planned). Check all boxes that apply. If this is a material change report, enter the cumulative amount of payment made or planned to be made.
12. Check the appropriate box(es). Check all boxes that apply. If payment is made through an in-kind contribution, specify the nature and value of the in-kind payment.
13. Check the appropriate box(es). Check all boxes that apply. If other, specify nature.
14. Provide a specific and detailed description of the services that the lobbyist has performed, or will be expected to perform, and the date(s) of any services rendered. Include all preparatory and related activity, not just time spent in actual contact with Federal officials. Identify the Federal official(s) or employee(s) contacted or the officer(s), employee(s), or Member(s) of Congress that were contacted.
15. Check whether or not a SF-LLL-A Continuation Sheet(s) is attached.
16. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budgets. Paperwork Reduction Project (0348-0046), Washington, D.C. 20503.

The County of Yuba

Community Development & Services Agency

Kevin Mallen, Director

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915 8th Street, Suite 123
Marysville, California 95901
www.co.yuba.ca.us



063-12

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February 28, 2012

TO: Board of Supervisors

FROM: Wendy Hartman, Planning Director *W. Hartman*
Debra J. Phillips, Executive Director of Community Services Commission *Debbie*

SUBJECT: **AUTHORIZE EXECUTIVE DIRECTOR OF COMMUNITY SERVICES
COMMISSION TO EXECUTE 2012 COMMUNITY SERVICES BLOCK
GRANT CONTRACTS WITH AGENCIES**

Recommendation:

Authorize the Executive Director of Community Services Commission to execute 2012 Community Services Block Grant contracts with the agencies previously approved to receive funding. (Approved by the Yuba County Board of Supervisors on February 28, 2012.)

Background:

The Yuba County Community Services Commission (YCCSC), designated as the authorized Community Action Agency for Yuba County in May of 1988, advises the Board of Supervisors on the distribution of the CSBG funds received from the California State Department of Community Services and Development. On June 28, 2011 the Board of Supervisors approved the 2012/13 Community Action Plan, which set forth the local needs and priorities, and allotted approximately \$52,144 to Administration, making the \$196,800 balance of the \$248,944 minimum funding available for distribution to community based organizations through a competitive Request for Proposal process. Each year, contracts are executed with the community-based organizations that have been allocated funds under the CSBG guidelines.

Discussion:

The Yuba County Community Service Commission approved the following distribution on October 6, 2011, as did the Yuba County Board of Supervisors on February 28, 2012.

H:\COMMON\2012\YC-CSBG\AGENCY CONTRACTS BOS.DOC



Community Services Commission



Housing Authority

EQUAL HOUSING
OPPORTUNITY

FREED Center for Independent Living	\$	10,050
NorCal Services for Deaf & Hard-of-Hearing		6,000
Sutter Yuba Friday Night Live		20,000
Casa de Esperanza		12,000
Yuba Sutter Gleaners Food Bank		12,000
Yuba Feather Community Services		4,000
Community Action Agency of Butte County		20,000
Salvation Army		5,000
Butchie's Pool		18,000
Allyn Scott Youth and Community Center		20,000
St. John's Episcopal Church		7,500
Yuba County Public Works		10,000
Yuba County Seniors		<u>2,250</u>
		\$146,800
Yuba County Housing Authority-FSS		18,500
Salvation Army-FSS		<u>31,500</u>
	\$	50,000
Total Allocation:	\$	196,800

Contracts have been executed by the provider organizations for signature, with each agreement reflecting the funding approved by the Board. The contracts, format drafted by County Counsel, are on file for review in the office of the Housing and Community Services.

Fiscal Impact:

None. Source of referenced funds is Community Service Block Grant.

Should you need additional information or have questions, please contact Debra J. Phillips at 749-5460.

DJP

Attachments

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF YUBA

IN RE:

RESOLUTION NO.:

RESOLUTION AUTHORIZING THE
EXECUTIVE DIRECTOR OF THE YUBA
COUNTY COMMUNITY SERVICES
COMMISSION TO EXECUTE
CONTRACTS WITH THE AGENCIES
APPROVED TO RECEIVE COMMUNITY
SERVICES BLOCK GRANT FUNDING

WHEREAS, the Yuba County Community Services Commission was designated as the authorized Community Action Agency for Yuba County in May, 1988 to advise the Board of Supervisors on the distribution of Community Services Block Grant funds, and

WHEREAS, the Board of Supervisors approved the 2012-13 Community Action Plan on June 28, 2011 which set forth the local needs and priorities, and allotted \$52,144 to Administration, making \$196,800 available for distribution to community based organizations through a competitive Request for Proposal process, and

WHEREAS, the Yuba County Community Services Commission approved funding recommendations on October 6, 2011, as did the Yuba County Board of Supervisors on February 28, 2012 for the 2012 CSBG program year, and

WHEREAS, the Executive Director of the Community Services Commission can act on behalf of the Yuba County Community Services Commission and will sign all necessary

documents required to complete the contracts with the funded agencies.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors hereby authorizes the Executive Director of the Community Services Commission, subject to approval of County Counsel, to sign contracts and any amendments thereto with the CSBG funded agencies. The Executive Director is further authorized to sign subsequent required fiscal and programmatic reports, and to perform any and all responsibilities in relationship to such contract.

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of Yuba, State of California, on the 28th day of February 2012, by the following vote:

AYES:

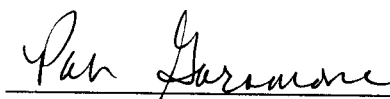
NOES:

ABSENT:

Hal Stocker, Chairman

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

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



The County of Yuba

Community Development & Services Agency

Kevin Mallen, Director

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February 28, 2012

TO: YUBA COUNTY BOARD OF SUPERVISORS

FROM: MICHAEL G. LEE, DIRECTOR OF PUBLIC WORKS

SUBJ: Award Contract to Apparent Low Bidder for Smartville (Chuck Yeager) Road Bridge Replacement at Vineyard Creek Project and Authorize the Chair to Execute Same

RECOMMENDATION:

The Public Works Department recommends that the Board of Supervisors approve award of the contract for the above project to the apparent low bidder, and to authorize its chairman to execute the contract pending contract approval by County Counsel.

BACKGROUND:

This project entails replacing the bridge and bridge approaches on Smartville (Chuck Yeager) Road crossing Vineyard Creek.

On Wednesday February 21, 2012 bids were opened for the subject project. The three lowest bids received are shown on the attached sheet.

DISCUSSION:

The work in general consists of constructing a 90-foot long three span reinforced concrete flat slab type bridge having a width of 34 feet 10 inches, removal of an existing timber trestle type bridge and reconstructing 610 lineal feet of approach roadway. Approach metal beam guard railing will be installed at all four corners of the new structure and a temporary detour road will be constructed upstream of the existing structure. The Engineer's Estimate for the construction items was \$1,114,500. The project is expected to be completed by November 2012.

COMMITTEE ACTION:

The Land Use and Public Works Committee was bypassed as this is a budgeted item.

FISCAL IMPACT:

The entire construction phase of this project, including construction engineering, will be funded 88.53% through the HBP program with the remaining 11.47% to be funded by the Road Fund.

The County of Yuba

Community Development & Services Agency

Kevin Mallen, Director

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

SUBJ: Award Contract to Apparent Low Bidder for Smartville (Chuck Yeager) Road Bridge Replacement at Vineyard Creek Project

THREE LOW BIDS FOR THE PROJECT

<u>Contractor</u>	<u>Bid Amount</u>
AJ Vasconi Inc.	\$937,997.00
R.A. Nemetz Construction Co., Inc.	\$939,034.75
R.M. Harris Co., Inc.	\$996,459

The apparent low bidder for the project is AJ Vasconi, Inc.

The County of Yuba

OFFICE OF THE COUNTY ADMINISTRATOR

GOVERNMENT CENTER - 915 8TH STREET, SUITE 115
MARYSVILLE, CALIFORNIA 95901-5273
(530) 749-7575 FAX (530) 749-7312



065-12 **ROBERT BENDORF**
COUNTY ADMINISTRATOR
JOHN FLEMING
ECONOMIC DEVELOPMENT COORDINATOR
RUSS BROWN
COMMUNICATIONS & LEGISLATIVE
AFFAIRS COORDINATOR
GRACE M. MULL
MANAGEMENT ANALYST
TEENA CARLQUIST
EXECUTIVE ASSISTANT TO THE
COUNTY ADMINISTRATOR

TO: Board of Supervisors
FROM: Robert Bendorf, County Administrator *RB/c*
RE: Professional Services Contract with M. M. Rosenberg & Associates
DATE: February 28, 2012

RECOMMENDATION

It is recommended that the Board of Supervisors approve a contract between the County and M. M. Rosenberg & Associates effective January 3, 2012 through December 31, 2012, and authorize the Chairman to execute same.

BACKGROUND

The Board of Supervisors previously approved a contract with M. M. Rosenberg and Associates in January 2011. Services performed included the continuation of instructing and coordinating the Executive Leadership Program and coordinating with the Workforce Planning Committee and development of an executive evaluation program with the Board of Supervisors. Previous contracts included development of the Executive Leadership Program, development of the County's strategic plan and vision, department head workshops, development of a selection system manual, presentation to department heads regarding strategic planning and leadership development, and executive level employee relations training.

DISCUSSION

Dr. Rosenberg has provided assistance in a number of activities related to overall organizational effectiveness. The implementation and results of the in-house Supervisory Development and Executive Leadership courses continues to be very successful. The County's first Executive Leadership Program has concluded and the second is underway with Dr. Rosenberg coordinating and leading the program.

Through this contract, continuation of the executive evaluation process will occur. In addition, organizational development and training workshops will be coordinated during the course of the year.

FISCAL IMPACT

The fiscal impact is not to exceed \$3,750 per month for twelve (12) months. Sufficient funds have been budgeted for the current fiscal year.

M.M. ROSENBERG & ASSOCIATES
Consultants in Organizational Effectiveness

CONSULTING AGREEMENT

THIS CONSULTING AGREEMENT ("Agreement") made this 3rd day of January, 2012 (the "Effective Date"), by and between M.M. Rosenberg and Associates, hereinafter referred to as "Consultant", and Yuba County, Office of the County Administrator, whose principal place of business is located at 915 Eighth Street, Suite 115 Marysville, CA 95901 hereinafter referred to as "Yuba County".

NOW, THEREFORE, it is agreed as follows:

1. Term. The respective duties and obligations of the contracting parties shall be for a period of one (1) Year commencing on January 3, 2012 and may be terminated at any time, with or without cause, by either party with 30 days notice to the other party at the addresses stated above, or at an address chosen subsequent to the execution of this Agreement and duly communicated to the party giving notice. In the event of termination of this Agreement, Consultant shall immediately deliver to the County, all work product, papers, documents, data, notes, reports, electronic mail, materials and other properties created, controlled or held by Consultant in connection with the purposes of this Agreement. In addition, each party will assist the other party in orderly termination of this Agreement and the transfer of all aspects hereof, tangible and intangible, as may be necessary for the orderly, non-disrupted business continuation of each party.
2. Services. In compliance with all of the terms and conditions of this Agreement, Consultant is retained by Yuba County for two days (2) per month (with a minimum of one day on-site) and unlimited monthly access for phone/email consultation or coaching as a non-exclusive consultant to assist the officers of Yuba County with Organizational Development. Consultant is free to cooperate with sub-consultants and may divide the services to be performed pursuant to this Agreement with other consultants in a manner acceptable to Yuba County and Consultant, provided that such sub-consultants shall at all times agree in writing to be bound to the confidentiality provisions set forth in paragraph 5 of this Agreement.
3. Fee. Consultant will be paid for the consulting services performed pursuant to this Agreement a retainer fee in the amount of Three Thousand, Seven Hundred Fifty Dollars (\$3,750.00) per month (the "Fee"). Consultant shall pay its own income taxes, federal, state or city, and self-employment taxes. Yuba County shall reimburse Consultant for any out-of-pocket expenses incurred by Consultant in connection with the consulting services provided hereunder. Should a bona fide dispute arise with respect to an invoice submitted by Consultant, Yuba County shall pay the undisputed amount within a reasonable time period, but shall withhold the disputed amount until the matter is resolved.

M.M. ROSENBERG & ASSOCIATES

4. Independent Contractor. Neither the Yuba County nor any of its employees or officers shall have any control over the manner, mode or means by which Consultant or its agents, employees or sub-consultants, perform the services required herein, except as otherwise set forth herein. Consultant shall perform all services required herein as an independent contractor of Yuba County and shall remain at all times as to Yuba County a wholly independent contractor with only such obligations as are consistent with that role. Consultant shall not at any time or in any manner represent that it or any of its agents or employees are agents or employees of Yuba County or its officers. Consultant is an independent contractor and has no power, and will not represent that he has any power, to bind Yuba County or to assume or to create any obligation or responsibility, expressed or implied, on behalf of Yuba County. Likewise, Yuba County has no power, and will not represent that it has any power, to bind Consultant or to assume or to create any obligation or responsibility, expressed or implied, on behalf of Consultant. This Agreement shall not be construed as constituting Yuba County and Consultant as partners or in joint venture, or to create any other form of legal association, which would impose liability upon one party for the act or failure to act of the other. Consultant is free to pursue and accept other business opportunities so long as Consultant's business ventures do not conflict with the provisions of this Agreement.
5. Confidentiality. The Consultant, for itself and its employees, agents, sub-consultants, and personnel, acknowledges, confirms and agrees that any and all information learned in the course of their performance of consulting services hereunder (including, without limitation, as a result of observations, conversations, discussions, correspondence, business records, and/or proprietary records) or received from or related to Yuba County, the Yuba County's affiliated entities, Yuba County's officers, agents, employees, directors, or agents, and/or the Yuba County's business operations (including, without limitation, the identity of the persons with whom Yuba County conducts business, Yuba County's projects and contemplated projects, Yuba County's business methods, Yuba County's assets and financial affairs, and Yuba County's procedures and practices) shall be considered confidential, shall not be used or divulged and shall be held in the strictest confidence, unless and until Yuba County specifically consents in writing to the disclosure of any such information. Such information remains at all times the property of the Yuba County. Intellectual property (including such things as all ideas, concepts, inventions, plans, developments, software, data, configurations, materials (whether written or machine-readable), designs, drawings, illustrations, and photographs, that may be protectable, in whole or in part, under any patent, copyright, trademark, trade secret, or other intellectual property law), developed, created, conceived, made, or reduced to practice during the performance of consulting services for Yuba County, shall be the sole and exclusive property of Yuba County, and Consultant hereby assigns all rights, title, and interest in any such intellectual property to Yuba County. Consultant further acknowledges, confirms and agrees that a violation of any of the provisions of this paragraph 5 would irreparably harm Yuba County, and accordingly Yuba County or any of its affiliated entities shall be entitled to, in addition to other remedies available to it, an injunction to be issued by any court of competent jurisdiction restraining Consultant, its employees, agents, sub-consultants, and/or personnel from committing or continuing any

such violation, without the need to prove the inadequacy of money damages or post any bond or for any other undertaking. This paragraph 5 shall specifically survive the termination of this Agreement.

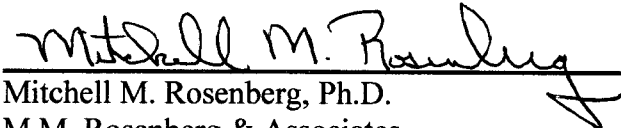
6. Conflict of Interest. Consultant shall not have any business or financial interest outside Yuba County which in any way conflicts with the interests of Yuba County or places Consultant in a position where it can use the association with Yuba County for direct or indirect gain to the possible detriment or embarrassment of Yuba County. A conflict of interest may arise in a wide variety of circumstances and may be direct or indirect. A conflict of interest arises whenever the Consultant's outside interests might affect or might reasonably be thought by others to affect the Consultant's judgment or conduct in matters which involve Yuba County. Consultant agrees not to engage in such activity.
7. Entire Agreement. This Agreement contains the entire understanding of the parties, and there are no further or other agreements or understandings, written or oral, in effect between the parties relating to the subject matter hereof. Any amendments or modifications hereto must be in a writing signed by both parties.
8. Choice of Law; Venue. This Agreement shall be governed in all respects by the laws of the State of California. The parties hereto consent to the jurisdiction and venue of an appropriate court located in Yuba County, State of California.
9. Waiver. No waiver of any default hereunder shall be construed as a waiver of any subsequent breach.
10. Severability. In the event that any provision of this Agreement becomes or is declared by a court of competent jurisdiction to be illegal, unenforceable or void, this Agreement shall continue in full force and effect without said provision; provided that no such severability shall be effective, if it materially changes the economic benefit of this Agreement to any party.

IN WITNESS WHEREOF, the parties have hereunto executed this Consulting Agreement as of the day and year first above written.

Yuba County, Board of Supervisors

Hal Stocker, Chairman

"Consultant"

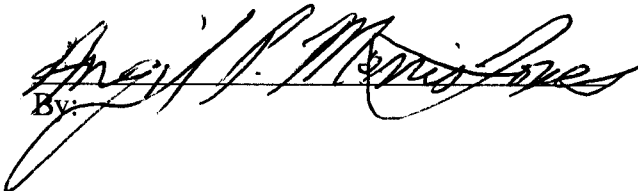


Mitchell M. Rosenberg, Ph.D.
M.M. Rosenberg & Associates

APPROVED AS TO FORM:
ANGIL MORRIS-JONES
COUNTY COUNSEL

By: _____

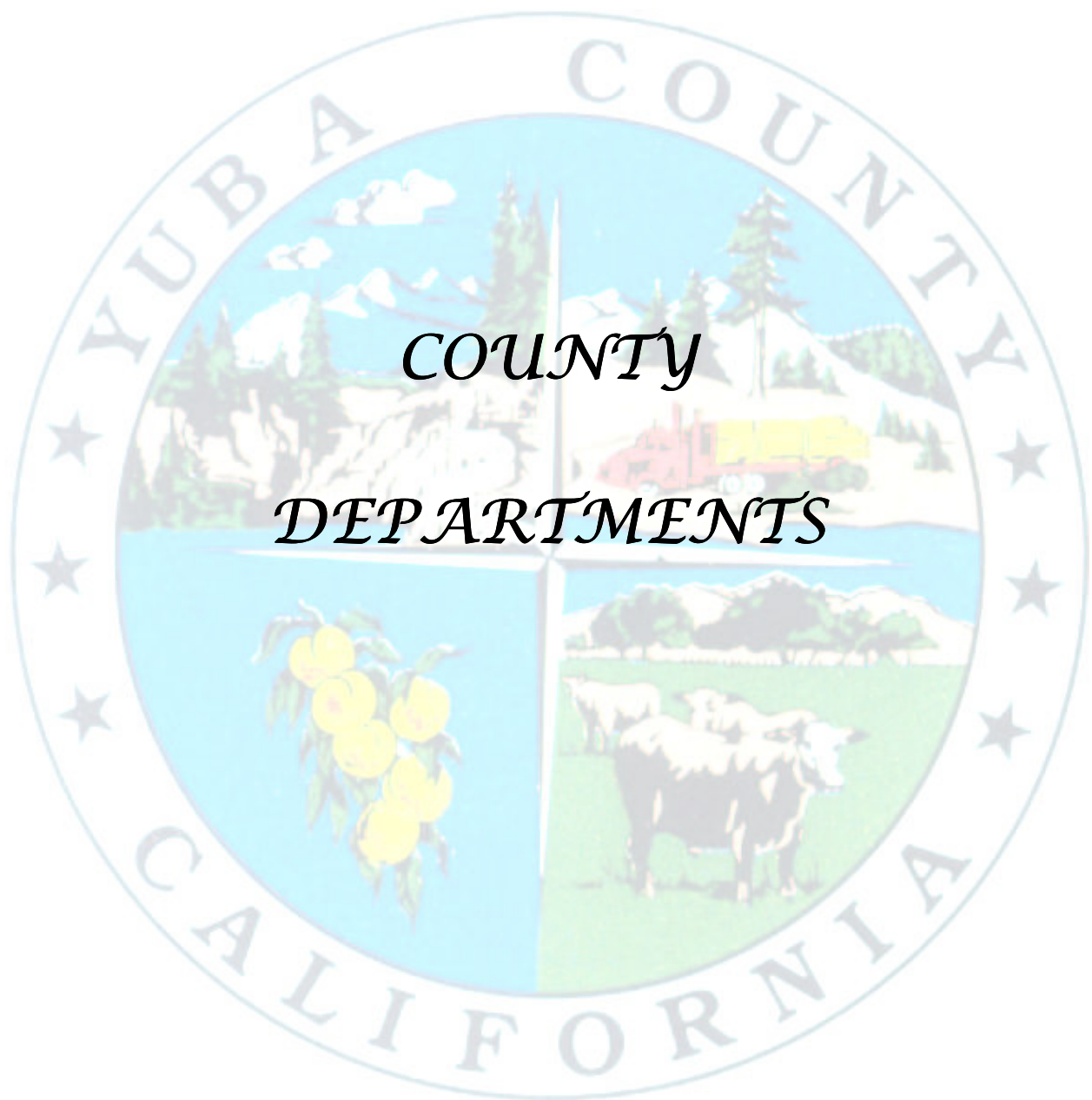
ATTEST: DONNA STOTTLEMEYER
Clerk of the Board of Supervisors


By: _____

M.M. ROSENBERG & ASSOCIATES
Consultants in Organizational Effectiveness

Proposed Consulting Services for Yuba County for 2012

- a. Continue to support the development and facilitation of the Executive Leadership Development Series for Department Heads, Assistant Department Heads and high potential leaders.
- b. Customized Development plans for selected Sr. Leaders.
- c. Facilitate and draft comprehensive Performance Reviews on behalf of the Board of Supervisors.
- d. Executive coaching for County Administrative Officer and other Department Heads as required.
- e. Continue the development and support of the Organizational Excellence Committee.
- f. Support the restructuring/organizational development of key County Departments going through transition.
- g. Facilitate various meetings and strategy sessions.
- h. Support Board of Supervisors development.



COUNTY
DEPARTMENTS

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The County of Yuba

Department of Administrative Services

Doug McCoy - Director



AIRPORT	741-6248
BUILDING & GROUNDS	749-7880
FACILITIES MANAGEMENT	749-7880
INFORMATION SERVICES	749-7891
PURCHASING	749-7882
TELECOMMUNICATIONS	749-7880

(530) 749-7880
FAX (530) 749-7884

February 28, 2012

TO: Yuba County Board of Supervisors

FROM: Doug McCoy, Director of Administrative Services

SUBJECT: Approve request for transfer or revision of appropriation, estimated revenue or funds in the amount of \$16,110 as it relates to the administration of the Yuba-Sutter enterprise zone

Recommendation:

It is recommended that the Board approve the subject "Request for Transfer or Revision of Appropriation, Estimated Revenue or Funds" in the amount of \$16,110.

Background:

The budget appropriation is necessary to return the Administrative Technician position to full time for the period January 1 to June 30, 2012. The position was reduced to 50 percent at the start of the fiscal year due to a lack of general fund dollars available that previously assisted in funding a portion of the position.

Discussion:

The Administrative Technician position assists the Yuba-Sutter Enterprise Zone Manager with the 6-jurisdiction State Tax Hiring Tax Credit Program that provides state tax credits for the local business community as well as with administrative support of airport operations. The additional funds for the increased expenditure are available in Fund 126 from the local funds generated as part of the State Tax Credit Voucher Program.

Committee Action:

This item was not presented to the Public Facilities Committee due to the routine nature of the request and to complete the process in conjunction with the mid-year budget adjustments. This item was not included in the mid-year request as the revenue source was still being determined at the time the request was being prepared.

Fiscal Impact:

There are no costs associated with this agenda item that would impact the General Fund.

Attachment

WHITE - AUDITOR - CONTROLLER
YELLOW - COUNTY ADMINISTRATOR
PINK - DEPARTMENT

AUDITOR - CONTROLLER TRANSFER NO. 16

COUNTY OF YUBA
REQUEST FOR TRANSFER OR
REVISION OF APPROPRIATION, ESTIMATED REVENUE OR FUNDS

DATE: 2/23 2012

DEPARTMENT ADMINISTRATIVE SERVICES (INDUSTRIAL)

REQUEST APPROVAL OF THE FOLLOWING TRANSFER FISCAL YEAR ENDING JUNE 30, 2012

BUDGET OR ESTIMATED REVENUE

☒ **ESTIMATED REVENUE INCREASED**

☐ **APPROPRIATION DECREASED**

☒ **APPROPRIATION INCREASED**

ACCOUNT NO.	NAME	AMOUNT
Estimated Revenue		16,110.00
126-0000-361-46-50		16,110.00

ACCOUNT NO.	NAME	AMOUNT
101-1400-419-01-01		13,900.00
101-1400-419-02-02		1,932.00
101-1400-419-02-05		200.00
101-1400-419-02-06		70.00
101-1400-419-02-07		3.00

COUNTY OF YUBA
AUDITOR - CONTROLLER

FUND TRANSFERS

FUNDS TO BE REDUCED:

FUND	AMOUNT
126 - Airport	16,110 -

FUNDS TO BE INCREASED:

FUND	AMOUNT
101 - General	16,110 -

GENERAL LEDGER (AUDITOR - CONTROLLER USE ONLY)

FUND	ACCOUNT	AMOUNT			FUND	ACCOUNT	AMOUNT	
		DEBIT	CREDIT				DEBIT	CREDIT

REASON FOR TRANSFER: Increase position of Administrative Technician from 50 percent time to 100 percent for period 1/1/2012 to 6/30/2012 to be paid from Enterprise Zone State Hiring Credit Tax Program local funds generated.

APPROVED:

☐ **AUDITOR - CONTROLLER**

Signature

Date

Signature

DEPARTMENT OR PUBLIC OFFICIAL

☐ **COUNTY ADMINISTRATOR:**

Signature

Date

Administrative Services Director

TITLE

Approved as to Availability of Budget Amounts and Balances
in the Auditor/Controllers Office.

AUDITOR - CONTROLLER

Auditor/Controller, Dean E. Sellers

Approved:

BOARD OF SUPERVISORS

Clerk of the Board

Date



The County of Yuba

Office of the County Administrator

Robert Bendorf, County Administrator

TO: Yuba County Board of Supervisors
FROM: Robert Bendorf, County Administrator
RE: Repayment Agreement between the County of Yuba and the City of Marysville regarding a Traffic Fine Audit for Fiscal Years 04/05 – 08/09
DATE: February 28, 2012

RECOMMENDATION

It is recommended that the Board of Supervisors approve the attached repayment agreement between the County of Yuba and the City of Marysville related to the State Controller's Audit of Traffic Fines for Fiscal Years 2004-2005 through 2008-2009 and authorize the Chairman to execute the agreement.

BACKGROUND

The State of California as well as the federal government routinely audits services or functions that counties provide on their behalf. County departments are audited on an annual basis with some audits covering a period of several years.

In August of 2010, the State Controller reviewed findings of a traffic fine audit with County and Court staff and subsequently produced the final draft report in December 2010. The findings indicated the County had over-remitted approximately \$161,000 to the State of California. It was also discovered that the City of Marysville and the City of Wheatland were over-remitted approximately \$222,000 and \$6,000 respectively. In addition, there appears to be additional amounts owed to the County for Fiscal Year 2009-2010 (which was a year not covered in the audit), however potential over-remittance amounts have yet to be identified.

At a recent meeting with the City of Marysville, City representatives proposed a 10 year pay back of the amount owed to Yuba County.

DISCUSSION

Subsequent to the audit findings, the over-remittance amounts from the City of Wheatland and the State of California were paid the County. Recognizing the amount over-remitted to Marysville and economic considerations facing all local governments as a result of the recession, discussions occurred with City and County representatives to determine a method of repayment that would occur over time.

A draft agreement has been presented to the City of Marysville on February 14, 2012 and it was approved by their City Council on February 21, 2012. The agreement provides for the following:

- Repayment is over a ten year period beginning in the current fiscal year.
- Principal repayment is proposed to be \$22,238.60 per fiscal year, recovered monthly by the Auditor-Controller through the fine distribution process.
- No interest rate.

FISCAL IMPACT

As stated in the narrative of the staff report and agreement.

REPAYMENT AGREEMENT BETWEEN THE COUNTY OF YUBA AND THE CITY OF MARYSVILLE

This Agreement is hereby made and entered into by and between the COUNTY OF YUBA (hereinafter referred to as "COUNTY") and the CITY OF MARYSVILLE (hereinafter referred to as "CITY").

- A. Background/History:** In 2010 the Office of the California State Controller, Audit Division, conducted an audit for traffic fines collected in fiscal years 2004-2005 through 2008-2009 by the Yuba County Superior Court. Through the audit, it was determined that several government entities, including the State of California were owed a portion of the total fines collected or needed to pay back amounts from fines inappropriately credited to their respective agency.
- B. Purpose of Agreement:** The purpose of this agreement is to establish a repayment plan for the CITY to pay the COUNTY the amount owed due to misallocation of court fines from Fiscal Year 2004/2005 through Fiscal Year 2008/2009.

In addition, the Office of the California State Controller has recommended that amounts owed for fiscal year 2009-2010 also be determined and remitted to the appropriate agency(ies). That amount is still to be determined and IS NOT part of this agreement. The COUNTY will notify the CITY of the amount for 2009-2010 as soon as it is determined. Both parties agree the 2009-2010 amount owed will be "in addition to" the amount covered by the audit report identified in this agreement and paid to the COUNTY within the term of this agreement and under the same methodology.

- C. Amount Owed:** Due to the misallocation of court issued fines, the CITY currently owes the County of Yuba \$ 222,386 for fiscal years 2004-2005 through 2008-2009.
- D. Repayment:** Repayment will be based on the following terms:
- a. **Interest Rate:** None.
 - b. **Annual Payment:** The CITY will make an annual payment of twenty two thousand, two hundred thirty eight dollars and sixty cents (\$22,238.60) to the COUNTY each year, for ten (10) years, beginning in Fiscal Year 2011-2012.

- c. **Method of Repayment:** The CITY agrees to have the Yuba County Auditor-Controller's Office withhold the agreed upon annual payment amount of twenty two thousand, two hundred thirty eight dollars and sixty cents (\$22,238.60) in monthly installments from the CITY's monthly fine distribution.
- d. **Payment Schedule:** The CITY agrees to repay the amount owed to the COUNTY according to the attached payment schedule (Attachment A). The repayment schedule reflects a monthly payment / withholding over a period of ten (10) years beginning in Fiscal Year 2011-2012.
 - i. The CITY and COUNTY agree the actual monthly payment / withholding will occur once a month and not necessarily on the first of the month as indicated on Attachment A.
- e. **Notification of Payment / Withholding:** The COUNTY agrees to report monthly to the CITY, in writing, the payment / withholding amount.
- f. **Additional Payments:** Additional payments during the course of this agreement may be made by the CITY at their discretion. These payments will be sent and addressed as follows:

County of Yuba
Attention: Yuba County Auditor-Controller
915 8th Street, Suite 105
Marysville, CA 95901

- E. **Prepayment:** The CITY OF MARYSVILLE has the right to prepay the outstanding amount at anytime during the course of this agreement.
- F. **Default:** If for any reason the CITY OF MARYSVILLE fails to make any payment on time, the CITY OF MARYSVILLE shall be in default. The COUNTY can then demand immediate payment of the entire remaining unpaid balance without giving further notice.
- G. **Modification:** Modifications within the scope of this agreement shall be made by mutual and written consent of all parties. All modifications must be made in writing and agreed upon by all parties as evidenced by their signature.

H. Notices: Any notice required or permitted to be given under this Agreement shall be in writing and shall be served by certified mail, return receipt requested, or personal service upon the other party.

Notices shall be addressed as follows:

If to the COUNTY:

County of Yuba
C. Richard Eberle, Auditor-Controller
915 8th Street, Suite 105
Marysville, CA 95091

If to the CITY OF MARYSVILLE: City of Marysville
Steve Casey, City Manager
P.O. Box 150
Marysville, CA 95901

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as follows

CITY OF MARYSVILLE

By: _____
Bill Harris, Mayor
City of Marysville

Date: _____

COUNTY OF YUBA

By: _____
Hal Stocker, Chairman
Yuba County Board of Supervisors

Date: _____

ATTEST: DONNA STOTTLEMEYER
Clerk of the Board of Supervisors

RECOMMENDED FOR APPROVAL

By: _____
Robert Bendorf, County Administrator

APPROVED AS TO FORM
Angil P. Morris-Jones
County Counsel

By: _____
Angil P. Morris-Jones

<u>FY 11-12</u>	<u>Payment</u>	<u>FY Balance</u>	<u>FY 12-13</u>	<u>Payment</u>	<u>FY Balance</u>	<u>FY 13-14</u>	<u>Payment</u>	<u>FY Balance</u>	<u>FY 14-15</u>	<u>Payment</u>	<u>FY Balance</u>	<u>FY 15-16</u>	<u>Payment</u>	<u>FY Balance</u>
		\$22,238.60			\$22,238.60			\$22,238.60			\$22,238.60			\$22,238.60
03/01/12	\$5,559.65	\$16,678.95	07/01/12	\$1,853.21	\$20,385.39	07/01/13	\$1,853.21	\$20,385.39	07/01/14	\$1,853.21	\$20,385.39	07/01/15	\$1,853.21	\$20,385.39
04/01/12	\$5,559.65	\$11,119.30	08/01/12	\$1,853.21	\$18,532.18	08/01/13	\$1,853.21	\$18,532.18	08/01/14	\$1,853.21	\$18,532.18	08/01/15	\$1,853.21	\$18,532.18
05/01/12	\$5,559.65	\$5,559.65	09/01/12	\$1,853.21	\$16,678.97	09/01/13	\$1,853.21	\$16,678.97	09/01/14	\$1,853.21	\$16,678.97	09/01/15	\$1,853.21	\$16,678.97
06/01/12	\$5,559.65	\$0.00	10/01/12	\$1,853.21	\$14,825.76	10/01/13	\$1,853.21	\$14,825.76	10/01/14	\$1,853.21	\$14,825.76	10/01/15	\$1,853.21	\$14,825.76
			11/01/12	\$1,853.22	\$12,972.54	11/01/13	\$1,853.22	\$12,972.54	11/01/14	\$1,853.22	\$12,972.54	11/01/15	\$1,853.22	\$12,972.54
			12/01/12	\$1,853.22	\$11,119.32	12/01/13	\$1,853.22	\$11,119.32	12/01/14	\$1,853.22	\$11,119.32	12/01/15	\$1,853.22	\$11,119.32
			01/01/13	\$1,853.22	\$9,266.10	01/01/14	\$1,853.22	\$9,266.10	01/01/15	\$1,853.22	\$9,266.10	01/01/16	\$1,853.22	\$9,266.10
			02/01/13	\$1,853.22	\$7,412.88	02/01/14	\$1,853.22	\$7,412.88	02/01/15	\$1,853.22	\$7,412.88	02/01/16	\$1,853.22	\$7,412.88
			03/01/13	\$1,853.22	\$5,559.66	03/01/14	\$1,853.22	\$5,559.66	03/01/15	\$1,853.22	\$5,559.66	03/01/16	\$1,853.22	\$5,559.66
			04/01/13	\$1,853.22	\$3,706.44	04/01/14	\$1,853.22	\$3,706.44	04/01/15	\$1,853.22	\$3,706.44	04/01/16	\$1,853.22	\$3,706.44
			05/01/13	\$1,853.22	\$1,853.22	05/01/14	\$1,853.22	\$1,853.22	05/01/15	\$1,853.22	\$1,853.22	05/01/16	\$1,853.22	\$1,853.22
			06/01/13	\$1,853.22	\$0.00	06/01/14	\$1,853.22	\$0.00	06/01/15	\$1,853.22	\$0.00	06/01/16	\$1,853.22	\$0.00
Repayment Bal:		\$200,147.40			\$177,908.80			\$155,670.20			\$133,431.60			\$111,193.00

<u>FY 16-17</u>	<u>Payment</u>	<u>FY Balance</u>	<u>FY 17-18</u>	<u>Payment</u>	<u>FY Balance</u>	<u>FY 18-19</u>	<u>Payment</u>	<u>FY Balance</u>	<u>FY 19-20</u>	<u>Payment</u>	<u>FY Balance</u>	<u>FY 20-21</u>	<u>Payment</u>	<u>FY Balance</u>
07/01/16	\$1,853.21	\$20,385.39	07/01/17	\$1,853.21	\$20,385.39	07/01/18	\$1,853.21	\$20,385.39	07/01/19	\$1,853.21	\$20,385.39	07/01/20	\$1,853.21	\$20,385.39
08/01/16	\$1,853.21	\$18,532.18	08/01/17	\$1,853.21	\$18,532.18	08/01/18	\$1,853.21	\$18,532.18	08/01/19	\$1,853.21	\$18,532.18	08/01/20	\$1,853.21	\$18,532.18
09/01/16	\$1,853.21	\$16,678.97	09/01/17	\$1,853.21	\$16,678.97	09/01/18	\$1,853.21	\$16,678.97	09/01/19	\$1,853.21	\$16,678.97	09/01/20	\$1,853.21	\$16,678.97
10/01/16	\$1,853.21	\$14,825.76	10/01/17	\$1,853.21	\$14,825.76	10/01/18	\$1,853.21	\$14,825.76	10/01/19	\$1,853.21	\$14,825.76	10/01/20	\$1,853.21	\$14,825.76
11/01/16	\$1,853.22	\$12,972.54	11/01/17	\$1,853.22	\$12,972.54	11/01/18	\$1,853.22	\$12,972.54	11/01/19	\$1,853.22	\$12,972.54	11/01/20	\$1,853.22	\$12,972.54
12/01/16	\$1,853.22	\$11,119.32	12/01/17	\$1,853.22	\$11,119.32	12/01/18	\$1,853.22	\$11,119.32	12/01/19	\$1,853.22	\$11,119.32	12/01/20	\$1,853.22	\$11,119.32
01/01/17	\$1,853.22	\$9,266.10	01/01/18	\$1,853.22	\$9,266.10	01/01/19	\$1,853.22	\$9,266.10	01/01/20	\$1,853.22	\$9,266.10	01/01/21	\$1,853.22	\$9,266.10
02/01/17	\$1,853.22	\$7,412.88	02/01/18	\$1,853.22	\$7,412.88	02/01/19	\$1,853.22	\$7,412.88	02/01/20	\$1,853.22	\$7,412.88	02/01/21	\$1,853.22	\$7,412.88
03/01/17	\$1,853.22	\$5,559.66	03/01/18	\$1,853.22	\$5,559.66	03/01/19	\$1,853.22	\$5,559.66	03/01/20	\$1,853.22	\$5,559.66	03/01/21	\$1,853.22	\$5,559.66
04/01/17	\$1,853.22	\$3,706.44	04/01/18	\$1,853.22	\$3,706.44	04/01/19	\$1,853.22	\$3,706.44	04/01/20	\$1,853.22	\$3,706.44	04/01/21	\$1,853.22	\$3,706.44
05/01/17	\$1,853.22	\$1,853.22	05/01/18	\$1,853.22	\$1,853.22	05/01/19	\$1,853.22	\$1,853.22	05/01/20	\$1,853.22	\$1,853.22	05/01/21	\$1,853.22	\$1,853.22
06/01/17	\$1,853.22	\$0.00	06/01/18	\$1,853.22	\$0.00	06/01/19	\$1,853.22	\$0.00	06/01/20	\$1,853.22	\$0.00	06/01/21	\$1,853.22	\$0.00
		\$88,954.40			\$66,716.80			\$44,477.20			\$22,238.60			\$0.00



The County of Yuba

Office of the County Administrator

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DATE: February 28, 2012
TO: Board of Supervisors
FROM: Robert Bendorf, County Administrator *RB/jm*
 by Grace Mull, Management Analyst
RE: Midyear Budget Review for Fiscal Year 2011-12

Recommendation

1. Receive 2nd Quarter Financial Report.
2. Approve Proposed Mid-Year Budget Transfers.
3. Approve Proposed Mid-Year Personnel Requests.
4. Approve Proposed Mid-Year Fixed Asset Requests.

Background

Annually, the County Administrator's Office prepares a mid-year status report on the current year's budget for the Board of Supervisors along with recommendations regarding appropriation changes requested by departments. Typically, these changes are routine in nature to either correct or adjust budget estimates provided at the beginning of the fiscal year.

Discussion

The attached documents identify requested changes in the County's budget for the second half of the fiscal year. The following is a summary of the requested changes.

Budget Transfer Requests – A total of \$6,713,392 in budget transfers is being requested. Of this amount, Public Works is requesting \$3,650,000 in budget transfers and Health and Human Services is requesting approximately \$1,500,000 in budget transfers. A total of \$180,576 is being requested from General Fund Contingency by the following departments:

- The Public Guardian is requesting \$6,823 for costs associated with the move to the Government Center as well as corrections to salary budget line items.
- Animal Care Services is requesting \$15,000 for additional costs associated with cleaning supplies, animal food, and vaccinations at the Animal Shelter.
- Administrative Services is requesting \$32,136 to cover additional court facility expenses owed to the State of California based on an annual true-up of actual expenses for FY 10/11.
- The Auditor-Controller is requesting \$126,617 for additional costs related to contract services to assist the Auditor-Controller during the management transition period, layoff extension, and corrections to salary budget line items.

Personnel Change Requests – Health & Human Services is requesting to restore funding to two positions that was originally unfunded for FY 11/12. One is an Office Assistant position and the other is a Program Assistant position. Both positions are funded by federal and state dollars and will be covered by salary savings due to attrition.

Fixed Asset Requests - \$511,372 in fixed assets are being requested by various departments. No additional funding is being requested by any of the departments for these requests. Departments have re-allocated appropriations within their current budget to cover the costs.

Committee

This item is traditionally presented to the full Board for consideration.

Fiscal Impact

The recommended actions will decrease the County's General Fund Contingency balance from \$558,936 to \$378,360.

2nd Quarter Budget Report Fiscal Year 2011/2012

Period October 1, 2011 – December 31, 2011



General Fund Discretionary Revenue

General fund discretionary revenue is general fund revenue that is not a direct reimbursement revenue source for a department. The funds are thus “discretionary” and approved by the Board of Supervisors for the general fund needs of the County. The major discretionary general fund revenue sources that make up this revenue include property and sales taxes, franchise fees, general fines, interest, triple flip, and tipping fees.

The total discretionary general fund revenue budgeted for FY 11/12 is \$24,707,982. The following chart displays the major discretionary general fund revenue sources, the amounts budgeted, the amounts received and percent received in 2nd quarter FY 11/12, as well as a comparison to the amounts received in 2nd quarter FY 10/11.

Major Discretionary General Fund Revenue Source	Amount Budgeted FY 11/12	Received YTD FY 11/12	Percent of Budget FY 11/12	Received 2 nd Qtr FY 11/12	Received 2 nd Qtr FY 10/11	Increase Decrease +/-	Notes
Secured Prop Taxes	\$9,486,452	\$4,703,154	49.58%	\$4,703,154	\$4,749,440	(\$46,286)	Property taxes are received in 2 nd and 4 th quarters. (0.97%) decrease from prior year.
Sales Taxes	\$1,850,000	\$1,031,234	55.74%	\$524,580	\$509,914	\$14,666	2.88% increase from prior year.
Franchise Fees	\$1,144,243	\$348,088	30.42%	\$177,251	\$201,342	(\$24,091)	(11.97)% decrease from prior year.
General Fines	\$244,250	\$93,571	38.31%	\$96,928	\$118,635	(\$21,707)	(18.30)% decrease from prior year.
Prior Year Court Audit Findings	\$80,000	\$0	0.00%	\$0	\$0	\$0	Pending agreement with City of Marysville.
Interest Earned	\$320,000	\$271,981	84.99%	\$142,584	\$130,274	\$12,310	9.45% increase from prior year.
Triple Flip	\$7,312,601	\$3,614,277	49.43%	\$3,614,277	\$3,693,233	(\$78,956)	(2.14%) decrease from prior year.
Tipping Fees	\$1,100,000	\$507,073	46.10%	\$260,323	\$272,123	(\$11,800)	(4.34%) decrease from prior year.

2nd Quarter Major Revenue Source Trends

- General Fine revenue traditionally exhibits a negative amount received in the first quarter due to an annual “true-up” that is performed between the County and the State. All fines categories with the exception of General Fines are currently on track in comparison to last year at this time.
- The largest share of franchise fees is historically received in the third quarter.

General Fund Expenditures

General Fund expenditures were \$868,523 more than the same period last year. The majority of the increase is attributed to department’s efforts to administer grants and reimbursable programs more efficiently by scheduling the expenditures and associated reimbursement requests in a timely manner. Total percent expended through the end of December was 46.60%.

Departmental Revenue and Expenditure Reporting

County departments have been reporting their revenues received and expenditures made on a monthly basis. Reports are being distributed to the County Administrator, Auditor and Treasurer. Through the end of the second quarter of this fiscal year, there were eight (8) departments in the General Fund that exhibited

shortfalls for a total amount of (\$639,318). The shortfalls are primarily attributed to timeliness of grant and program reimbursements. Each department affected is working on finding ways to shorten the time between work performed and reimbursement received.

In the Non-General Fund departments, there were fifteen (15) departments that exhibited shortfalls for a total amount of (\$820,066). The bulk of this shortfall is attributed to timing of budget transfers for workers compensation reimbursement. The full premium is paid in July and transfers are usually processed at the end of each quarter by the Auditor's Office.

General Fund Reserves/Contingencies

General Fund Reserves

Adopted Budget: \$1,350,631

Balance 12/31/11: \$1,350,631

General Fund Contingencies

Adopted Budget: \$583,975

Balance 12/31/11: \$558,936

General Fund Contingencies (5th St Bridge)

Adopted Budget: \$140,000

Balance 12/31/11: \$ 95,000

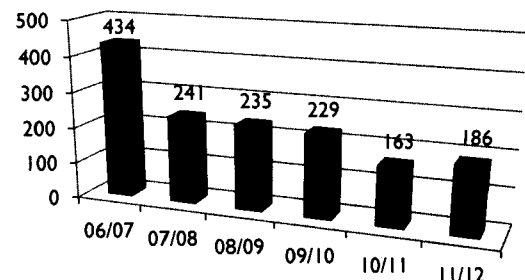
New Hires

15 vacant positions were filled in the second quarter. The positions, departments and associated funding sources are as follows:

Department	Position	Quantity	Funding Source
Health & Human Services	Eligibility Technician	3	Fed/State
Health & Human Services	Social Worker IV CWS	3	Fed/State
Health & Human Services	Program Aide	1	Fed/State
Health & Human Services	Office Assistant	1	Fed/State
Health & Human Services	Correctional Medical Assistant	1	Inmate Welfare/Realignment
County Counsel	Deputy County Counsel	2	General Fund
Auditor-Controller	Auditor-Controller	1	General Fund
Accounting Assistant	Treasurer-Tax Collector	1	General Fund
Public Works	Public Works Maintenance Worker	1	Road Fund
Information Technology	IT Security Officer	1	General Fund/Fed/State

Building Permits

Month	2 nd Qtr Permits 06/07	2 nd Qtr Permits 07/08	2 nd Qtr Permits 08/09	2 nd Qtr Permits 09/10	2 nd Qtr Permits 10/11	2 nd Qtr Permits 11/12
Oct	166	82	99	74	64	60
Nov	196	81	71	78	63	49
Dec	72	78	65	77	36	77
2nd Qtr	434	241	235	229	163	186
% of Change		44.47%	-2.49%	-2.55%	-28.82%	14.11%



Total permits issued were up 14.11% compared to 2nd quarter of FY 10/11.

Single Family Dwelling Permits (SFD) The total SFD building permits issued for the second quarter was 8 compared to 5 in the same period last year. This represents an increase of 60.00%.

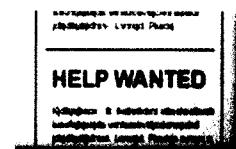
Foreclosure Activity

There were 162 foreclosed homes in the second quarter (Oct/Nov/Dec) of FY 2011-12 compared to 148 in the same period last year which represents a slight increase of 9.46%. The total foreclosed homes for 2011 was 741 compared to 755 in the previous calendar year.

CalWORKS Employment Activity

The goal of the CalWORKS program is to assist and empower families to become self sufficient, contributing members of the community through employment. An average of 65 new CalWORKS participants per month entered into employment in the second quarter of FY 2011-12 compared to 62 in the same period last year.

Often, participants who enter the work force are still eligible for a portion of their cash aid as they accept entry level jobs to gain skills and experience. Participants are encouraged to apply for higher paying jobs after gaining work experience to help them meet their goal of self sufficiency.



During the 2nd quarter, 6 CalWORKS participants graduated from Yuba College. 2 with AA/AS degrees and 4 with Vocational Education certificates. These participants achieved their goals set by their individual Welfare to Work plans to attend Yuba College to work towards a degree or vocational certificate to enhance their employment skills to become self-sufficient. Tuition was covered by student grants with supportive services including childcare and books subsidized by the CalWORKS Welfare to Work program.

CalFresh (Food Stamp) Activity



Health & Human Services reported that a total of 1963 applications for the CalFresh program were received in the second quarter of FY 2011-12. This represents an 18.83% increase compared to the same period last year where 1652 applications were received.



Health & Human Services staff has indicated that the increase is most likely attributed to federal extensions to unemployment benefits coming to an end as well as changes to eligibility criteria which does not count resources as a factor when qualifying applicants for CalFresh program benefits.

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FY 2011/2012 Proposed Mid Year Transfers

1

Ag Commissioner

Appropriation Decreased

Acct. No.	Acct. Name	Amount
101-3400-426-22-00	Office Expense	\$3,000.00

Estimated Revenue Increased/Decreased

Acct. No.	Acct. Name	Amount
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Total Transfers \$3,000.00

Funds To Be Reduced

Fund No.	Fund Name	Amount
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Appropriation Increased

Acct. No.	Acct. Name	Amount
101-3400-426-01-04	Overtime	\$3,000.00

Total Transfers \$3,000.00

Funds To Be Increased

Fund No.	Fund Name	Amount
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Child Support Servs

Appropriation Decreased

Acct. No.	Acct. Name	Amount
107-2600-421-23-00	Professional Services	\$7,200.00

Estimated Revenue Increased/Decreased

Acct. No.	Acct. Name	Amount
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Total Transfers \$7,200.00

Funds To Be Reduced

Fund No.	Fund Name	Amount
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Appropriation Increased

Acct. No.	Acct. Name	Amount
107-2600-421-23-01	Court Appt'd Counsel	\$500.00
107-2600-421-26-00	Rents & Leases	\$700.00
107-2600-421-30-00	Utilities	\$6,000.00

Total Transfers \$7,200.00

Funds To Be Increased

Fund No.	Fund Name	Amount
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Clerk-Recorder

Appropriation Decreased

Acct. No.	Acct. Name	Amount
101-0200-411-01-01	Salaries	\$5,900.00
101-0200-411-02-02	Co Share PERS	\$200.00

Estimated Revenue Increased/Decreased

Acct. No.	Acct. Name	Amount
101-0000-371-97-01	Contr from Trusts- CR	\$10,141.00

Total Transfers \$16,241.00

Funds To Be Reduced

Fund No.	Fund Name	Amount
382	Recorders Michrofiche	\$1,693.00
384	Recorders Spec Fee	\$8,448.00

Appropriation Increased

Acct. No.	Acct. Name	Amount
101-0200-411-01-03	Extra Help	\$5,900.00
101-0200-411-02-03	COPST	\$200.00

101-0200-411-22-82	Office Exp-Micrographic	\$1,693.00
101-0200-411-22-84	Office Exp-Modernization	\$8,448.00

Total Transfers \$16,241.00

Funds To Be Increased

Fund No.	Fund Name	Amount
101	General	\$10,141.00

Elections**Appropriation Decreased**

Acct. No.	Acct. Name	Amount
101-0800-415-17-00	Maintenance Equipment	\$30.00

Estimated Revenue Increased/Decreased

Acct. No.	Acct. Name	Amount
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Total Transfers **\$30.00**

Funds To Be Reduced

Fund No.	Fund Name	Amount
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2

Appropriation Increased

Acct. No.	Acct. Name	Amount
101-0800-415-29-00	Travel	\$30.00

Total Transfers **\$30.00**

Funds To Be Increased

Fund No.	Fund Name	Amount
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County Administrator**Appropriation Decreased**

Acct. No.	Acct. Name	Amount
101-1700-411-01-01	Salaries	\$14,010.00
101-1700-411-02-02	Co Share PERS	\$2,390.00
101-1700-411-90-00	Reimbursements	\$1,334.00
101-1700-411-23-00	Professional Services	\$7,013.00

Estimated Revenue Increased/Decreased

Acct. No.	Acct. Name	Amount
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Total Transfers **\$24,747.00**

Funds To Be Reduced

Fund No.	Fund Name	Amount
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Appropriation Increased

Acct. No.	Acct. Name	Amount
101-1700-411-01-03	Extra Help	\$20,643.00
101-1700-411-02-03	COPST	\$619.00
101-1700-411-02-05	Medicare	\$186.00
101-1700-411-02-04	Health Insurance	\$1,965.00
101-1700-411-29-00	Travel	\$1,334.00

Total Transfers **\$24,747.00**

Funds To Be Increased

Fund No.	Fund Name	Amount
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Economic Dev**Appropriation Decreased**

Acct. No.	Acct. Name	Amount
101-1702-411-29-00	Travel	\$1,500.00

Estimated Revenue Increased/Decreased

Acct. No.	Acct. Name	Amount
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Total Transfers **\$1,500.00**

Funds To Be Reduced

Fund No.	Fund Name	Amount
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Appropriation Increased

Acct. No.	Acct. Name	Amount
101-1702-411-28-00	Special Dept Expense	\$1,500.00

Total Transfers **\$1,500.00**

Funds To Be Increased

Fund No.	Fund Name	Amount
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Emergency Services

3

Appropriation Decreased

Acct. No.	Acct. Name	Amount
101-4200-427-01-01	Salaries	\$2,300.00
101-4200-427-23-00	Professional Services	\$2,859.00

Estimated Revenue Increased/Decreased

Acct. No.	Acct. Name	Amount
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Total Transfers \$5,159.00**Funds To Be Reduced**

Fund No.	Fund Name	Amount
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Appropriation Increased

Acct. No.	Acct. Name	Amount
101-4200-427-01-07	Vacation Pay	\$4,282.00
101-4200-427-01-08	Sick Leave	\$877.00

Total Transfers \$5,159.00**Funds To Be Increased**

Fund No.	Fund Name	Amount
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County Counsel**Appropriation Decreased**

Acct. No.	Acct. Name	Amount
101-0700-413-01-03	Extra Help	\$25,483.00

Estimated Revenue Increased/Decreased

Acct. No.	Acct. Name	Amount
101-0000-371-89-01	Legal Services	\$15,500.00

Total Transfers \$40,983.00**Funds To Be Reduced**

Fund No.	Fund Name	Amount
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Appropriation Increased

Acct. No.	Acct. Name	Amount
101-0700-413-01-07	Vacation Pay	\$25,483.00
101-0700-413-22-00	Office Expense	\$2,500.00
101-0700-413-29-00	Travel	\$10,000.00
101-0700-413-01-03	Extra Help	\$3,000.00

Total Transfers \$40,983.00**Funds To Be Increased**

Fund No.	Fund Name	Amount
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District Attorney**Appropriation Decreased**

Acct. No.	Acct. Name	Amount
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Estimated Revenue Increased/Decreased

Acct. No.	Acct. Name	Amount
108-0000-361-56-11	DA Child Abuse Grant	(\$40,873.00)
108-0000-362-72-03	Federal JAG Grant	\$27,528.00
108-0000-361-64-03	AB 109 Dist Attorney	\$5,712.00

Total Transfers (\$7,633.00)**Funds To Be Reduced**

Fund No.	Fund Name	Amount
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Appropriation Increased/Decreased

Acct. No.	Acct. Name	Amount
108-2500-421-20-00	Memberships	(\$270.00)
108-2500-421-23-00	Professional Services	(\$16,798.00)
108-2500-421-90-00	Reimbursements	\$9,435.00

Total Transfers (\$7,633.00)**Funds To Be Increased**

Fund No.	Fund Name	Amount
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Human Services**Appropriation Decreased**

Acct. No.	Acct. Name	Amount
100-5200-451-01-01	Salaries	\$384,240.00
100-5200-451-02-02	Co Share PERS	\$20,000.00
100-5200-451-02-04	Health Insurance	\$78,750.00
100-5200-451-23-01	Prof Servs-Supp Servs	\$30,401.00
100-5200-451-23-03	Prof Servs-Extraneous	\$196,169.00

Estimated Revenue Increased/Decreased

Acct. No.	Acct. Name	Amount
Total Transfers		\$709,560.00

Funds To Be Reduced

Fund No.	Fund Name	Amount

Appropriation Increased

Acct. No.	Acct. Name	Amount
100-5200-451-01-03	Extra Help	\$39,378.00
100-5200-451-01-04	Overtime	\$151,060.00
100-5200-451-02-03	COPST	\$1,200.00
100-5200-451-17-00	Maintenance Equipment	\$1,500.00
100-5200-451-18-00	Maintenance Structure	\$11,219.00
100-5200-451-20-00	Memberships	\$1,500.00
100-5200-451-22-00	Office Expense	\$50,401.00
100-5200-451-23-00	Professional Services	\$28,000.00
100-5200-451-28-00	Special Dept Expense	\$54,025
100-5200-451-29-00	Travel	\$29,500
100-5200-451-29-04	Travel-Fraud	\$825
100-5200-451-62-00	Fixed Assets	\$340,952.00

Total Transfers \$709,560.00**Funds To Be Increased**

Fund No.	Fund Name	Amount

Human Services**Appropriation Decreased**

Acct. No.	Acct. Name	Amount
100-5300-452-40-01	CalWORKS Assistance	\$500,000.00

Estimated Revenue Increased/Decreased

Acct. No.	Acct. Name	Amount
Total Transfers		\$500,000.00

Funds To Be Reduced

Fund No.	Fund Name	Amount

Appropriation Increased

Acct. No.	Acct. Name	Amount
100-5300-452-40-03	KinGap	\$50,000.00
100-5300-452-40-07	Adoption Assistance	\$450,000.00

Total Transfers \$500,000.00**Funds To Be Increased**

Fund No.	Fund Name	Amount

Health Services**Appropriation Decreased**

Acct. No.	Acct. Name	Amount
106-4700-441-12-00	Communication	\$1,700.00
106-4700-441-90-00	Reimbursements	\$150,000.00

Estimated Revenue Increased/Decreased

Acct. No.	Acct. Name	Amount
106-0000-361-47-07	Health Grants	\$66,157.00
106-0000-371-98-99	Misc Revenue	\$96,244.00
106-0000-371-98-15	Outlawed Warrants	\$37.00
106-0000-362-65-03	Targeted Case Mgt-TCM	(\$58,024.00)
Total Transfers		\$256,114.00

Funds To Be Reduced

Fund No.	Fund Name	Amount

Appropriation Increased

Acct. No.	Acct. Name	Amount
106-4700-441-01-03	Extra Help	\$10,075.00
106-4700-441-01-07	Vacation Pay	\$9,934.00
106-4700-441-01-08	Sick Leave	\$1,694.00
106-4700-441-02-05	Medicare	\$970.00
106-4700-441-02-07	Management Life Ins	\$17.00
106-4700-441-18-00	Maintenance Structure	\$3,321.00
106-4700-441-22-00	Office Expense	\$4,125.00
106-4700-441-23-00	Professional Services	\$54,417.00
106-4700-441-26-00	Rents & Leases	\$8,225
106-4700-441-28-00	Spec Dept Expense	\$13,336
106-4700-441-28-11	Spec Dept Exp-CCS	\$150,000

Total Transfers \$256,114.00**Funds To Be Increased**

Fund No.	Fund Name	Amount

Public Authority

5

Appropriation Decreased

Acct. No.	Acct. Name	Amount
109-0109-441-17-00	Maintenance Equipment	\$380.00
109-0109-441-29-00	Travel	\$100.00

Estimated Revenue Increased/Decreased

Acct. No.	Acct. Name	Amount
109-0000-361-45-00	State/SS Admin	\$80,566.00
109-0000-371-98-99	Miscellaneous Revenue	\$823.00

Total Transfers **\$81,869.00**

Funds To Be Reduced

Fund No.	Fund Name	Amount

Appropriation Increased

Acct. No.	Acct. Name	Amount
109-0109-441-28-00	Spec Dept Expense	\$81,869.00

Total Transfers **\$81,869.00**

Funds To Be Increased

Fund No.	Fund Name	Amount

Veterans Services**Appropriation Decreased**

Acct. No.	Acct. Name	Amount
101-5800-455-17-00	Maintenance Equipment	\$760.00
101-5800-455-22-00	Office Supplies	\$646.00
101-5800-455-29-00	Travel	\$2,100.00

Estimated Revenue Increased/Decreased

Acct. No.	Acct. Name	Amount
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Total Transfers **\$3,506.00**

Funds To Be Reduced

Fund No.	Fund Name	Amount

Appropriation Increased

Acct. No.	Acct. Name	Amount
101-5800-455-20-00	Memberships	\$30.00
101-5800-455-23-00	Professional Services	\$500.00
101-5800-455-26-00	Rents & Leases	\$450.00
101-5800-455-30-00	Utilities	\$826.00
101-5800-455-62-00	Fixed Assets	\$1,700.00

Total Transfers **\$3,506.00**

Funds To Be Increased

Fund No.	Fund Name	Amount

Probation**Appropriation Decreased**

Acct. No.	Acct. Name	Amount
101-3100-423-22-00	Office Expense	\$3,449.00
101-3100-423-27-00	Small Tools	\$11,715.00
101-3100-423-28-00	Special Dept Expense	\$74,540.00
101-3100-423-29-00	Travel	\$8,582.00

Liquidate Encumbered Funds Above

Estimated Revenue Increased/Decreased

Acct. No.	Acct. Name	Amount
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Total Transfers **\$98,286.00**

Funds To Be Reduced

Fund No.	Fund Name	Amount

Appropriation Increased

Acct. No.	Acct. Name	Amount
101-3100-423-01-01	Salaries	\$68,329.00
101-3100-423-02-02	Co SH PERS	\$12,754.00
101-3100-423-02-04	Health Insurance	\$15,841.00
101-3100-423-02-05	Medicare	\$991.00
101-3100-423-02-07	Management Life Ins	\$29.00
101-3100-423-02-08	Unemployment Ins	\$342.00

Total Transfers **\$98,286.00**

Funds To Be Increased

Fund No.	Fund Name	Amount

Probation**Appropriation Decreased**

Acct. No.	Acct. Name	Amount
Estimated Revenue Increased/Decreased		
Acct. No.	Acct. Name	Amount
101-0000-361-64-02	Realignment-Probation	\$106,865.00

Total Transfers **\$106,865.00**

Funds To Be Reduced

Fund No.	Fund Name	Amount
225	Local Revenue 2011	\$106,865.00

Appropriation Increased

Acct. No.	Acct. Name	Amount
101-3100-423-01-01	Salaries	\$52,065.00
101-3100-423-02-02	Co SH PERS	\$9,718.00
101-3100-423-02-04	Health Insurance	\$7,391.00
101-3100-423-02-05	Medicare	\$755.00
101-3100-423-02-07	Management Life Ins	\$24.00
101-3100-423-02-08	Unemployment Ins	\$261
101-3100-423-28-00	Special Dept Expense	\$33,747
101-3100-423-29-00	Travel	\$2,904

Total Transfers **\$106,865.00**

Funds To Be Increased

Fund No.	Fund Name	Amount
101	General	\$106,865.00

Vic Wit Child Abuse**Appropriation Decreased**

Acct. No.	Acct. Name	Amount
101-0000-361-56-01	Aid for Corrections	\$25,061.00

Estimated Revenue Increased/Decreased

Acct. No.	Acct. Name	Amount
Total Transfers		
		\$25,061.00

Funds To Be Reduced

Fund No.	Fund Name	Amount

Appropriation Increased

Acct. No.	Acct. Name	Amount
101-3102-423-01-01	Salaries	\$12,734
101-3102-423-01-03	Extra Help	\$3,029
101-3102-423-02-02	Co SH PERS	\$1,798
101-3102-423-02-03	COPST	\$91
101-3102-423-02-04	Health Insurance	\$2,378
101-3102-423-02-05	Medicare	\$233
101-3102-423-02-06	Workers Comp	\$1,719
101-3102-423-02-07	Management Life Ins	\$7
101-3102-423-02-08	Unemployment Ins	\$79
101-3102-423-28-00	Special Dept Expense	\$324.00
101-3102-423-62-00	Fixed Assets	\$2,669.00

Total Transfers **\$25,061.00**

Funds To Be Increased

Fund No.	Fund Name	Amount

Vic Wit-Spec Emph**Appropriation Decreased**

Acct. No.	Acct. Name	Amount
101-3106-423-01-01	Salaries	\$2,005.00
101-3106-423-02-02	Co SH PERS	\$130.00
101-3106-423-02-05	Medicare	\$14.00
101-3106-423-02-07	Management Life Ins	\$3.00
101-3106-423-12-00	Communication	\$679.00

Estimated Revenue Increased/Decreased

Acct. No.	Acct. Name	Amount
Total Transfers		
		\$2,831.00

Funds To Be Reduced

Fund No.	Fund Name	Amount

Appropriation Increased

Acct. No.	Acct. Name	Amount
101-3106-423-02-04	Health Insurance	\$588.00
101-3106-423-02-06	Workers Comp	\$657.00
101-3106-423-02-08	Unemployment Ins	\$8.00
101-3106-423-29-00	Travel	\$1,578.00

Total Transfers **\$2,831.00**

Funds To Be Increased

Fund No.	Fund Name	Amount

Vic Wit-JAG ARRA**Appropriation Decreased**

Acct. No.	Acct. Name	Amount
Estimated Revenue Increased/Decreased		
Acct. No.	Acct. Name	Amount
101-0000-361-56-16	Probation-JAG ARRA	\$69,627.00
Total Transfers		\$69,627.00

Funds To Be Reduced

Fund No.	Fund Name	Amount

Appropriation Increased

Acct. No.	Acct. Name	Amount
101-3116-423-01-01	Salaries	\$50,962.00
101-3116-423-02-02	Co SH PERS	\$7,009.00
101-3116-423-02-04	Health Insurance	\$8,296.00
101-3116-423-02-05	Medicare	\$771.00
101-3116-423-02-06	Workers Comp	\$2,328.00
101-3116-423-02-07	Management Life Ins	\$33.00
101-3116-423-02-08	Unemployment Ins	\$228.00
Total Transfers		\$69,627.00

Funds To Be Increased

Fund No.	Fund Name	Amount

Vic Wit-Fam Resource**Appropriation Decreased**

Acct. No.	Acct. Name	Amount
Estimated Revenue Increased/Decreased		
Acct. No.	Acct. Name	Amount
101-0000-371-97-12	Family Resource	\$6,700.00
Total Transfers		\$6,700.00

Funds To Be Reduced

Fund No.	Fund Name	Amount
357	Victim Witness-Spec	\$6,700.00

Appropriation Increased

Acct. No.	Acct. Name	Amount
101-3150-423-28-00	Special Dept Expense	\$6,700.00
Total Transfers		\$6,700.00

Funds To Be Increased

Fund No.	Fund Name	Amount
101	General	\$6,700.00

Juvenile Hall**Appropriation Decreased**

Acct. No.	Acct. Name	Amount
108-3000-423-01-01	Salaries	\$7,520.00
Estimated Revenue Increased/Decreased		
Acct. No.	Acct. Name	Amount
Total Transfers		\$7,520.00

Funds To Be Reduced

Fund No.	Fund Name	Amount

Appropriation Increased

Acct. No.	Acct. Name	Amount
108-3000-423-01-07	Vacation Pay	\$7,520.00
Total Transfers		\$7,520.00

Funds To Be Increased

Fund No.	Fund Name	Amount

Drug Grant**Appropriation Decreased**

Acct. No.	Acct. Name	Amount
111-8900-422-01-01	Salaries	\$10,968.00
111-8900-422-02-02	Co SH PERS	\$2,047.00
111-8900-422-02-05	Medicare	\$159.00
111-8900-422-02-06	Workers Comp	\$400.00
111-8900-422-02-07	Management Life Ins	\$5.00
111-8900-422-02-08	Unemployment Ins	\$55.00
111-8900-422-23-00	Professional Services	\$40,852.00
111-8900-422-29-00	Travel	\$750.00

Estimated Revenue Increased/Decreased

Acct. No.	Acct. Name	Amount
111-0000-361-56-00	Aid for Corrections	(\$47,224.00)

Total Transfers **\$8,012.00**

Funds To Be Reduced

Fund No.	Fund Name	Amount
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Appropriation Increased

Acct. No.	Acct. Name	Amount
111-8900-422-01-04	Overtime	\$3,731.00
111-8900-422-02-04	Health Insurance	\$4,218.00
111-8900-422-27-00	Small Tools	\$63.00

Total Transfers **\$8,012.00**

Funds To Be Increased

Fund No.	Fund Name	Amount
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Surveyor**Appropriation Decreased**

Acct. No.	Acct. Name	Amount
101-1500-410-01-07	Vacation	\$769.00
101-1500-410-90-00	Reimbursements	\$56,784.00

Estimated Revenue Increased/Decreased

Acct. No.	Acct. Name	Amount
101-0000-371-82-04	Surveyor Fees	(\$3,000.00)
101-0000-371-98-99	Miscellaneous	\$12,564.00

Total Transfers **\$67,117.00**

Funds To Be Reduced

Fund No.	Fund Name	Amount
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Appropriation Increased

Acct. No.	Acct. Name	Amount
101-1500-410-01-01	Salaries	\$1,500.00
101-1500-410-01-04	Overtime	\$117.00
101-1500-410-02-04	Health Insurance	\$500.00
101-1500-410-23-00	Professional Services	\$65,000.00

Total Transfers **\$67,117.00**

Funds To Be Increased

Fund No.	Fund Name	Amount
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CDSA Admin**Appropriation Decreased**

Acct. No.	Acct. Name	Amount
101-1600-410-90-00	Reimbursements	\$25,000.00

Estimated Revenue Increased/Decreased

Acct. No.	Acct. Name	Amount
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Total Transfers **\$25,000.00**

Funds To Be Reduced

Fund No.	Fund Name	Amount
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Appropriation Increased

Acct. No.	Acct. Name	Amount
101-1600-410-28-00	Special Dept Expense	\$25,000.00

Total Transfers **\$25,000.00**

Funds To Be Increased

Fund No.	Fund Name	Amount
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CDSA Admin**Appropriation Decreased**

Acct. No.	Acct. Name	Amount
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Estimated Revenue Increased/Decreased

Acct. No.	Acct. Name	Amount
101-0000-351-30-00	Interest	\$11,000.00

Total Transfers **\$11,000.00**

Funds To Be Reduced

Fund No.	Fund Name	Amount
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Appropriation Increased

Acct. No.	Acct. Name	Amount
101-1600-410-28-00	Special Dept Expense	\$11,000.00

Total Transfers **\$11,000.00**

Funds To Be Increased

Fund No.	Fund Name	Amount
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Code Enforcement**Appropriation Decreased**

Acct. No.	Acct. Name	Amount
101-3600-426-22-00	Office Expense	\$1,109.00
101-3600-426-27-00	Small Tools	\$500.00
101-3600-426-29-00	Travel	\$3,730.00

Estimated Revenue Increased/Decreased

Acct. No.	Acct. Name	Amount
Total Transfers		\$5,339.00

Funds To Be Reduced

Fund No.	Fund Name	Amount

Appropriation Increased

Acct. No.	Acct. Name	Amount
101-3600-426-01-04	Overtime	\$572.00
101-3600-426-01-07	Vacation Pay	\$4,086.00
101-3600-426-01-08	Sick Leave	\$681.00

Total Transfers **\$5,339.00**

Funds To Be Increased

Fund No.	Fund Name	Amount

Planning**Appropriation Decreased**

Acct. No.	Acct. Name	Amount
101-4300-427-90-00	Reimbursements	\$9,758.00

Estimated Revenue Increased/Decreased

Acct. No.	Acct. Name	Amount
101-0000-371-82-08	Environ Consult Fees	\$127,067.00

Total Transfers **\$136,825.00**

Funds To Be Reduced

Fund No.	Fund Name	Amount

Appropriation Increased

Acct. No.	Acct. Name	Amount
101-4300-427-01-07	Vacation	\$9,758.00
101-4300-427-23-00	Professional Services	\$127,067.00

Total Transfers **\$136,825.00**

Funds To Be Increased

Fund No.	Fund Name	Amount

Environmental Health**Appropriation Decreased**

Acct. No.	Acct. Name	Amount

Estimated Revenue Increased/Decreased

Acct. No.	Acct. Name	Amount
101-0000-371-98-99	Miscellaneous	\$10,395.00

Total Transfers **\$10,395.00**

Funds To Be Reduced

Fund No.	Fund Name	Amount

Appropriation Increased

Acct. No.	Acct. Name	Amount
101-4800-441-01-07	Vacation Pay	\$2,470.00
101-4800-441-02-04	Health Insurance	\$7,681.00
101-4800-441-02-07	Management Life Ins	\$244.00

Total Transfers **\$10,395.00**

Funds To Be Increased

Fund No.	Fund Name	Amount

Library**Appropriation Decreased**

Acct. No.	Acct. Name	Amount
101-6000-462-01-01	Salaries	\$32,725.00
101-6000-462-02-02	Co SH PERS	\$4,549.00
101-6000-462-02-04	Health Insurance	\$6,860.00
101-6000-462-02-05	Medicare	\$475.00
101-6000-462-02-07	Management Life Ins	\$41.00
101-6000-462-20-00	Memberships	\$1,671.00
101-6000-462-23-03	Grants	\$500.00
101-6000-462-29-00	Travel	\$300.00
101-6000-462-62-00	Fixed Assets	\$40,000.00

Estimated Revenue Increased/Decreased

Acct. No.	Acct. Name	Amount
101-0000-351-32-03	Rents & Concessions	(\$1,100.00)
101-0000-361-62-14	Library Service Act	(\$1,200.00)
101-0000-361-62-21	State Public Library	(\$25,100.00)
101-0000-361-62-23	Grants	(\$500.00)
101-0000-371-98-99	Miscellaneous	(\$6,392.00)

Total Transfers **\$52,829.00**

Funds To Be Reduced

Fund No.	Fund Name	Amount
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Appropriation Increased

Acct. No.	Acct. Name	Amount
101-6000-462-17-00	Maintenance Equipment	\$500.00
101-6000-462-18-00	Maintenance Structure	\$500.00
101-6000-462-23-00	Professional Services	\$11,829.00
101-6000-462-28-00	Special Dept Expense	\$40,000.00

Total Transfers **\$52,829.00**

Funds To Be Increased

Fund No.	Fund Name	Amount
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Public Works**Appropriation Decreased**

Acct. No.	Acct. Name	Amount
102-9100-431-01-01	Salaries	\$40,828.00
102-9100-431-01-07	Vacation	\$1,381.00
102-9100-431-02-02	Co SH PERS	\$13,591.00
102-9100-431-02-04	Health Insurance	\$27,077.00
102-9100-431-02-05	Medicare	\$1,652.00
102-9100-431-90-00	Reimbursements	\$200,000.00

Estimated Revenue Increased/Decreased

Acct. No.	Acct. Name	Amount
102-0000-331-13-03	Grading Permits	(\$7,000.00)
102-0000-361-43-00	Traffic Safety Grant	\$53,140.00
102-0000-361-55-01	State Aid for Constr	\$1,780,524.00
102-0000-371-96-01	Contrib & Donations	\$1,577,766.00
102-0000-371-97-03	Local Fees for Constr	(\$53,500.00)
102-0000-371-98-15	Outlawed Warrants	\$539.00
102-0000-371-98-99	Miscellaneous	\$14,242.00

Total Transfers **\$3,650,240.00**

Funds To Be Reduced

Fund No.	Fund Name	Amount
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Appropriation Increased

Acct. No.	Acct. Name	Amount
102-9100-431-17-00	Maintenance Equipment	\$43,000.00
102-9100-431-23-01	Special Projects	\$3,382,100.00
102-9100-431-30-00	Utilities	\$5,000.00
102-9100-431-47-00	Right of Way	\$167,000.00
102-9100-431-62-00	Fixed Assets	\$53,140.00

Total Transfers **\$3,650,240.00**

Funds To Be Increased

Fund No.	Fund Name	Amount
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Treasurer**Appropriation Decreased**

Acct. No.	Acct. Name	Amount
101-0500-412-01-01	Salaries	\$11,000.00
101-0500-412-02-02	Co SH PERS	\$2,600.00
101-0500-412-02-05	Medicare	\$100.00

Estimated Revenue Increased/Decreased

Acct. No.	Acct. Name	Amount
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Total Transfers **\$13,700.00**

Funds To Be Reduced

Fund No.	Fund Name	Amount
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Appropriation Increased

Acct. No.	Acct. Name	Amount
101-0500-412-01-03	Extra Help	\$2,500.00
101-0500-412-02-03	COPST	\$100.00
101-0500-412-23-00	Professional Services	\$6,500.00
101-0500-412-24-00	Publications	\$4,600.00

Total Transfers **\$13,700.00**

Funds To Be Increased

Fund No.	Fund Name	Amount
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Sheriff Boat Grant

Appropriation Decreased		
Acct. No.	Acct. Name	Amount
101-2701-422-01-04	Overtime	\$3,000.00
101-2701-422-01-05	Holiday	\$3,000.00
Estimated Revenue Increased/Decreased		
Acct. No.	Acct. Name	Amount
Total Transfers		\$6,000.00
Funds To Be Reduced		
Fund No.	Fund Name	Amount

Appropriation Increased		
Acct. No.	Acct. Name	Amount
101-2701-422-29-00	Travel	\$6,000.00
Total Transfers		\$6,000.00
Funds To Be Increased		
Fund No.	Fund Name	Amount

Sheriff

Appropriation Decreased		
Acct. No.	Acct. Name	Amount
108-2700-422-01-01	Salaries	\$1,480.00
108-2700-422-28-00	Special Dept Expense	\$14,500.00
Estimated Revenue Increased/Decreased		
Acct. No.	Acct. Name	Amount
Total Transfers		\$15,980.00
Funds To Be Reduced		
Fund No.	Fund Name	Amount

Appropriation Increased		
Acct. No.	Acct. Name	Amount
108-2700-422-01-07	Vacation Pay	\$1,480.00
108-2700-422-18-00	Maintenance Structure	\$1,000.00
108-2700-422-20-00	Memberships	\$1,500.00
108-2700-422-12-00	Communication	\$12,000.00
Total Transfers		\$15,980.00
Funds To Be Increased		
Fund No.	Fund Name	Amount

Sheriff

Appropriation Decreased-Liquidate Encumbrance		
Acct. No.	Acct. Name	Amount
Estimated Revenue Increased/Decreased		
Acct. No.	Acct. Name	Amount
108-0000-361-64-09	AB 109 Cal EMA	\$28,582.00
Total Transfers		\$28,582.00
Funds To Be Reduced		
Fund No.	Fund Name	Amount

Appropriation Increased		
Acct. No.	Acct. Name	Amount
108-2700-422-23-00	Professional Services	\$28,582.00
Total Transfers		\$28,582.00
Funds To Be Increased		
Fund No.	Fund Name	Amount

Appropriation Decreased

Acct. No.	Acct. Name	Amount
Estimated Revenue Increased/Decreased		
Acct. No.	Acct. Name	Amount
108-0000-361-56-12	State COPS Grant	(\$20,000.00)
108-0000-361-56-29	State COPS Grant DA	\$20,000.00

Total Transfers **\$0.00**

Funds To Be Reduced

Fund No.	Fund Name	Amount

Appropriation Increased

Acct. No.	Acct. Name	Amount

Total Transfers **\$0.00**

Funds To Be Increased

Fund No.	Fund Name	Amount

Sheriff-Jail**Appropriation Decreased**

Acct. No.	Acct. Name	Amount
108-2900-423-01-11	Reserves	\$6,831.00

Estimated Revenue Increased/Decreased

Acct. No.	Acct. Name	Amount

Total Transfers **\$6,831.00**

Funds To Be Reduced

Fund No.	Fund Name	Amount

Appropriation Increased

Acct. No.	Acct. Name	Amount
108-2900-423-01-07	Vacation Pay	\$6,831.00

Total Transfers **\$6,831.00**

Funds To Be Increased

Fund No.	Fund Name	Amount

Sheriff-Jail**Appropriation Decreased**

Acct. No.	Acct. Name	Amount
108-2900-423-28-02	Commissary	\$15,000.00
108-2900-423-28-03	IWF Miscellaneous	\$25,000.00

Estimated Revenue Increased/Decreased

Acct. No.	Acct. Name	Amount
108-0000-371-85-05	Inmate Welfare Fund	(\$40,000.00)

Total Transfers **\$0.00**

Funds To Be Reduced

Fund No.	Fund Name	Amount

Appropriation Increased

Acct. No.	Acct. Name	Amount

Total Transfers **\$0.00**

Funds To Be Increased

Fund No.	Fund Name	Amount

Sheriff-Jail**Appropriation Decreased**

Acct. No.	Acct. Name	Amount
Estimated Revenue Increased/Decreased		
Acct. No.	Acct. Name	Amount
108-0000-361-64-01	AB 109 Realignment	\$158,096.00
Total Transfers		\$158,096.00
Funds To Be Reduced		
Fund No.	Fund Name	Amount

Appropriation Increased

Acct. No.	Acct. Name	Amount
108-2900-423-28-00	Special Dept Expense	\$80,000.00
108-2900-423-62-00	Fixed Assets	\$3,006.00
108-2900-423-01-01	Salaries	\$75,090.00
Total Transfers		\$158,096.00
Funds To Be Increased		
Fund No.	Fund Name	Amount

Sheriff-Jail**Appropriation Decreased**

Acct. No.	Acct. Name	Amount
Estimated Revenue Increased/Decreased		
Acct. No.	Acct. Name	Amount
108-0000-361-64-01	AB 109 Realignment	\$350,000.00
108-0000-371-87-03	Jail Maint Prisoners	(\$350,000.00)
Total Transfers		\$0.00
Funds To Be Reduced		
Fund No.	Fund Name	Amount

Appropriation Increased

Acct. No.	Acct. Name	Amount
Total Transfers		\$0.00
Funds To Be Increased		
Fund No.	Fund Name	Amount

Cap Impr-Sheriff Fac**Appropriation Decreased**

Acct. No.	Acct. Name	Amount
Estimated Revenue Increased/Decreased		
Acct. No.	Acct. Name	Amount
101-0000-371-97-18	Contribution from Trust	\$20,000.00
Total Transfers		\$20,000.00
Funds To Be Reduced		
Fund No.	Fund Name	Amount

Appropriation Increased

Acct. No.	Acct. Name	Amount
101-1200-418-63-01	Salaries	\$10,000.00
101-1200-418-63-05	Utilities	\$10,000.00
Total Transfers		\$20,000.00
Funds To Be Increased		
Fund No.	Fund Name	Amount

Appropriation Decreased

Acct. No.	Acct. Name	Amount
<i>Admin Services</i>		
101-1800-410-01-01	Salaries	\$38,482.00
101-1800-410-23-00	Professional Services	\$8,000.00
101-1800-410-23-01	Prof Services-Sheriff	\$28,620.00
101-1800-410-29-03	Training	\$5,000.00
<i>Buildings & Grounds</i>		
101-0900-417-01-01	Salaries	\$3,000.00
101-0900-417-17-01	Maintenance-Jail	\$3,000.00
101-0900-417-18-07	Maintenance-Structure	\$5,000.00
101-0900-417-90-00	Reimbursements	\$46,319.00
<i>Energy</i>		
101-0901-417-30-00	Utilities	\$60,000.00
101-0901-417-30-01	Annex	\$25,000.00
<i>Info Technology</i>		
101-1900-410-01-01	Salaries	\$50,141.00
101-1900-410-01-07	Vacation Pay	\$8,105.00
101-1900-410-02-02	Co SH PERS	\$7,664.00
101-1900-410-02-04	Health Insurance	\$2,672.00
101-1900-410-17-25	Crim Justice Software	\$396.00
101-1900-410-17-35	Financial Software	\$338.00
101-1900-410-25-00	Rents & Leases	\$574.00
101-1900-410-27-00	Small Tools	\$600.00
101-1900-410-90-00	Reimbursements	\$58,974.00

Estimated Revenue Increased/Decreased

Acct. No.	Acct. Name	Amount
Total Transfers		
		\$351,885.00

Funds To Be Reduced

Fund No.	Fund Name	Amount

Appropriation Increased

Acct. No.	Acct. Name	Amount
<i>Admin Services</i>		
101-1800-410-01-03	Extra Help	\$8,000.00
101-1800-410-02-03	COPST	\$206.00
101-1800-410-02-05	Medicare	\$100.00
101-1800-410-02-06	Workers Comp	\$780.00
101-1800-410-02-07	Management Life Ins	\$100.00
101-1800-410-22-00	Office Expense	\$9,308.00
101-1800-410-23-00	Professional Services	\$30,000.00
101-1800-410-29-00	Travel	\$5,000.00
101-1800-410-90-00	Reimbursements	\$21,000.00
<i>Buildings & Grounds</i>		
101-0900-417-02-06	Workers Comp	\$462.00
101-0900-417-22-00	Office Expense	\$15,000.00
101-0900-417-23-00	Professional Services	\$10,000.00
101-0900-417-62-00	Fixed Assets	\$20,000.00
101-0900-417-90-00	Reimbursements	\$54,319.00
<i>Info Technology</i>		
101-1900-410-01-04	Overtime	\$8,105.00
101-1900-410-17-00	Maint Equipment	\$600.00
101-1900-410-23-00	Professional Services	\$30,000.00
101-1900-410-28-00	Special Dept Expense	\$4,000.00
101-1900-410-62-00	Fixed Assets	\$94,905.00
101-1900-410-90-00	Reimbursements	\$40,000.00

Total Transfers **\$351,885.00****Funds To Be Increased**

Fund No.	Fund Name	Amount

Airport/Ind Dev

Appropriation Decreased

Acct. No.	Acct. Name	Amount
<i>Airport</i>		
130-9500-432-24-00	Publications	\$69.00
<i>Industrial Development</i>		
101-1400-419-29-00	Travel	\$38.00
Acct. No.	Acct. Name	Amount

Total Transfers **\$107.00****Funds To Be Reduced**

Fund No.	Fund Name	Amount

Appropriation Increased

Acct. No.	Acct. Name	Amount
<i>Airport</i>		
130-9500-432-01-07	Vacation Pay	\$69.00
<i>Industrial Development</i>		
101-1400-419-01-07	Vacation Pay	\$38.00

Total Transfers **\$107.00****Funds To Be Increased**

Fund No.	Fund Name	Amount

Public Defender

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Appropriation Decreased

Acct. No.	Acct. Name	Amount
101-0000-372-99-01	Operating Transfers In	\$5,712.00

Acct. No.	Acct. Name	Amount
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Total Transfers \$5,712.00**Funds To Be Reduced**

Fund No.	Fund Name	Amount
225-0000-361-64-04	Public Defender AB 109	\$5,712.00

Appropriation Increased

Acct. No.	Acct. Name	Amount
101-2300-421-23-00	Professional Services	\$5,712.00

Total Transfers \$5,712.00**Funds To Be Increased**

Fund No.	Fund Name	Amount
101	General	\$5,712.00

Appropriation Decreased

Acct. No.	Acct. Name	Amount
		\$0.00

Acct. No.	Acct. Name	Amount
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Total Transfers \$0.00**Funds To Be Reduced**

Fund No.	Fund Name	Amount
		\$0.00
		\$0.00

Appropriation Increased

Acct. No.	Acct. Name	Amount
		\$0.00

Total Transfers \$0.00**Funds To Be Increased**

Fund No.	Fund Name	Amount
		\$0.00

Contingency**Appropriation Decreased**

Acct. No.	Acct. Name	Amount
101-6900-410-71-01	Contingencies-General	\$180,576.00

Estimated Revenue Increased/Decreased

Acct. No.	Acct. Name	Amount
-----------	------------	--------

Total Transfers \$180,576.00**Funds To Be Reduced**

Fund No.	Fund Name	Amount
----------	-----------	--------

Appropriation Increased

Acct. No.	Acct. Name	Amount
<i>Public Guardian</i>		
101-4100-427-01-01	Salaries	\$1,350.00
101-4100-427-01-03	Extra Help	\$3,704.00
101-4100-427-02-03	COPST	\$112.00
101-4100-427-02-05	Medicare	\$50.00
101-4100-427-02-06	Unemployment Ins	\$20.00
101-4100-427-23-00	Professional Services	\$1,587.00
<i>Animal Care Services</i>		
101-4400-427-14-00	Household Expense	\$7,000.00
101-4400-427-28-00	Special Dept Expense	\$8,000.00
<i>Admin Services</i>		
101-1800-410-28-01	Special Dept Expense	\$32,136.00
<i>Auditor-Controller</i>		
101-0400-412-01-01	Salaries	\$45,335.00
101-0400-412-01-03	Extra Help	\$10,739.00
101-0400-412-01-07	Vacation Pay	\$3,385.00
101-0400-412-02-02	Co SH PERS	\$5,844.00
101-0400-412-02-04	Health Insurance	\$4,609.00
101-0400-412-02-05	Medicare	\$1,418.00
101-0400-412-02-08	Unemployment Ins	\$2,601.00
101-0400-412-02-09	Retiree Health Ins	\$2,686.00
101-0400-412-23-00	Professional Services	\$50,000.00

Total Transfers \$180,576.00**Funds To Be Increased**

Fund No.	Fund Name	Amount
----------	-----------	--------

GRAND TOTAL \$6,713,392.00**GRAND TOTAL \$6,713,392.00**

Mid-Year Contingency Fund Requests

General Contingency \$558,936

Total Requests \$180,576

Subtotal \$378,360

Ending Balance \$378,360

Requests		
Dept	Amount	Reason
Public Guardian	\$6,823	Costs associated with move to Government Center and salary correction.
Animal Care Services	\$15,000	To cover additional costs associated with cleaning supplies, animal food and vaccines at the Animal Shelter.
Admin Services	\$32,136	To cover additional court facility expenses owed to the State of California based on an annual true-up of actual expenditures for FY 10/11.
Auditor	\$126,617	Costs associated with contract services to assist the Auditor-Controller during the management transition period, layoff extension and salary correction.
Total	\$180,576	

Personnel Change Requests - Mid-Year Budget FY 2011-2012

Department	Change	Cost	Funding	CAO Recommend
Human Services	Fund Vacant Office Asst I/II	\$18,790	Fed/State	Yes
	Fund Vacant Program Asst	\$21,407	Fed/State	Yes

Requested		CAO Recommended	
Total Requested Changes	\$40,197	Total Requested Changes	\$40,197
Total General Fund	\$0	Total General Fund	\$0
Total Non-General Fund	\$40,197	Total Non-General Fund	\$40,197

Capital Requests (Fixed Assets) - Mid-Year Budget FY 2011-2012

Department	Item	Cost	Funding	CAO Recommend
Human Services	New - Mobile Sampling/Demo Cart (1)	\$2,600	Grant	Yes
	Replacement - Core Switch for for central Ethernet link (1)	\$35,000	Fed/State	Yes
	Replacement - PC's (272)	\$276,352	Fed/State	Yes
	New - Server for HHSD security cameras (1)	\$27,000	Fed/State	Yes
Veterans Services	Replacement - Laptop (1)	\$1,700	Fed/State Sutter Co/Yuba Co	Yes
Victim Witness-Child Abuse	Replacement - PC's (2)	\$2,669	Grant	Yes
Public Works - Road	Digital Radar Speed Signs (7)	\$53,140	Traffic Safety Grant	Yes
Sheriff-Jail	New (Used) Modular Trailers (3) for Day Reporting	\$3,006	AB 109 Realignment	Yes
Buildings & Grounds	Replace HVAC package unit at Dan Avenue classroom (1)	\$20,000	General Fund Savings	Yes
Information Technology	Replace various network switches and infrastructure hardware	\$89,905	General Fund Savings	Yes

Requested		CAO Recommended	
Total Fixed Assets	\$511,372	Total Fixed Assets	\$511,372
Total General Fund	\$109,905	Total General Fund	\$109,905
Total Non-General Fund	\$401,467	Total Non-General Fund	\$401,467



*ORDINANCES
AND
PUBLIC HEARINGS*

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The County of Yuba

Community Development & Services Agency

Kevin Mallen, Director

Phone - (530) 749-5430 • Fax - (530) 749-5434

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Marysville, California 95901

www.co.yuba.ca.us



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749-5420 • Fax 749-5424

FINANCE AND ADMINISTRATION
749-5430 • Fax 749-5434

TO: BOARD OF SUPERVISORS

FROM: Wendy Hartman, Planning Director
Dan Cucchi, Project Planner

SUBJECT: A Resolution Adopting the East Linda Reinvestment Plan as a Visioning Guide for the Redevelopment of the East Linda Community

DATE: February 28, 2012

Recommendation:

Approve the resolution adopting the East Linda Reinvestment Plan visioning document.

Background:

The Yuba County Community Development & Services Agency applied for and was awarded an Environmental Justice grant from Caltrans for the East Linda Reinvestment Plan (ELRP). The contract with Caltrans was approved by the Board in April 2010. The ELRP is intended to be the next step in revitalization efforts following the North Beale Road Revitalization Plan. Using the information gathered through earlier planning efforts, this project was designed to look at changes to land use and connectivity, design standards to increase safety and mobility for area residents, and to spur economic revitalization in the East Linda community. Information from this project will be instrumental in the completion of the updated Zoning and Development codes following completion of the 2030 General Plan.

The East Linda Reinvestment Plan is a visioning document, which means it is not a regulatory document. Instead, it is intended to provide guidance on land use, transportation, infrastructure, community design and other issues for the future development of the County's Development Code Update. Further vetting and feasibility determinations may be necessary when incorporating ideas and concepts into the County's Development Code Update.

A workshop was held before the Board of Supervisors on the Draft ELRP on February 14, 2012 to solicit comments and suggestions for changes to be considered before final adoption. Those changes were prepared for consideration by the Board of Supervisors.

Discussion:

Proposed changes to the Draft ELRP are as follows:

County Goals / Funding Consistency:

The Implementation section was modified to better communicate the County's desire to ensure that outside funding opportunities are consistent with the County's goals and do not undermine its decision making authority.

Infrastructure Funding / Fees:

A greater emphasis was made on finding ways to ensure fees and costs for development do not create an impediment to economic investment. Examples are provided to show how savings could be achieved in cooperation with other outside agencies.

Existing Businesses:

A section was added to discuss the County's options for programs or concepts which could assist existing businesses and property owners in spurring economic investment in the East Linda community.

Environmental Review:

The ELRP is not subject to California Environmental Quality Act (CEQA) in that CEQA Guidelines section 15262 exempts feasibility and planning documents from environmental review.

Committee Action:

A workshop was held before the Planning Commission on January 18, 2012 and the Board of Supervisors on February 14, 2012. Proposed changes to the Draft Plan are provided.

Fiscal Impact:

This workshop is consistent with the scope of work in the contract between Yuba County and Caltrans. No additional general fund dollars beyond that which was approved in the grant contract are required.

Attachment(s):

1. Resolution
2. Draft East Linda Reinvestment Plan (Under Separate Cover)
3. Proposed Change Pages (Under Separate Cover)

**BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF YUBA**

**A RESOLUTION ADOPTING THE)
EAST LINDA REINVESTMENT)
PLAN AS A VISIONING GUIDE) RESOLUTION NO. _____
FOR THE REDEVELOPMENT OF)
THE EAST LINDA COMMUNITY)**

WHEREAS, the Board of Supervisors has considered the East Linda Reinvestment Plan (the ELRP) for the East Linda community which sets forth design concepts for Opportunity Areas identified as potential catalyst sites for economic reinvestment, identifies potential routes and opportunities to increase connectivity throughout East Linda, and proposes a possible implementation strategy to achieve the goals identified in the ELRP; and

WHEREAS, the ELRP was funded by a Caltrans Environmental Justice: Context-Sensitive Planning Grant that was awarded based upon the needs of the community of Linda which has a large minority population with relatively low incomes; and

WHEREAS, the Community Development and Services Agency Planning Department contracted with AECOM, Inc. to assist with development of the ELRP document; and

WHEREAS, there was significant community participation in community workshops during the preparation of the ELRP; and

WHEREAS, an advisory committee was convened which held several meetings to receive input from various community stakeholders; and

WHEREAS, community participation and information gained from the ELRP will contribute to the current Development Code Update; and

WHEREAS, East Linda is a targeted community in the 2030 General Plan for revitalization efforts and is an important link to Beale Air Force Base, and

WHEREAS, revitalization efforts in East Linda are consistent with 2030 General Plan Goals CD2, CD5, CD6, CD7, CD8, CD19 and CD20 which encourage improved circulation and promote vibrant, high quality neighborhoods; and

WHEREAS, following the public workshop on January 18, 2012, the Planning Commission provided feedback and suggestions for the Board of Supervisors to consider when reviewing the ELRP; and

WHEREAS, following the public workshop on February 14, 2012, the Board of Supervisors provided additional feedback and suggestions which were incorporated into the ELRP; and

WHEREAS, the ELRP is not subject to California Environmental Quality Act (CEQA) in that CEQA Guidelines section 15262 exempts feasibility and planning documents from environmental review.

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

1. The foregoing recitals are true and correct.
2. East Linda is an important community within the County as the home of Yuba College, an important link to Beale Air Force Base, and identified in the 2030 General Plan for revitalization efforts.
3. The East Linda Reinvestment Plan is consistent with the General Plan Goals CD2, CD5, CD6, CD7, CD8, CD19 and CD20 and will assist with the County's Development Code Update.
4. The East Linda Reinvestment Plan identifies key opportunity sites and guidelines that incorporate guiding principles for the transformation of East Linda into a targeted area for reinvestment; creation of a safe, multifunctional circulation network for users of all types and abilities; and shall be used as a guide for the development and revitalization of East Linda and the Development Code Update.

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of Yuba, State of California, on the _____ day of _____, 2012, by the following vote.

AYES:

NOES:

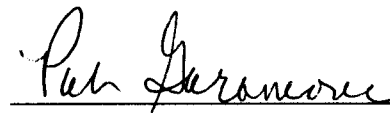
ABSENT:

ABSTAIN:

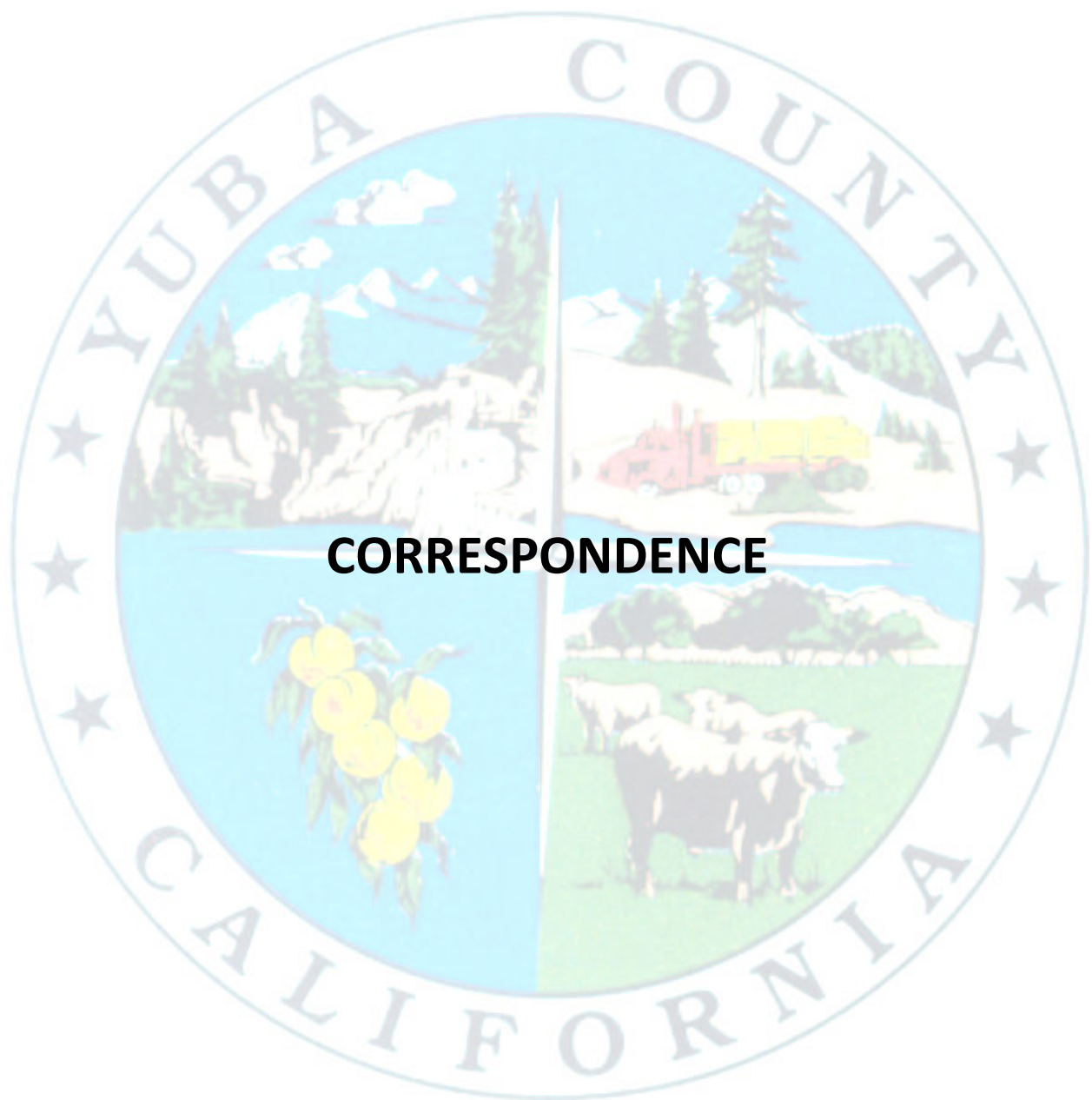
Chairman

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

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



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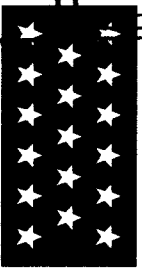


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About NACo – The Voice of America's Counties

The National Association of Counties (NACo) is the only national organization that represents county governments in the United States. Founded in 1935, NACo provides essential services to the nation's 3,068 counties. NACo advances issues with a unified voice before the federal government, improves the public's understanding of county government, assists counties in finding and sharing innovative solutions through education and research, and provides value-added services to save counties and taxpayers money. For more information about NACo, visit www.naco.org.

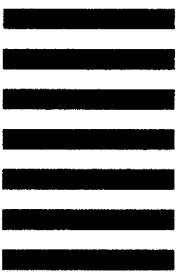
NATIONAL



COUNTY

GOVERNMENT

MONTH



April ★ 2012

Sponsored by the National Association of Counties to raise public awareness about the roles and responsibilities of counties.

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NATIONAL

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April ★ 2012

BOS CORRESPONDENCE A



NACo

National Association of Counties

The Voice of America's Counties

Healthy Counties Healthy Families

Healthy Counties, Healthy Families

A Message from NACo President Lenny Eliason

Dear Fellow County Official,

We know that county government services and programs play a central role in our communities and the lives of millions of Americans. The county provides services that protect our homes, schools and neighborhoods; ensures that we have clean water and functioning wastewater systems; maintains safe roads, bridges, airports and transit systems; provides access to health care, and operates our courts and jails. The county maintains our parks and recreation programs, our libraries, waste and recycling facilities, and serves as the safety net for our children, the elderly, the disabled, the mentally ill and anyone in need.

As county officials, we need to tell the public about the programs and services that counties provide and the roles and responsibilities counties have. National County Government Month (NCGM), celebrated each April, is a terrific opportunity to deliver these important messages. This booklet provides ideas for a variety of ways your county can celebrate NCGM.



NATIONAL
COUNTY
GOVERNMENT
MONTH



April ★ 2012

This year's theme is "Healthy Counties, Healthy Families." Link activities to this theme by promoting your county's health services, wellness programs, recreational programs and other services. This fits nicely with my presidential initiative, "Healthy Counties," a county by county public awareness campaign to promote healthy living and lifestyle choices in communities across the country. Counties aren't expected to hold public awareness events every day in April, but should schedule activities any time during NCGM.

Popular events include public tours of county facilities; speaking with students, community organizations and business leaders; holding student essay and art contests; and sponsoring "family day" events on county grounds. The goal is to inform the public about your county's services and programs in fun and interactive ways.

Use this guide and the online tools available on the NACo website (www.naco.org/ngm) to learn how your county can make the most of National County Government Month. Start planning today!



Lenny Eliason
Lenny Eliason
NACo President

Winter 2012

California Oak Report

Sierra Foothills Vigil

The following articles regarding El Dorado County and Tuolumne County oak woodlands demonstrate the lengths that some local officials will go to in disregarding local and state environmental laws in order to accommodate development interests. These oak woodland stories also show that the only antidote to environmental malfeasance on the part of local officials is the vigilance and resolve of local citizens.

El Dorado County

Three justices of California's Third District Court of Appeal have unanimously ruled that El Dorado County's nefarious Oak Woodland Management Plan (OWMP) violated the California Environmental Quality Act. Lead plaintiffs in the case were the Center for Sierra Nevada Conservation, El Dorado County Taxpayers for Quality Growth and California Oak Foundation. The lawsuit was filed in 2008.

To settle a 1996 lawsuit the 2004 El Dorado County General Plan included provisions for an oak woodland management plan. County planners initially produced a draft OWMP that proposed to create wildlife corridors by connecting large properties north and south of Highway 50, and a program for on/off site mitigation for the loss of oak woodland resulting from development. Instead, the Board of Supervisors adopted a plan that deleted all the wildlife corridors and "protected" large parcels far removed from Highway 50 that are at low risk of development. The Board's OWMP completely ignored the conservation of important oak woodlands nearer to the Highway 50 area where habitat fragmentation has already occurred. The Board's off site mitigation fee ("Option B") was based on the costs of conserving these remote parcels, rather than the more expensive parcels along Highway 50. The Board's adopted plan would have created more fragmentation of oak woodland habitat and limited wildlife mobility.

The County's Option B also included a dubious formula using tree canopy cover alone for measuring oak woodlands, rather than including the space between trees, thus significantly decreasing total oak woodland habitat to be protected. The appellate court expressed skepticism regarding the virtue of relying solely on oak canopy cover to delineate oak woodlands.

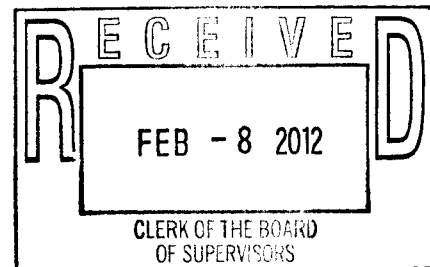
Rejection of the County's OWMP eliminates the ability for developers to utilize the Option B mitigation, which permitted clearing of oaks in exchange for a fee paid into a conservation fund. Now, developers will be limited in the amount of oak woodlands they can remove on a parcel, pursuant to the Option A part of the General Plan.

The case is *Center for Sierra Nevada Conservation v. County of El Dorado*.

Tuolumne County

The State Board of Forestry defines "forest land" as that which has 10 percent tree canopy cover within the project boundaries. The Board has jurisdiction over all California private forestlands. If local jurisdictions want to design an alternative oak woodlands delineation that substitute must be functionally equivalent to the state standard. California Environmental Quality Act (CEQA) functional equivalency must be demonstrated in an environmental impact report (EIR), which would compare the environmental effects of the state oak woodland standard to the local alternative or other relevant methodologies.

Tuolumne County has developed a Biological Resources Review Guide designed to mitigate impacts to biological resources resulting from land development projects including direct/cumulative impacts to wildlife, plants, wetlands and oak woodlands – without the benefit of an EIR. Here is California Oaks' response to Tuolumne County's attempt to create a CEQA waiver for biological resources without environmental review:



January 26, 2012

Mike Laird
Tuolumne County Community Resources Agency
2 South Green Street
Sonora, CA 95370

Re: Tuolumne County Biological Resources Review Guide

Dear Mr. Laird:

California Oaks (CO) appreciates the opportunity to submit Biological Resources Review Guide (BRRG) public comments. CO disagrees with Tuolumne County's assertion that the Biological Resources Review Guide (BRRG) action *"does not constitute a project and is not subject to CEQA environmental review."* This claim is particularly perplexing given that a stated purpose of the BRRG is to *"establish consistent mitigation for potential impacts to biological resources pursuant to the California Environmental Quality Act"*. BRRG implementation will clearly have potentially significant environmental effects and it therefore requires an environmental impact report (EIR). Further, we believe the BRRG should recognize that it in no way addresses the necessity for CEQA greenhouse gas (GHG) analysis/mitigation regarding impacts to oak woodlands and other terrestrial biological resources.

CEQA requires public agencies to prepare an EIR for any action they intend to carry out or approve whenever it can be fairly argued on the basis of substantial evidence that the action may have a significant environmental effect. That the BRRG may have a potentially significant effect on the environment is irrefutable. For example, the BRRG oak woodlands definition represents a discretionary action that will have significant environmental effects on biological resources.

Oak woodland areas may be measured by tree canopy cover or by total area that includes the space between canopies. The BRRG has adopted its own hybrid definition for oak woodlands. The measurement methodology used for the BRRG oak woodland definition may make a substantial difference in the amount of habitat to be preserved because oak woodlands range in structure from open savannah to dense forest. Whether preservation of oak woodlands is governed by canopy measurement, by habitat including the area between oaks or a hybrid standard is a significant factor that will affect mitigation. Moreover, the BRRG measurement methodology may also have a large effect on how much developers must pay to mitigate the loss of oak woodlands on their parcels.

Tuolumne County adoption of the measurement methodology used for the BRRG oak woodland definition is the type of discretionary choice that must be informed by an EIR.

The California Air Resources Board's AB32 Scoping Plan recognizes the significant contribution that terrestrial carbon storage will make in meeting the state's GHG emissions reduction goals: *"This plan also acknowledges the important role of terrestrial sequestration in our forests, rangelands, wetlands, and other land resources."* The Scoping Plan has set a no net loss goal for forestland sequestration and stretch targets of increasing forestland carbon storage by 2 million metric tonnes (MMT) by 2020 and 5 MMT by 2050. Additionally, CEQA specifically addresses vegetation and land greenhouse gas emissions due to the conversion of forestland to non-forestland use (CEQA Guidelines, Appendix G, Forest Resources). The BRRG does not address the conversion of oak woodlands and other biological resources in the context of meeting AB32 emission reduction goals and CEQA GHG review standards.

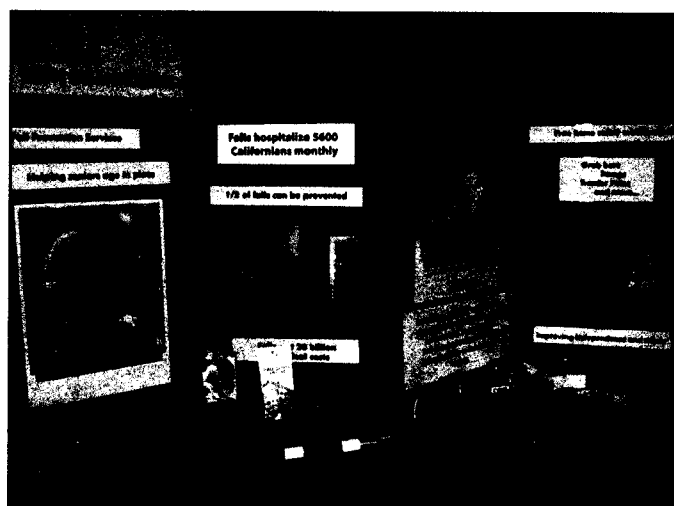
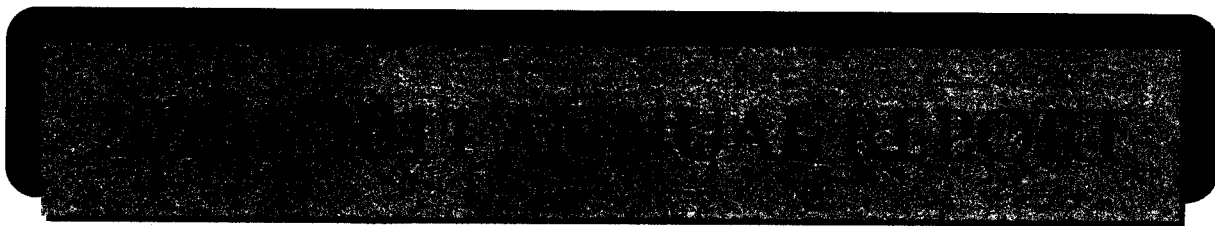
Conclusion

Accepting comments from the BRRG Ad Hoc Committee, referring the Draft BRRG to jurisdictional agencies for comment and opening a public comment period for the Draft BRRG is not a substitute for environmental review. Discretionary actions like the BRRG require an EIR to inform the County of the environmental consequences before it adopts the plan. As the California Supreme Court has emphasized, the EIR requirement's *"purpose is to inform the public and its responsible officials of the environmental consequences of their decisions before they are made. Thus, the EIR 'protects not only the environment but also informed self-government.'"*

Respectfully,
Janet Cobb, Executive Officer
California Oaks

California Oaks 428-13th Street, Suite 10A / Oakland, CA 94612 / 510-763-0282 / oakstaff@californiaoaks.org / www.californiaoaks.org

(Printed version from California Oaks' electronic newsletter, also available on the Current Issues page at www.californiaoaks.org)



AREA 4 Agency on Aging

Serving Nevada, Placer, Sacramento, Sierra, Sutter, Yolo & Yuba Counties



EXECUTIVE DIRECTOR'S MESSAGE

..... Deanna Lea

For a third consecutive year, budget pressures have led to further damage to California's faltering aging network.

At the federal level, funding was cut for the Corporation for National Service, including a 20% reduction to the Retired & Senior Volunteer Program (RSVP). As a result, Area 4's Nevada County RSVP office is now closed on Fridays, and staff hours have been reduced.

At the state level, FY 2010-11 began with the longest budget stalemate in California's history (100 days), putting tremendous stress on our service providers who could not receive their dedicated, federal funding until the budget was passed. The organizations providing in-home care for frail elders and respite care for family caregivers were forced to either reduce services or suspend services altogether for the first four months of the year.

When the state budget finally was signed on October 8th, it came as a mixed blessing because the agreement brought cuts to Medi-Cal, IHSS, MSSP, and SSI/SSP, and because it included one-time accounting maneuvers that may accentuate next year's deficit.

The fiscal year brought new leadership to the Capitol, but the results have been familiar. This spring, Governor Brown's administration canceled the federal waiver to support Adult Day Health Care (ADHC) with Medicaid (Medi-Cal) dollars, effectively ending state support of that vital program. The Governor also surprised many advocates by vetoing AB 96, which would have established a transitional program to support displaced ADHC clients.

At the local level, the city of Sacramento closed numerous community centers and further reduced hours to those remaining open, including the Ethel McLeod Hart Senior Center, the city's flagship facility for senior activities.

Remarkably, California did pass the 2011-12 budget on time. Although there are no initial reductions to critical services for older adults, the budget does contain "trigger cuts" that, if enacted, will result in further cuts to IHSS and Medi-Cal. As a cost-cutting measure, the budget agreement also eliminates the State Department of Mental Health; the remaining required functions are being transferred to the Department of Health Care Services.

The recent federal deficit reduction agreement creates serious concerns about potential funding cuts to Medicare, Social Security and the Older Americans Act, to be followed by long-term spending caps on those programs. Future federal support for RSVP, the Foster Grandparent Program and the Senior Companion Program also remains uncertain.



LEGISLATION & ADVOCACY

Legislative Highs and Lows

Advocacy is an important function of all area agencies on aging. To facilitate advocacy, Area 4's Advisory Council was established as an independent body that has the freedom to take positions on aging issues as it sees fit. When it comes to the narrower subject of legislative advocacy, the Council relies on recommendations from its Legislative Committee.

The A4AA Legislation Committee is currently comprised of the five California Senior Legislature (CSL) members who sit on the Advisory Council (AC), five additional AC members, and two Governing Board members. The Committee generally meets each month to review the status of proposed state and federal legislation. More specifically, the members discuss: 1) bills that are being supported or opposed by A4AA, 2) CSL-sponsored bills, and 3) other bills of interest to the aging services network. The meetings are open to the public.

As usual, the 2010-11 fiscal year brought a mixture of legislative victories and defeats. Area 4 strongly supported Assembly Bill (AB) 533 which would have secured the timely receipt of our dedicated, federal Older Americans Act funds each year, regardless of whether a State budget has been passed. That bill, introduced by former A4AA Governing Board member and current Assemblywoman Mariko Yamada, stalled in the Assembly Appropriations Committee.

A second bill of great interest to Area 4 was AB 96. In March of 2011, the California Legislature approved Governor Brown's proposal to discontinue Medical funding for Adult Day Health Care (ADHC) facilities. AB 96 would have redesigned the ADHC model and assured some continuity of services. To the surprise of many, AB 96 was vetoed by the Governor, and now the next step in the fight to preserve ADHC will take place in the courts.

On a more positive note, Area 4 was pleased to see the following four CSL-sponsored bills become law this year:

- AB 138 (Assemblymember Jim Beall) was proposed by A4AA's own Lola Young. It requires area agencies on aging to utilize the Elder Economic Security Standard Index in their planning activities (something Area 4 has voluntarily done for several years).
- AB 332 (Assemblymember Betsy Butler) amends existing law regarding identity theft and elder abuse and prescribes penalties for violations thereof.
- AB 1090 (Assemblymember Bob Blumenfield) establishes the County Deferred Property Tax Program for Senior and Disabled Citizens.
- SB 33 (Senator Joe Simitian) amends provisions of the Elder Abuse and Dependent Adult Protection Act.

NEW ACTIVITIES

A4AA Welcomes a New Partner in Preventing Falls

On September 25, 2010 Area 4 collaborated with Kaiser Permanente to host a special, day-long program called *To Fall, or Not to Fall: A Fall Prevention Community Event*. The event was so successful that a 2nd Annual Event was done in 2011, and a 3rd Annual Event is being planned for 2012.

Falls represent one of the greatest threats to older adults' ability to live independently. Since 2006, fall prevention has been a top priority at Area 4 Agency on Aging. We have developed our own prevention program (*Live Strong and Safe*), we have trained our contracted service providers and other professionals, and we have played a leading role in the Northern California Fall Prevention Coalition.

For all of these reasons, in 2010 we were approached by the Kaiser Permanente South Sacramento Medical Center about a potential partnership. They were very interested in prevention efforts because injuries from falls are the second leading reason patients of any age are brought to Kaiser South's Trauma Center – second only to motor vehicle accidents.

The goal of our first Fall Prevention Community Event was to teach people how to reduce their chances of having a serious fall. The content was grounded in Area 4's *Live Strong & Safe* Fall Prevention Program; therefore, it covered the four main subject areas of exercise, home modifications, medication management and nutrition. In addition to presentations from local experts, resource tables and a group walk, participants were able to assess their own fall risk by taking advantage of several free screenings. The event was held on the Kaiser South campus and was attended by 125 local seniors.

Exploring Strategies for Working Caregivers

Family members have always provided the great majority of at-home care that is received by older Americans. Today, most of these family caregivers are also in the workforce. By definition, working family caregivers have conflicting responsibilities and little time, both of which generate high levels of stress and disruptions on the job.

To help address these particular issues in a more direct way, Area 4 Agency on Aging has developed a pilot project called *Strategies for Working Caregivers*. The goal of this project is to empower employees to respond to personal and elder care issues more effectively and more efficiently through the provision of key resource information at the workplace.

Cont. on page 5

NEW ACTIVITIES

Cont. from page 4

Thanks to the support of Supervisor Jim Provenza, in 2010 the County of Yolo agreed to partner with Area 4 on this pilot project. We also garnered support from two of our key contracted service providers in the area: Senior Link of Yolo County (a Legal Services of Northern California program offering free Title III-B Senior Information & Assistance and senior legal services) and the Yolo Adult Day Health Center (a Catholic Healthcare West program offering Title III-E caregiver case management services). In essence, A4AA simply acts as a medium between the County Human Resources Department and these local service providers, facilitating direct access to the workforce.

Through this partnership, the County of Yolo stands to benefit from increased productivity among participating workers, the service providers benefit from additional client contacts, and A4AA benefits from the ability to relay important information to over 1,000 families in our service area through the County's internal e-mail and internet systems. Considering the minimal, indirect costs involved (in staff coordination time), the agreement is truly a win-win-win scenario for all parties involved.

On February 2, 2011, Supervisor Jim Provenza and Executive Director Deanna Lea were on hand to launch ***Strategies for Working Caregivers*** with an introductory "brown bag" session. Thirty-three County of Yolo caregivers attended the lunchtime program to learn about the project, to hear about some of the common challenges all working caregivers face, to meet the local service providers, and to connect with one another.



A4AA staff member JoAnne Mahaney-Buehler led a workshop on Budgeting & Money Management at the Agency's Financial Survival Fair.

First Financial Fair Held in Sacramento County

A4AA presented its first Financial Survival Fair for Seniors at the Samuel C. Pannell Meadowview Community Center in South Sacramento in April 2011. The purpose was to provide seniors with financial resources to help them get through these tough economic times. About 50 participants attended the event from 8:00 a.m. to 2:30 p.m. The fair presented workshops on Budgeting and Money Management, Understanding Your Credit Report and Repairing Your Credit, Protecting Yourself From Fraud, Planning for Long Term Care, Healthy Nutrition and Stretching Your Food Dollar, Job Search Basics, and Medicare and Health Care Reform. Professionals in the community with expertise in the above subject areas led the workshops and answered attendees' questions.

There were also 21 exhibitors, providing additional valuable community resources. Council member Bonnie Pannell presented welcoming remarks.

FEATURED SERVICE

Transportation Ranks as a Top Need

Mobility through transportation is an essential quality-of-life issue for all older adults. Access to transportation increases feelings of independence, provides connection with the community, and links older adults to destinations that are both life-sustaining (healthcare, grocery stores) and life-enriching (social and recreational outings). Unfortunately, many older adults have limited transportation options due to physical and/or financial restrictions and are considered to be “transportation disadvantaged.”

In the 2008-09 Needs Assessment done by Area 4, transportation was found to be the #1 need by seniors in five of our seven counties. A4AA funds special transportation programs in six counties to assist “transportation disadvantaged” older adults. These contracted services are designed to meet the particular physical, psychological, and economical needs of older adults and help them remain mobile and living independently.

Several of these programs provide their riders with direct access to multiple destinations including doctors’ offices, grocery stores, businesses, senior centers, and other recreational stops. The rides may be provided by a paid driver in an agency van or by a volunteer driving their own car. These multi-purpose transportation programs are **Gold Country Telecare’s Sunday Service (Nevada County)**, **Seniors First (Placer County)**, **Asian Community Center, Stanford Settlement**, and **South County Services (all Sacramento County)**.

Two transportation programs provide older adults with direct access to their organization’s special programming. The **Asian Community Center (Sacramento County)** provides older adults with access to nutritious hot lunches at its congregate nutrition sites. **Yolo Adult Day Health Center (Yolo County)** operates a transportation service that brings its clients to the center for caregiver support services and case management.

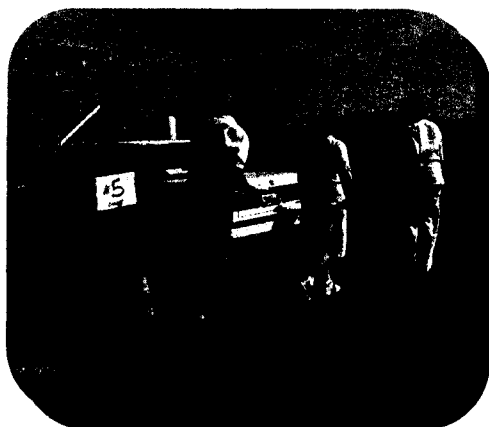
Finally, three programs make transportation more affordable for their clients by providing them with tickets or vouchers redeemable for transportation services offered by public transit operators. These programs are **Gold Country Telecare (Nevada County)**, **FREED Center for Independent Living (Sutter & Yuba Counties)** and **Yolo Adult Day Health Center (Yolo)**.

Area 4 extends its thanks and appreciation to the hardworking staff and volunteer drivers of the transportation service providers, who make such an important difference in the lives of the seniors they serve.



Area 4 funded this vehicle for Meals on Wheels by ACC (Asian Community Center) for its nutrition programs.

DIRECT SERVICE PROGRAMS



A4AA has sponsored the CarFit program since 2005, holding multiple events each year.

CarFit Helps Mature Drivers

CarFit is a hands-on program to check how adults fit safely in their car. A4AA's trained staff (CarFit technicians) go through a 12-point checklist with older drivers as they are seated in their vehicles. Such items as seat belt placement, rear view and side mirror settings, body to steering wheel distance, neck restraint position, and correct use of car devices are included in the 20-minute session. An occupational therapist is also on hand to offer possible adaptations for seniors with physical disabilities to increase their driving safety.

In 2010-11, Area 4 held three CarFit events. On October 13, 2010, Samuel C. Pannell Meadowview Community Center hosted the program where 28 drivers were screened. A week later, Eskaton co-sponsored the event in Fair Oaks with 15 drivers attending. In May, A4AA repeated the program at Carmichael's Mission Oaks Community Center where 32 seniors drove away with a greater awareness of what they can do to be safer in their cars.

Thank you to the co-sponsors and volunteers who assisted Area 4 staff at the CarFit events. A special acknowledgement is given to Eskaton, which played an active role in both the Fair Oaks and Carmichael CarFit activities.

HelpLine Links Seniors to Services and Much More

HelpLine Senior Information and Assistance (I&A) Program in Nevada County provides help in linking individuals to community services. A direct service of A4AA, HelpLine staff and ten volunteers answer health service and social service questions, conduct an assessment of need, provide in-depth assistance, make referrals to services, and do follow-up calls. During 2010-11, the program received 3,862 calls from 2,462 unduplicated seniors.

HelpLine also assists seniors by scheduling appointments for the Health Insurance Counseling and Advocacy Program (HICAP), the AARP Tax Aide, and for Premier West Bank which helps seniors with balancing checkbooks, paying bills, and more.

Helping seniors with online applications is another free service that the I&A program offers. In conjunction with HICAP, HelpLine does online enrollments for the Medicare Part D Subsidy Program which can save eligible seniors up to \$4,000 in prescription costs, lower co-payments, and has no gap in coverage.

Cont. on page 12

FINANCIAL MANAGEMENT

A4AA administered almost \$9.5 million in revenues for the year to fund senior services in seven counties. The Agency receives federal, state, and county funding. Grants and contributions are also received from organizations, private donors, and fundraising activities. A4AA conducts fiscal monitoring and requires annual independent audits of its subcontractors. The Agency also engages a CPA firm to audit its financial operations and has qualified as a low-risk auditee for the past six years.

Revenue Comparison by Fiscal Years

Revenue Source	2008-09	2009-10	2010-11	Difference
Federal Funds	\$7,273,331	\$7,776,617	\$8,292,756	14.0%
Federal ARRA Funds	2,629	565,933	-	-100.0%
State Funds	1,140,895	962,743	823,417	-27.8%
County Match	251,694	251,694	251,694	0.0%
City & County Funds	89,075	15,000	15,000	-83.2%
Cargill Foundation*	10,000	10,000	10,000	0.0%
United Way (Helpline Grant)	2,000	2,000	2,000	0.0%
U.S. Bank	10,000	10,000	5,000	-50.0%
Other Grants & Contracts**	219,435	66,845	77,278	-64.8%
Donations / Fundraising (United Way Contributions)	23,247	14,606	12,504	-46.2%
TOTAL	\$9,022,306	\$9,675,438	\$9,489,649	5.2%

*The Margaret A. Cargill Foundation grant is payable in 5 annual installments of \$10,000 of which 3 have been received. All funds were used for Area 4's Senior Employment Program. The grant also includes 5,000 shares of Cargill common stock valued at almost \$192,000 to be used for the care of the elderly, including senior employment.

**Other Grants and Contracts:

FY 08-09 includes: Archstone Foundation Grant-\$88,000, Farmers Market Coupons-\$75,000, AT&T Grant-\$10,000, CSBG-\$12,000, and other miscellaneous funds.

FY 09/10 includes: Farmers Market Coupons-\$35,000, Nevada County Coalition-\$27,000, and other miscellaneous funds.

FY 10/11 includes: Farmers Market Coupons-\$25,000, Nevada County Coalition-\$50,000, and other miscellaneous funds.

Area 4 expresses
great thanks and
appreciation to our top
2010-11 grantors:



United Auburn
Indian Community

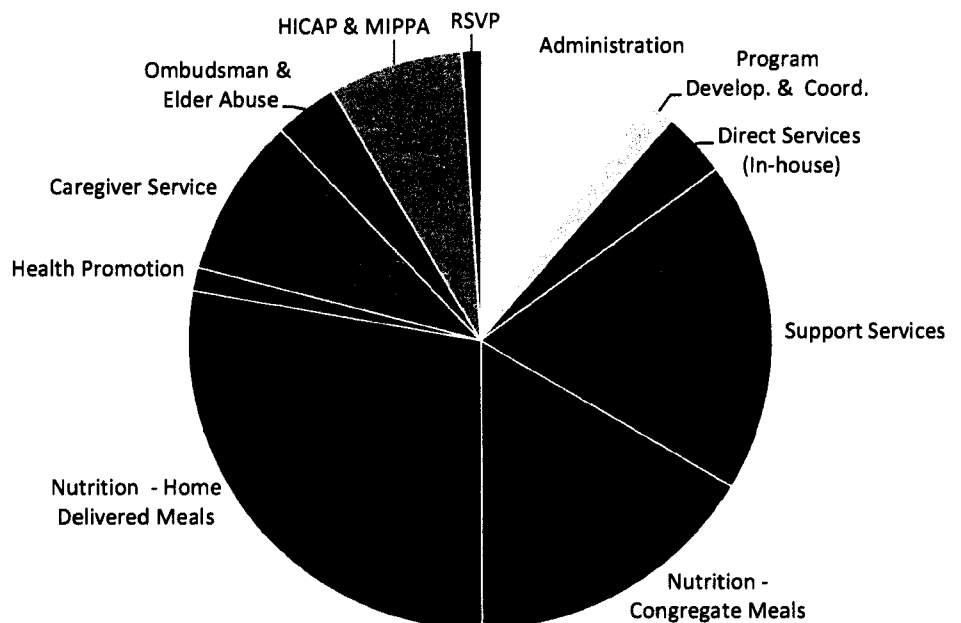
FINANCIAL MANAGEMENT

2010-11 Expenditures by Program

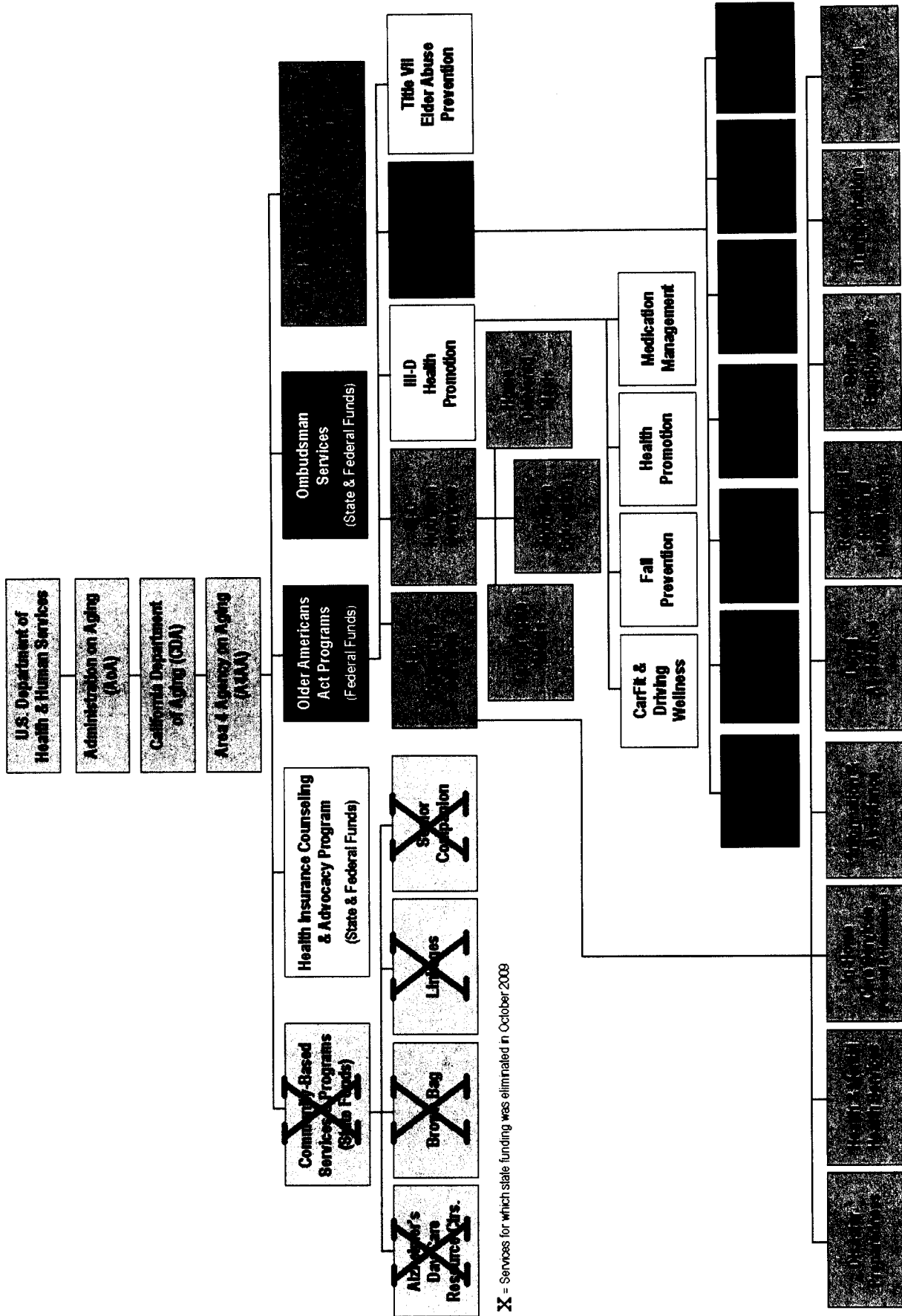
Administration (Including Match)	\$904,110	9.5%
Program Development & Coordination	167,339	1.8%
Direct Services (In-house)	343,835	3.6%
Support Services (Title III B)	1,762,164	18.6%
Nutrition—Congregate Meals (Title III C1)	1,559,128	16.4%
Nutrition—Home Delivered Meals (Title III C2)	2,641,050	27.8%
Health Promotion (Title III D)	121,103	1.3%
Caregiver Services (Title III E)	848,890	8.9%
Ombudsman & Elder Abuse	332,470	3.5%
HICAP* and MIPPA**	707,726	7.5%
RSVP—Retired & Senior Volunteer Program	101,834	1.1%
TOTAL	\$9,489,649	100.0%

*HICAP—Health Insurance Counseling & Advocacy

**MIPPA—Medicare Improvements of Patients & Providers Act of 2008



FUNDING FLOW CHART for AREA 4 AGENCY ON AGING (Through Older Americans Act Funds, Older Californians Act Funds and Other Resources)



LEADERSHIP 2010—2011



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Governing Board Chair

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Friends We Have Lost In Memoriam

Marion Faustman
Advisory Council, Placer County

Joseph (Joe) Montoya
Advisory Council,
Sacramento County

Bill Salter
Former A4AA Staff Member

DIRECT SERVICE PROGRAMS Cont.

Cont. from page 7

For the PG&E CARES Program which offers a 20% or more discount on electricity, HelpLine assists individuals with the written or online application.

HelpLine's Telephone Reassurance Program benefits seniors who live alone. Staff and volunteers offer reassurance to older adults that someone will be checking on them on a regular basis. In FY 2010-11, 1,671 telephone reassurance calls were made to 145 unduplicated clients.

In a community collaboration, A4AA's HelpLine Program and 2-1-1 Nevada County partnered with FREED Center for Independent Living and other agencies to implement an Aging and Disability Resource Connection (ADRC). This provides consumer-centered "No Wrong Door" access into the long-term support services system. The goal is to streamline access to information and services for seniors and persons with disabilities in a comprehensive, compassionate, and cost effective manner.

Senior Employment Program Sees 50% Growth in New Clients

The Senior Employment Program (SEP) was implemented in 2003 and continues to meet the goal of assisting seniors to find employment. The program experienced a record 50% growth in new clients from FY 2009-10 to FY 2010-11. This growth is attributed to expanded outreach and marketing efforts by the SEP staff along with more seniors looking for work to supplement dwindling retirement accounts, increased costs of living, and lower home values.

Older workers are the fastest growing segment of the U.S. workforce. The Senior Employment Program offers intensive job search preparation and support to seniors facing unprecedented challenges in today's job market. Individuals enrolled in the SEP program orientation learn how to write an effective résumé and cover letter, how to navigate job search and computer application processes, and they learn valuable guidelines for interviewing. After the orientation, seniors receive personalized job search assistance and support.

The top 5 job titles for newly employed seniors were administrative assistant, clerical assistant, customer service representative, caregiver, and driver. Recently the SEP program was awarded a small grant from the United Auburn Indian Community to provide "Tech Talk" workshops to seniors in Placer County. The four senior-friendly classes exposed participants to the benefits of computer technology and included hands-on elements covering e-mailing, navigating the internet, understanding social media, and cell phone usage.

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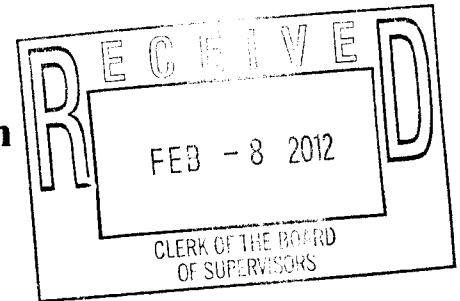
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STATE OF CALIFORNIA
Fish and Game Commission



February 8, 2012

TO ALL AFFECTED AND INTERESTED PARTIES:

This is to provide you with a copy of the notice of proposed emergency regulatory action relating to recreational take of abalone. The objective of this regulation is to repeal the emergency closure of the abalone fishery along Sonoma County before April 1, 2012, the historic opening day of the abalone fishery.

The Commission adopted this emergency regulation at its February 2, 2012 meeting. It is anticipated that the emergency regulation will be filed with the Office of Administrative Law (OAL) on or about February 15, 2012.

Sincerely,

Sherrie Fonbuena
Associate Governmental Program Analyst

Attachments

2-8-12: Copy provided to Fish and Game Advisory Commission/rf

BOS CORRESPONDENCE D

TITLE 14. Fish and Game Commission
Notice of Proposed Emergency Changes in Regulations

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 200, 202, 205, 210, 220, 240, 5521 and 7149.8 of the Fish and Game Code (FGC) and to implement, interpret or make specific sections 200, 202, 205, 220, 5521, 7145 and 7149.8 of said Code, re-adopted Section 29.15, Title 14, California Code of Regulations (CCR), relating to the recreational take of abalone. **The objective of this re-adoption is to repeal the closure of the abalone fishery along Sonoma County before April 1, 2012, the historic opening day of the abalone fishery.**

Informative Digest/Policy Statement Overview

Existing Laws and Regulations directly related to the proposed action

Under existing regulations (Section 29.15, Title 14, CCR), red abalone may only be taken for recreational purposes north of a line drawn due west magnetic from the center of the mouth of San Francisco Bay. Current regulations also specify: season, hours, daily limits, special gear provisions, measuring devices, abalone report card requirements, and sizes. There are no existing comparable federal regulations or statutes.

Effect of the Regulatory Action

The proposed emergency regulations will prohibit the take of abalone along the coast of Sonoma County **until March 30, 2012.**

Policy Statement Overview

The Department of Fish and Game (DFG) has confirmed a significant die-off of red abalone along the coast of Sonoma County. The cause has been determined to be an unusual red-tide event that occurred during late August and early September, 2011, although the specific mechanism that is responsible for the abalone mortality is still under investigation. Fishery regulations currently in place were not designed to provide conservation safeguards for this unexpectedly large increase in natural mortality. Furthermore, surviving abalone may have an intrinsic resistance to the underlying cause of this mortality, and it is therefore necessary to provide additional protection at this time so that the surviving animals will have an increased opportunity to reproduce and rebuild the population with potentially resistant offspring. Consequently, the Commission determined that abalone fishing must be closed along Sonoma County to protect the abalone resource.

Section 240 Finding

Pursuant to the authority vested in it by FGC Section 240 and for the reasons set forth in the attached "Statement of Emergency Action," the Commission expressly finds that the adoption of this regulation is necessary for the immediate conservation, preservation, or protection of fish and wildlife resources. The Commission specifically finds that the adoption of this regulation is necessary for the immediate conservation, preservation, or protection of the abalone resource.

Public Comments on Proposed Emergency Regulations

Government Code section 11346.1(a)(2) requires that, at least five working days prior to submission of the proposed emergency action to the Office of Administrative Law, the adopting agency provide a notice of the proposed emergency action to every person who has filed a request for notice of regulatory action with the agency. After submission of the proposed emergency to the Office of Administrative Law, the Office of Administrative Law shall allow interested persons five calendar days to submit comments on the proposed emergency regulations as set forth in Government Code section 11349.6.

In order to be considered, public comments on proposed emergency regulations must be submitted in writing to the Office of Administrative Law (OAL), 300 Capitol Mall, Room 1250, Sacramento, CA 95814; AND to the Fish and Game Commission, 1416 Ninth Street, Room 1320, Sacramento, CA 95814, or via fax to (916) 653-5040 or via e-mail to fgc@fgc.ca.gov. Comments must identify the emergency topic and may address the finding of emergency, the standards set forth in sections 11346.1 and 11349.1 of the Government Code and Section 240 of the Fish and Game Code. Comments must be received within five calendar days of filing of the emergency regulations. Please refer to OAL's website (www.oal.ca.gov) to determine the date on which the regulations are filed with OAL.

Impact of Regulatory Action

The potential for significant statewide adverse economic impacts that might result from the emergency regulatory action has been assessed, and the following determinations relative to the required statutory categories have been made:

(a) **Costs/Savings in Federal Funding to the State:**

The Commission has determined that the amendment of Section 29.15, Title 14, of the California Code of Regulations (CCR), as an emergency regulation will not result in costs or savings in federal funding to the State.

(b) **Nondiscretionary Costs/Savings to Local Agencies:**

The Commission has determined that amendment of Section 29.15, Title 14, CCR, as an emergency regulation will not result in any costs or savings to local agencies.

(c) **Programs Mandated on Local Agencies or School Districts:**

The Commission has determined that the amendment of Section 29.15, Title 14, CCR, as an emergency regulation does not impose a mandate on local agencies or school districts.

(d) **Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code; and**

(e) **Effect on Housing Costs:**

(e) Effect on Housing Costs:

The Commission has determined that the amendment of Section 29.15, Title 14, CCR as an emergency regulation will not result in any cost to any local agency or school district for which Government Code sections 17500 through 17630 require reimbursement and will not affect housing costs.

(f) Costs or Savings to State Agencies

The Commission has determined that amendment of Section 29.15, Title 14, CCR as an emergency regulation will not change any cost or savings to state agencies.

Effect on Small Business

It has been determined that the adoption of these regulations may affect small business. The Commission has drafted the regulations in Plain English pursuant to Government Code sections 11342.580 and 11346.2(a)(1).

Consideration of Alternatives

In view of information currently possessed, no reasonable alternative considered would be more effective in carrying out the purposes for which the regulation is proposed, would be as effective and less burdensome to affected private persons than the proposed regulation, or would be more cost-effective to the affected private persons and equally effective in implementing the statutory policy or other provision of law.

FISH AND GAME COMMISSION

Dated: February 8, 2012

Sonke Mastrup
Executive Director

REGULATORY LANGUAGE

Section 29.15, Title 14, CCR is amended to read:

29.15. Abalone

(a) Geographic Area: Except in the special closure area described in subsection (a)(1) below, abalone may only be taken north of a line drawn due west magnetic from the center of the mouth of San Francisco Bay. No abalone may be taken, landed, or possessed if landed south of this line.

(1) Special Closure: No abalone may be taken between a line drawn due west magnetic from the Sonoma/Marin County line, north to a line drawn due west magnetic from the Sonoma/ Mendocino County line (All of the Sonoma County coast line). This special closure is in effect from October 4, 2011 through March 30, 2012, and is repealed on March 31, 2012.

...

Subsections (b) through (h) remain unchanged.

...

Note: Authority cited: Sections 200, 202, 205, 210, 220, 240, 5521 and 7149.8, Fish and Game Code. Reference: Sections 200, 202, 205, 220, 5521, 7145 and 7149.8, Fish and Game Code.

**FISH AND GAME COMMISSION
STATEMENT OF EMERGENCY ACTION
FOR RE-ADOPTION OF EMERGENCY REGULATIONS**

Emergency Action to Re-adopt Subdivision (a) of Section 29.15, Title 14, CCR,
Re: Abalone

I. Request for Approval of Re-adoption of Emergency Regulation

The Fish and Game Commission (Commission) requests to re-adopt the amendment to subdivision (a) of Section 29.15, Title 14, California Code of Regulations (CCR) [Office of Administrative Law (OAL) file number 2011-0927-02 E] without modification, and to repeal the emergency changes on March 31 2012. The Findings of Emergency for this file (Attachment A), which contain the following information: Statement/Finding of Emergency; Authority and Reference Citations; Informative Digest; Fiscal Impact Statement; and Standard Form 399 are incorporated by reference.

The abalone fishery is normally open during the months of April, May, June, August, September, October and November in all areas north of a line drawn due west from the center of San Francisco Bay; however, a recent rulemaking (OAL file number 2011-1219-08S) closed the Fort Ross area to the take of abalone for the months of April and May. The objective of this re-adoption is to repeal the closure of the abalone fishery along Sonoma County before April 1, 2012, the historic opening day of the abalone fishery.

II. Emergency Regulation in Effect to Date

On September 15, 2011, the Commission adopted an emergency regulation to close the abalone fishery along the Sonoma County coast in response to a large scale die off of the species along the Sonoma County coast caused by an unusual red tide event. (Cal. Reg. Notice Register 2011, No. 41-Z, p. 1687 (October 14, 2011)). The emergency regulation was approved by OAL and became effective on October 4, 2011. Pursuant to Government Code (GC) sections 11346.1(e) and (h), emergency regulations are effective for 180 days. OAL may approve two re-adoptions, each for a period not to exceed ninety days. In the absence of re-adoption, the current emergency regulation will expire on April 3, 2012.

III. Statement of Emergency

The Commission has prepared this Emergency Action Statement under the Administrative Procedure Act (APA) (Gov. Code, § 11340 et seq.) in connection with its request to OAL to approve the re-adoption of the amendment to subdivision (a) of Section 29.15, Title 14, CCR. The Commission's adoption, and requested re-adoption, of subdivision (a) of Section 29.15, Title 14, CCR, as an

emergency action under the APA is based, in part, on authority provided by FGC section 240.

As set forth above, the Commission found that the amendment of subdivision (a) of Section 29.15, Title 14, CCR, pursuant to FGC section 240 constituted a necessary emergency action by the Commission under the APA. However, the emergency circumstances that necessitated the amendment have ended and the Commission finds that reopening the abalone fishery on the historic opening date is appropriate.

A Harmful Algal Bloom (HAB) also known as a "Red Tide" was documented along the Sonoma County coast coincident with a large die off of invertebrates in late August 2011. Most phytoplankton (microalgae) blooms are harmless but in some cases the algal species can produce toxins thus creating a HAB event. The nearshore phytoplankton bloom extended from approximately Bodega Bay north to Anchor Bay. The invertebrates affected by the bloom were reported from many taxa including mollusks (including abalone), echinoderms (i.e. sea urchins) and crustacean but fish deaths were not observed. By October the bloom had run its course and was no longer contributing to increased invertebrate mortality.

Water samples collected during the bloom revealed a number of phytoplankton species with the most abundant being the dinoflagellate, *Gonyaulax spinifera*. Standard tests for Paralytic Shellfish Poisoning and Domoic Acid biotoxins were negative during the bloom. Tests of tissue samples from dead abalone showed trace quantities of Yessotoxin, which can be produced by this *Gonyaulax* species. Little is known about the potential of this class of toxins to cause invertebrate mortality therefore other causes have not been ruled out.

Surveys of abalone and sea urchin populations conducted immediately after the HAB event along the Sonoma coast revealed significant mortality levels. Survey results were provided to Commission which lead it to approve the emergency closure of the red abalone fishery in Sonoma County for the remainder of the season (OAL File number 2011-0927-02 E).

This type of dinoflagellate has a complex life cycle with a resting cyst stage. The concern about these dormant cysts is that they may re-bloom at some time in the future when ocean conditions are optimal. A re-bloom of this toxic dinoflagellate could again cause invertebrate mortality in northern California. More work is being conducted to determine the long term impacts as well as the causes of this significant and novel abalone and sea urchin mortality event.

IV. Re-adoption Criteria

1) Same or Substantially Equivalent

Pursuant to GC section 11346.1(h), the text of a re-adopted regulation must be the "same or substantially equivalent" to the text of the original emergency regulation. The proposed language for the re-adopted regulatory amendment is substantially the same as the language of the original emergency regulation. A sentence will be added to the regulatory text which specifies that the special closure is in effect from October 4, 2011 through March 30, 2012, and is repealed on March 31, 2012. As the regulatory text is substantially the same as the original emergency regulation, this requirement has been met.

(2) Substantial Progress

GC section 11346.1(h) specifies that the emergency rulemaking agency must demonstrate that it is making "substantial progress and has proceeded with due diligence" to comply with the standard rulemaking provisions. The Commission has not technically complied with this requirement because a standard rulemaking is not necessary in this particular circumstance. More work is being conducted to determine the long term impacts as well as the causes of the mortality event; however, the emergency circumstances that necessitated the original emergency regulation have ended and the Commission finds that reopening the abalone fishery on the historic opening date is appropriate in that the current season, minimum size limit, daily bag limit and yearly trip limit are sufficient to maintain a sustainable fishery.

FISH AND GAME COMMISSION STATEMENT OF EMERGENCY ACTION

Emergency Action to Re-adopt Amendments to Section 29.15, Title 14, CCR,
Re: Abalone

I. INTRODUCTION

The Fish and Game Commission ("Commission") as established by the Constitution of the State of California has exclusive statutory authority to manage abalone (Fish and Game Code Section 5520). Pursuant to Fish and Game Code 240, if the Commission is made aware of a situation where the immediate conservation, preservation, or protection of birds, mammals, reptiles, or fish (abalone) requires the adoption or repeal of a regulation (pursuant to Section 11346.1 of the Gov. code), it may do so after at least one hearing where such a finding can be made.

On September 9, 2011, the Commission was briefed by Department of Fish and Game (DFG) staff as to the potential impacts of an apparent large scale death of abalone along the Sonoma County coast during the last part of August 2011. The event appears to have been caused by a red tide event that produced toxins or deleted oxygen, killing a significant portion of the population.

The scope of the potential impact was not determined until after the deadline for publishing the notice for the September 2011 commission meeting. This combined with the necessity to protect the resource activates the authority for an abbreviated notice requirement under 11125.3 (a)(1) of the Gov. Code.

On September 15, 2011, the Commission determined that abalone fishery must be closed along Sonoma county to protect the sustainability of the species. The Commission has prepared this Emergency Action Statement under the Administrative Procedure Act (APA) (Gov. Code, § 11340 et seq.) in connection with its subsequent amendment of section 29.15 of Title 14 of the California Code of Regulations.

Closing Sonoma County to the take of abalone constitutes a necessary emergency action by the Commission under the APA. In the absence of this emergency regulation, take would continue on populations that may no longer be able to sustain a fishery and could harm future recovery. The Commission finds it is imperative to protect the surviving abalone until a more thorough assessment of the impacts can be completed. This situation constitutes an emergency under Fish and Game Code section 240 and the APA requiring immediate action.

II. BACKGROUND

The Department issued a press release on September 12, 2011 detailing the situation:

California Department of Fish and Game News Release September 12, 2011

Media Contacts:

Ian Taniguchi, DFG Marine Region, (562) 342-7182

Kirsten Macintyre, DFG Communications, (916) 322-8988

Closure of Abalone Fishery Under Consideration

The California Fish and Game Commission will consider emergency action on Thursday, Sept. 15 to possibly close the abalone fishery along the northern California coast. This action is being considered in the wake of confirmed reports of dead red abalone and other invertebrates on beaches and inside coves along the coast in Sonoma County.

The Department of Fish and Game (DFG) is currently attempting to assess the impact of the situation and will provide the Commission with information at this Thursday's meeting. Based on the DFG's report, the Commission may take emergency action to close the abalone season along all or parts of the Sonoma coast.

There was an abalone die-off along the Sonoma coast beginning Aug. 27 as a result of a red tide-induced poisoning and/or lack of oxygen. According to DFG biologists, these abalone deaths coincided with a local red tide bloom and calm ocean conditions. Although the exact reasons for the abalone deaths are not known, invertebrate die-offs have occurred in the past along the northern California coast when similar weather and bloom conditions existed.

The number of dead and dying abalone is not known but DFG divers are assessing the damage this week via underwater transect surveys. Reports of dead abalone and a variety of invertebrates have come from Bodega Bay, Russian Gulch, Fort Ross, Timber Cove and Salt Point State Park. Other DFG biologists and game wardens have collected abalone, mussels and water samples since the beginning and are continuing to document reports from the public.

For more information, please refer to DFG's Sept. 2 press release, <http://cdfgnews.wordpress.com/2011/09/02/abalone-die-off-observed-in-sonoma-county/>.

Abalone fishermen are advised to contact a physician immediately if they feel sick, and to report symptoms to the local county health department (www.sonoma-county.org/health/about/publichealth.asp). The latest red tide updates from the California Department of Public Health are also posted online at www.cdph.ca.gov/programs/Pages/DDWEM.aspx.

III. FACTS CONSTITUTING THE NEED FOR EMERGENCY ACTION

The APA defines an "emergency" to mean "a situation that calls for immediate action to avoid serious harm to the public peace, health, safety, or general welfare." (*Id.* § 11342.545.) To make a finding of emergency, the agency must describe the specific facts supported by substantial evidence that demonstrate the existence of an emergency and the need for immediate adoption of the proposed regulation. (*Id.*, § 11346.1, subd. (b)(2).) Some of the factors an agency may consider in determining whether an emergency exists include: (1) the magnitude of the potential harm, (2) the existence of a crisis situation, (3) the immediacy of the need, i.e., whether there is a substantial likelihood that serious harm will be experienced unless immediate action is taken, and (4) whether the anticipation of harm has a basis firmer than simple speculation. DFG field surveys in recent days have provided preliminary data that show the level of mortality from this event is significant, and it is clear that fishery regulations currently in place were not anticipated to provide conservation safeguards for this unexpected increase in natural mortality. Furthermore, surviving animals may have an intrinsic resistance to the underlying cause of this mortality, and it is therefore necessary to provide additional protection at this time so that the surviving animals will have an increased opportunity to reproduce and rebuild the population.

The Commission has considered all of these factors and the definition of an emergency provided in the APA, as well as pertinent authority in Fish and Game Code section 240. Under this latter authority, notwithstanding any other provision of the Fish and Game Code, the Commission may adopt an emergency regulation where doing so is necessary for the immediate conservation, preservation, or protection of fish and wildlife resources, or for the immediate preservation of the general welfare. The Commission finds that such necessity exists in the present case.

IV. Express Finding of Emergency

Pursuant to the authority vested in the Commission by Fish and Game Code section 240, and for the reasons set forth above, the Commission expressly finds that the amendment of this regulation is necessary for the immediate conservation, preservation, or protection of the abalone resource.

V. Authority and Reference Citations

Authority: FGC sections 200, 202, 205, 210, 220, 240, 5521 and 7149.8.

Reference: FGC sections 200, 202, 205, 220, 240, 5521, 7145 and 7149.8.

VI. Informative Digest

Existing Laws and Regulations directly related to the proposed action

Under existing regulations (Section 29.15, Title 14, CCR), red abalone may only be taken for recreational purposes north of a line drawn due west magnetic from the center of the mouth of San Francisco Bay. Current regulations also specify: season, hours, daily limits, special gear provisions, measuring devices, abalone report card requirements, and sizes. There are no existing comparable federal regulations or statutes.

Effect of the Regulatory Action

The proposed emergency regulations will prohibit the take of abalone along the coast of Sonoma County **until March 30, 2012.**

Policy Statement Overview

DFG has confirmed a significant die-off of red abalone along the coast of Sonoma County. The cause has been determined to be an unusual red-tide event that occurred during late August and early September, 2011, although the specific mechanism that is responsible for the abalone mortality is still under investigation. Fishery regulations currently in place were not designed to provide conservation safeguards for this unexpectedly large increase in natural mortality. Furthermore, surviving abalone may have an intrinsic resistance to the underlying cause of this mortality, and it is therefore necessary to provide additional protection at this time so that the surviving animals will have an increased opportunity to reproduce and rebuild the population with potentially resistant offspring. Consequently, the Commission determined that abalone fishing must be closed along Sonoma County to protect the abalone resource.

Benefits of the Regulation

The original emergency regulation closed the recreational abalone season along the Sonoma County coast in response to a die-off as a result of an unusual red-tide event. The closure was intended to last through the remainder of the 2011 season. Repealing the special closure prior to the historic opening day of the abalone season allows for appropriate utilization of the abalone resource.

VII. Specific Agency Statutory Requirements

The Commission has complied with the special statutory requirements governing the adoption of emergency regulations pursuant to Fish and Game Code section 240. The Commission held a public hearing on this regulation on

September 15, 2011, and the above finding that this regulation is necessary for the immediate conservation, preservation, or protection of fish and wildlife resources meets the requirements of section 240.

VIII. Impact of Regulatory Action

The potential for significant statewide adverse economic impacts that might result from the emergency regulatory action has been assessed, and the following determinations relative to the required statutory categories have been made:

(a) **Costs/Savings in Federal Funding to the State:**

The Commission has determined that the amendment of Section 29.15, Title 14, of the California Code of Regulations (CCR), as an emergency regulation will not result in costs or savings in federal funding to the State.

(b) **Nondiscretionary Costs/Savings to Local Agencies:**

The Commission has determined that amendment of Section 29.15, Title 14, CCR, as an emergency regulation will not result in any costs or savings to local agencies.

(c) **Programs Mandated on Local Agencies or School Districts:**

The Commission has determined that the amendment of Section 29.15, Title 14, CCR, as an emergency regulation does not impose a mandate on local agencies or school districts.

(d) **Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code; and**

(e) **Effect on Housing Costs:**

The Commission has determined that the amendment of Section 29.15, Title 14, CCR as an emergency regulation will not result in any cost to any local agency or school district for which Government Code sections 17500 through 17630 require reimbursement and will not affect housing costs.

(f) **Costs or Savings to State Agencies**

The Commission has determined that amendment of Section 29.15, Title 14, CCR as an emergency regulation will not change any cost or savings to state agencies.

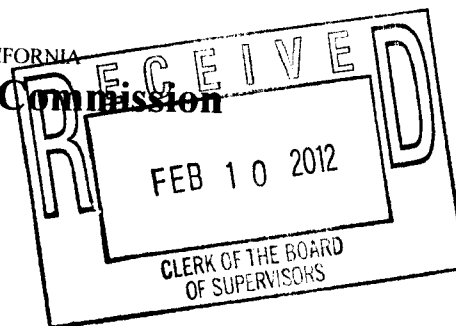
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STATE OF CALIFORNIA
Fish and Game Commission



February 8, 2012

TO ALL INTERESTED AND AFFECTED PARTIES:

This is to provide you with a copy of the notice of proposed regulatory action relative to Section 27.80, Title 14, California Code of Regulations, relating to ocean salmon sport fishing, which will be published in the California Regulatory Notice Register on February 10, 2012.

This proposed regulatory action pertains only to the ocean salmon sport fishing regulations for May to November 2012. A notice pertaining to the April 2012 ocean salmon sport fishing regulations was published on January 6, 2012.

Please note the dates of the public hearings related to this matter and associated deadlines for receipt of written comments.

Ms. Marija Vojkovich, Marine Region Manager, Department of Fish and Game, phone (805) 568-1246, has been designated to respond to questions on the substance of the proposed regulations.

Sincerely,

Sherrie Fonbuena

Sherrie Fonbuena
Associate Governmental Program Analyst

Attachment

TITLE 14. Fish and Game Commission Notice of Proposed Changes in Regulations

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 200, 202, 205, 220, 240, 316.5 and 2084 of the Fish and Game Code and to implement, interpret or make specific sections 200, 202, 205, 316.5 and 2084 of said Code, proposes to amend Section 27.80, Title 14, California Code of Regulations, relating to ocean salmon sport fishing after April 30, 2012.

Informative Digest/Policy Statement Overview

The Pacific Fishery Management Council (PFMC) coordinates west coast management of recreational and commercial ocean salmon fisheries in the Federal fishery management zone (three to 200 miles offshore) off Washington, Oregon and California. The annual PFMC ocean salmon regulation recommendations are subsequently implemented in federal regulation by the National Marine Fisheries Service (NMFS) by May 1 of each year.

The Fish and Game Commission (Commission) adopts regulations for the ocean salmon recreational fishery in State waters (zero to three miles offshore) which are consistent with these Federal fishery management goals and regulations each year.

PFMC Regulatory Outlook

On March 7, 2012, the PFMC will propose a suite of ocean salmon fishery regulatory options. These options will go out for public review and the final PFMC recommendations for federal waters will be made on April 6, 2012. The federal regulations will go into effect on or after May 1, 2012 and may include:

1. the minimum size of salmon that may be retained;
2. the number of rods anglers may use (e.g., one, two, or unlimited);
3. the type of bait and/or terminal gear that may be used (e.g., amount of weight, hook type, and type of bait or no bait);
4. the number of salmon that may be retained per angler-day or period of days;
5. the definition of catch limits to allow for combined boat limits versus individual angler limits;
6. the allowable fishing dates and areas; and
7. the overall number of salmon that may be harvested, by species and area.

Commission Regulatory Outlook

Although there are no PFMC regulatory options to consider until March, the 2012 ocean salmon sport regulations could range from no fishing in all areas off California to limited salmon fishing for varied areas and dates to be determined between May 1, 2012 and November 11, 2012.

Present Regulations

Current regulations authorized recreational ocean salmon fishing north of Horse Mountain including Humboldt Bay from May 14 to September 5, 2011. Between Horse Mountain and

Pigeon Point, fishing was authorized from April 2 to October 30, 2011. All areas south of Pigeon Point had an ocean salmon recreational fishing season from April 2 to September 18, 2011. For all areas in 2011, the bag limit was two fish per day (all species except coho) and the minimum size limit was 24 inches total length. All recreational fishing for ocean salmon is currently closed until further action by the PFMC and/or the Commission.

The ocean salmon sport fishing regulations for April 1-30, 2012 are being considered in a separate rulemaking package, as described in OAL Notice No. Z-2011-1227-03.

Proposed Regulations

For public notice purposes and to facilitate Commission discussion, the Department is proposing three regulatory options which encompass all possible actions that would, or would not allow for salmon fishing on or after May 1 in various areas of California for Commission consideration:

Option 1 – Varied season dates and regulations in all areas

The date ranges in the following areas are proposed to encapsulate all possibilities that might be considered for Federal ocean salmon regulations in effect on or after May 1, 2012. This approach will allow final State ocean salmon recreational fishing regulations to conform to those in effect in federal ocean waters.

- (1) For the all waters of the ocean north of Horse Mountain and in Humboldt Bay: The season, if any, may occur within the range of May 15 through September 15, 2012.
- (2) For the area between Horse Mountain and Point Arena: The season, if any, may occur within the range of May 1 to November 11, 2012.
- (3) For the area between Point Arena and Pigeon Point: The season, if any, may occur within the range of May 1 to November 11, 2012.
- (4) For the area between Pigeon Point and Point Sur: The season, if any, may occur within the range of May 1 to October 7, 2012.
- (5) For the areas south of Point Sur: The season, if any, may occur within the range of May 1 to October 7, 2012.

For all areas, the proposed bag limit will be from one to two fish and the proposed minimum size will be from 20 to 26 inches total length. The exact opening and closing dates, along with bag limit, minimum size, and days of the week open will be determined in April and may be different for each sub-area.

Option 2 - No fishing in all areas

If adopted, the regulatory text of Option 2 would specifically establish 2012 closed areas.

Option 3 - A possible combination of Option 1 and 2 may be developed after more information is available from the NMFS and PFMC.

This may include different opening and closing dates, bag limits, size limits, days of the week open and periodic closures among areas.

The benefits of the proposed regulations are concurrence with Federal law, sustainable management of ocean salmon resources, and promotion of businesses that rely on recreational ocean salmon fishing.

The Commission does not anticipate non-monetary benefits to the protection of public health and safety, worker safety, the prevention of discrimination, the promotion of fairness or social equity and the increase in openness and transparency in business and government.

The proposed regulations are neither inconsistent nor incompatible with existing state regulations.

NOTICE IS GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the Mission Inn Hotel, 3649 Mission Inn Avenue, Riverside, California, on Wednesday, March 7, 2012 at 8:30 a.m., or as soon thereafter as the matter may be heard.

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the Red Lion Hotel, 1929 4th Street, Eureka, California, on Wednesday, April 11, 2012, at 8:30 a.m., or as soon thereafter as the matter may be heard. It is requested, but not required, that written comments be submitted on or before April 6, 2012 at the address given below, or by fax at (916) 653-5040, or by e-mail to FGC@fgc.ca.gov. Written comments mailed, faxed or e-mailed to the Commission office, must be received before 5:00 p.m. on April 9, 2012. All comments must be received no later than April 11, 2012, at the hearing in Eureka, CA. If you would like copies of any modifications to this proposal, please include your name and mailing address.

The regulations as proposed in ~~strikeout~~-underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, Sonke Mastrup, Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above mentioned documents and inquiries concerning the regulatory process to Sonke Mastrup or Sherrie Fonbuena at the preceding address or phone number. **Ms. Marija Vojkovich, Regional Manager, Marine Region, Department of Fish and Game, telephone (805) 568-1246, has been designated to respond to questions on the substance of the proposed regulations.** Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.fgc.ca.gov>.

Availability of Modified Text

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Circumstances beyond the control of the Commission (e.g., timing of Federal regulation adoption, timing of resource data collection, timelines do not allow, etc.) or changes made to be responsive to public recommendation and comments during the regulatory process may preclude full compliance with the 15-day comment period, and the Commission will exercise its powers under Section 202 of the Fish and Game Code. Regulations adopted pursuant to this section are not subject to the time periods for adoption, amendment or repeal of regulations prescribed in Sections 11343.4, 11346.4 and 11346.8 of the Government Code. Any person

interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from the agency program staff.

Impact of Regulatory Action

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

- (a) **Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States:**

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed changes are necessary for the continued preservation of the resource and therefore the prevention of adverse economic impacts.

- (b) **Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California; Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment:**

The Commission does not anticipate any impacts on the creation or elimination of jobs, the creation of new business, the elimination of existing businesses or the expansion of businesses in California. The proposed regulations range from no salmon fishing in 2012 to a normal ocean salmon season; therefore, the potential impacts range from 0 to 1,400 jobs depending on which option is ultimately adopted by the Commission. The impacted businesses are generally small businesses employing few individuals and, like all small businesses, are subject to failure for a variety of causes. Additionally, the long-term intent of the proposed action is to increase sustainability in fishable salmon stocks and, subsequently, the promotion and long-term viability of these same small businesses.

The Commission anticipates benefits to the health and welfare of California residents. Providing opportunities for an ocean salmon sport fishery encourages consumption of a nutritious food.

The Commission does not anticipate any non-monetary benefits to worker safety.

The Commission anticipates benefits to the environment by the sustainable management of California's ocean salmon resources.

- (c) **Cost Impacts on a Representative Private Person or Business:**

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:
None.
- (e) Nondiscretionary Costs/Savings to Local Agencies:
None.
- (f) Programs Mandated on Local Agencies or School Districts:
None.
- (g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code:
None.
- (h) Effect on Housing Costs:
None.

Effect on Small Business

It has been determined that the adoption of these regulations may affect small business. The Commission has drafted the regulations in Plain English pursuant to Government Code sections 11342.580 and 11346.2(a)(1).

Consideration of Alternatives

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to the affected private persons and equally effective in implementing the statutory policy or other provision of law.

FISH AND GAME COMMISSION

Dated: January 31, 2012

Sonke Mastrup
Executive Director

To: Yuba County Board of Supervisors

February 16, 2012

From: Clarence (Buck) Weckman

Subject: Resignation from the Yuba County Fish and Game Advisory Commission

Due to other commitments, of far greater consequence, I find myself unable to devote the personal time necessary to adequately fulfill the duties of a Commissioner on the Yuba County Fish and Game Advisory Commission. Therefore, I must submit my resignation, as of this date.

However, I do understand that Mr. Dale Whitmore has a request for a Commission appointment. My Commission appointment was an "at Large" position, so Dale would be eligible. I have known Mr. Whitmore for over 20 years, his integrity is without question and his knowledge of Fish and Game activities in Yuba County are extensive. I highly recommend his appointment to the Yuba County Fish and Game Advisory Commission.

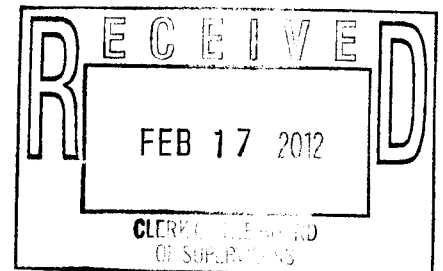
I wish to thank the Yuba County Board of Supervisors for the support they have given the Commission during my tenure.

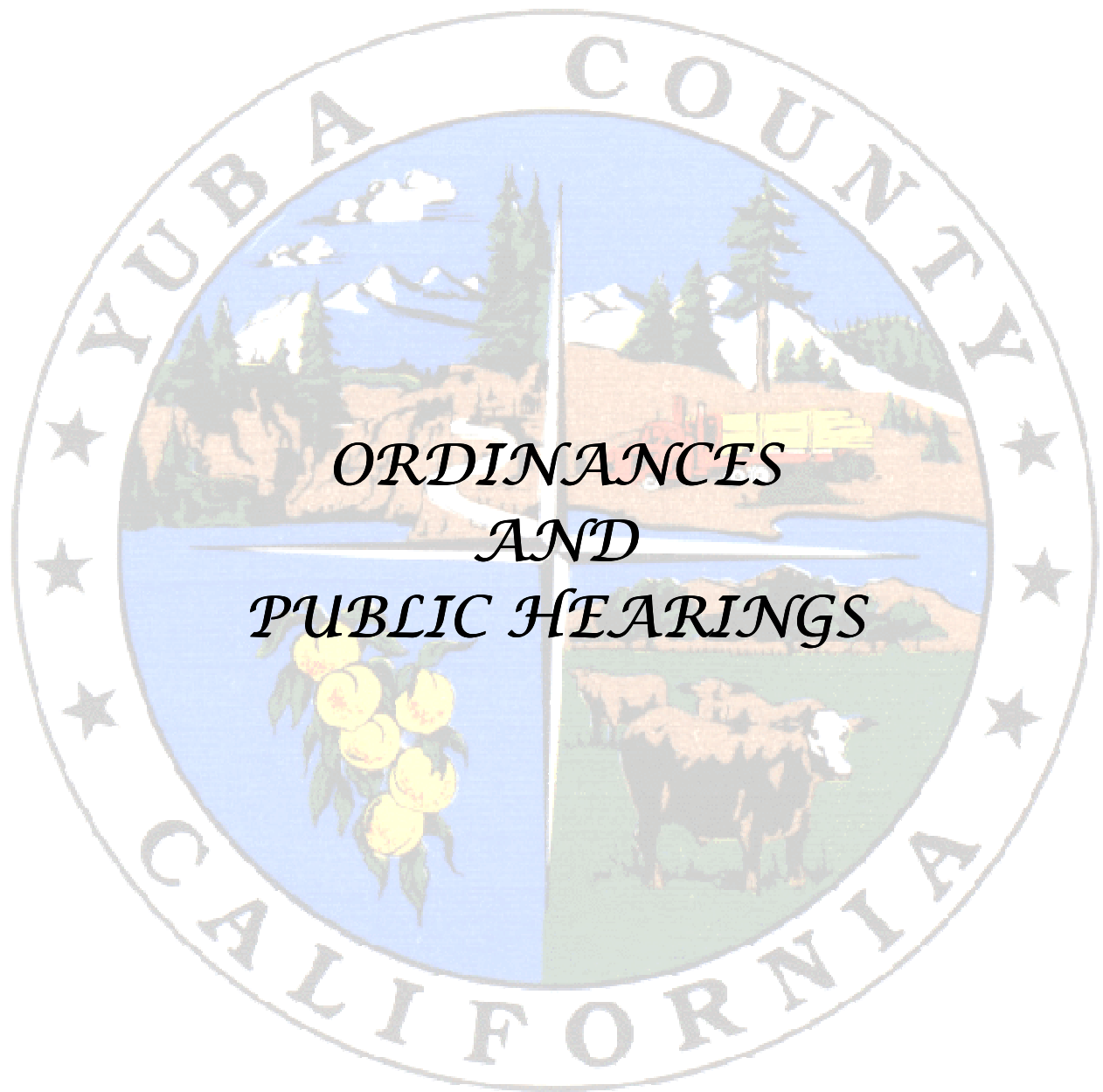
Respectfully submitted;



Clarence (Buck) Weckman

cc. Todd Quist, Ag. Dept.





*ORDINANCES
AND
PUBLIC HEARINGS*

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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



071-12

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749-5460 • Fax 749-5464

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749-5470 • Fax 749-5434

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

To: Yuba County Board of Supervisors
From: Kevin Mallen, CDSA Director 
Date: February 28, 2012
Subject: Medical Marijuana Cultivation Ordinance

Recommendation:

Adopt the attached Ordinance creating Chapter 7.40, Medical Marijuana Cultivation Ordinance.

Background:

In 1996, the voters of the State of California approved Proposition 215, "The Compassionate Use Act". In 2004, the State enacted SB 420 to clarify the scope of The Compassionate Use Act. As a result of these statewide approvals, there has been an exponential growth in recent years of residents in Yuba County cultivating medical marijuana. This increase has created the need for the County to take action to reduce conditions that create public nuisances through enacting regulations governing the number and location of marijuana plants cultivated by qualified patients and their caregivers within the County's jurisdiction.

Discussion:

Subsequent to the Board's December 13, 2011 workshop on this subject, CDSA, the Sheriff's Office, the District Attorney and County Counsel took the public input and Board direction obtained at the workshop and reviewed how other jurisdictions throughout the State are handling this issue, along with review of recent court actions and federal law enforcement actions, and created the attached Ordinance, Chapter 7.40 for the Board's consideration.

Chapter 7.40 establishes limitations on the location and quantity of medical marijuana being cultivated and declares a public nuisance when the limitations are exceeded. Chapter 7.40 declares it to be a public nuisance when any of the following exist:

- 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.
- The outdoor cultivation of marijuana on any parcel less than one (1) acre in size.
- The indoor or outdoor cultivation of marijuana on a parcel that does not have an active legally established residence in conformance with the Yuba County Ordinance Code.

- The cultivation of marijuana on a parcel by anyone other than a qualified patient or a primary caregiver who occupies the parcel as their primary place of residence.
- Marijuana plants visible from public view.
- Marijuana plants not reasonably secured in a manner to keep out of reach of children.
- 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.

Chapter 7.40 also provides exemptions to the ordinance for the following circumstances:

- 6 or less plants cultivated within a legally constructed/permitted residence on any size parcel will not be considered a public nuisance so long as:
 - The area of cultivation is not located within the kitchen and the dwelling has one operable bathroom,
 - The cultivation is screened from public view and secured in a manner to keep it out of reach of children,
 - The residence has not been altered for the cultivation in a way that creates a fire-life-safety hazard, and
 - The cultivation is performed by the qualified patient or primary care giver who resides in the residence.
- In addition to the 6 plants cultivated within a residence:
 - No additional plants on parcels less than 1 acre in size.
 - On parcels between 1 acre and 2.5 acres in size, 6 additional plants. The plants may be grown indoors and/or outdoors so long as:
 - Indoor plants are grown in a properly constructed and permitted structure, screened from public view and secured to keep out of reach of children, with no more than 6 plants total grown within the inhabited portion of a residence.
 - Outdoor plants are in a secure fenced area, screened from public view, at least 50' from another residence, and at least 1,000 feet from youth areas.
 - On Parcels larger than 2.5 acres but not greater than 20 acres in size, 12 additional plants. The plants may be grown indoors and/or outdoors so long as:
 - Indoor plants are grown in a properly constructed and permitted structure, screened from public view and secured to keep out of reach of children, with no more than 6 plants total grown within the inhabited portion of a residence.
 - Outdoor plants are in a secure fenced area, screened from public view, at least 50' from another residence, and at least 1,000 feet from youth areas.
 - On Parcels 20 acres and greater in size, 24 additional plants. The plants may be grown indoors and/or outdoors so long as:
 - Indoor plants are grown in a properly constructed and permitted structure, screened from public view and secured to keep out of reach of children, with no more than 6 plants total grown within the inhabited portion of a residence.

- Outdoor plants are in a secure fenced area, screened from public view, at least 100' from another residence, and at least 1,000 feet from youth areas.

Chapter 7.40 was drafted by CDSA, the Sheriff's Office, the District Attorney and County Counsel with the single focus of reducing marijuana cultivation conditions that create a public nuisance and does not delve into any of the other topics related to medical marijuana. For the intended purpose of addressing marijuana cultivation within Yuba County, staff recommends the Board consider adding Chapter 7.40 to the Yuba County Ordinance Code.

Committee Action:

This item was prepared as a result of direction by the full Board at the December 13, 2011 Board workshop on this topic.

Fiscal Impact:

Enforcement costs for violation of the ordinance may be charged to the property owner.

Attachments:

Ordinance, Chapter 7.40

ORDINANCE NO. _____

**AN ORDINANCE ADDING CHAPTER 7.40 ADDRESSING MARIJUANA
CULTIVATION AS A PUBLIC NUISANCE TO THE YUBA COUNTY ORDINANCE
CODE**

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 _____, _____, 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:

By: Pan Garamone

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 enacted as set forth in its entirety herein below:

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 Definitions**
- 7.40.200 Conditions Creating Public Nuisance**
- 7.40.300 Exceptions**
- 7.40.310 Indoor Cultivation**
- 7.40.320 Outdoor Cultivation**
- 7.40.330 Fencing**
- 7.40.400 Enforcement Authority**
- 7.40.410 Right of Entry / Inspection**
- 7.40.420 Violations**
- 7.40.430 Responsibilities**
- 7.40.440 Penalties**
- 7.40.450 Treble Damages**
- 7.40.460 Remedies**
- 7.40.470 Private Right of Action**
- 7.40.480 Enforcement Costs**
- 7.40.490 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 governing the number and location of marijuana plants cultivated by qualified patients and their caregivers within the Board's jurisdictional limits.

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* system, 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 may create an attractive nuisance, alerting persons to the location of the valuable plants, and creating a risk of burglary, robbery and/or 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. 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.
- j. 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.
- k. 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.
- l. Children 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, churches and other similar locations).

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 Definitions

Except where the context otherwise requires, the following definitions shall govern the construction of this Chapter:

- a. "Agricultural Crop or Product" shall mean any agricultural commodity recognized by the California Department of Food & Agriculture. Marijuana is a controlled substance that is not recognized as an agricultural commodity by the California Department of Food & Agriculture and therefore cannot be grown as a principally permitted use within zone districts designated for agricultural purposes.
- b. "CDSA" means the County of Yuba, Community Development and Services Agency
- c. "Child Care Center" means any licensed child care center, daycare center, or childcare home, or any preschool.
- d. "Church" means a structure or leased portion of a structure, which is used primarily for religious worship and related religious activities.
- e. "Code" means the Yuba County Ordinance Code
- f. "Code Enforcement Officer" means any person employed by the County of Yuba and appointed to the position of code enforcement officer.
- g. "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 an Administrative Law Judge (ALJ), the cost of time and expenses associated with bringing the matter to hearing, the costs associated with any appeals from the 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.
- h. "County" means the County of Yuba
- i. "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.
- j. "Enforcing Officer" 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.

- k. "Fence" means a wall or a barrier connected by boards (redwood or cedar), masonry, rails, panels, or any other materials typically utilized for residential fences, or other materials (subject to the approval of the Community Development and Services Agency) for the purpose of enclosing space or separating parcels of land. The term "fence" does not include retaining walls.
- l. "Indoors" means within a legally permitted, fully enclosed and secure structure that complies with the California Building Standards Code (California Code of Regulations, Title 24), as adopted by the County of Yuba, that has a complete roof enclosure supported by connecting walls extending from the ground to the roof, and a foundation, slab or equivalent base to which the floor is securely attached. The structure must be secure against unauthorized entry, accessible only through one or more lockable doors, and constructed of solid materials that cannot easily be broken through, such as 2" x 4" or thicker studs overlain with 3/8" or thicker plywood or equivalent materials. Plastic sheeting, regardless of gauge, or similar products do not satisfy this requirement. For purposes of this Chapter, greenhouses are not considered indoor structures.
- m. "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.
- n. "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.
- 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 Cal.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 mean a building or portion thereof designed for and occupied exclusively for living purposes, including one-family, two-family, mobile home within a mobile home park, multifamily dwelling, and including attached and detached enclosed garages associated with the residence, but not including hotels, motels, trailers, tents, converted transit vehicles, boarding or lodging houses, or any type of temporary structures.
- u. "Residential treatment facility" means a facility providing for treatment of drug and alcohol dependency, including any "sober living facility" run by treatment providers for the benefit of transitional living.
- v. "School" means an institution of learning for minors, whether public or private, offering a regular course of instruction required by the California Education Code, or any child or day care facility. This definition includes a nursery school, kindergarten, elementary school, middle or junior high school, senior high school, or any special institution of education, but it does not include a vocational or professional institution of higher education, including a community or junior college, college or university.
- w. "School Bus Stop" means any location designated in accordance with California Code of Regulations, Title 13, Section 1238, to receive school buses, as defined in California Vehicle Code Section 233, or school pupil activity buses, as defined in Vehicle Code Section 546.
- x. "Sheriff" or "Sheriff's Office" means the Yuba County Sheriff's Office or the authorized representatives thereof.
- y. "Youth-Oriented facility" means elementary school, middle school, high school, public park, and any establishment that advertises in a manner that identifies the establishment as catering to or providing services primarily intended for minors, or the individuals who regularly patronize, congregate or assemble at the establishment are predominantly minors. This shall not include a day care or preschool facility.

ARTICLE 2

PUBLIC NUISANCES DECLARED

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 outdoor cultivation of marijuana on any parcel less than one (1) acre in size.

- c. The indoor or outdoor cultivation of marijuana on a parcel that does not have an active legally established residence in conformance with the Yuba County Ordinance Code.
- d. The cultivation of marijuana on a parcel by anyone other than a qualified patient or a primary caregiver who occupies the parcel as their primary place of residence.
- e. Marijuana plants visible from public view.
- f. Marijuana plants not reasonably secured in a manner to keep out of reach of children.
- g. The cultivation of marijuana in a manner that violates Article 3 of this Chapter.
- h. 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.
- i. Any violation of any Ordinance or State law or any public nuisance defined or known at common law or in equity jurisprudence.

ARTICLE 3 EXCEPTIONS, INDOOR, OUTDOOR, AND FENCING

7.40.300 Exceptions

This ordinance shall not apply to cultivation that is in accordance with 7.40.310 and 7.40.320 of this Chapter and does not exceed the following quantities:

- a. Indoor cultivation of no more than six (6) plants within a residence on any size parcel.
 - 1. In addition to the six (6) plants within a residence:
 - A. Indoor and/or outdoor cultivation of no more than six (6) plants total on parcels of at least one (1) acre but not greater than two and one-half (2.5) acres in size,
 - B. Indoor and/or outdoor cultivation of no more than twelve (12) plants total on parcels at least two and one-half (2.5) acres but not greater than twenty (20) acres in size,
 - C. Indoor and/or outdoor cultivation of no more than twenty four (24) plants total on parcels larger than twenty (20) acres in size.

7.40.310 Indoor Cultivation

- a. No indoor cultivation of marijuana shall occur in a structure that has not been permitted and/or does not comply with the California Building Standards Code (California Code of Regulations, Title 24), as adopted by the County of Yuba, and is not also located on a parcel where the qualified patient or primary care giver performing the cultivation resides.
- b. No indoor cultivation of marijuana shall occur that is not screened within the structure from public view and secured in a manner to keep out of reach of children.
- c. No portion of any structure shall be altered unless a building permit has first been obtained, and under no circumstance shall any alteration create a fire-life-safety hazard.

- d. No indoor cultivation of marijuana shall occur in a residence, unless all of the following conditions are met:
 - 1. The dwelling is occupied by the qualified patient or primary care giver,
 - 2. The cultivation is not located within the kitchen,
 - 3. The dwelling maintains at least one operable bathroom, and,
 - 4. There are no more than six (6) plants within the habitable portion of the residence.

7.40.320 Outdoor Cultivation

- a. No outdoor cultivation shall be visible from public view.
- b. No outdoor cultivation shall occur that does not meet the fencing requirements of Section 7.40.330 and any such appropriately fenced cultivation must also be located on a parcel where the qualified patient or primary care giver performing the cultivation resides.
- c. No outdoor cultivation of marijuana shall take place on a parcel within one thousand (1,000) feet of a school, school bus stop, church, park, child care center, or youth-oriented facility.
- d. No marijuana plants or any part of the outdoor cultivation process shall be located within:
 - 1. Fifty (50) feet of a residence, excluding the residence of the qualified patient or primary care giver performing the outdoor cultivation, on parcels less than twenty (20) acres in size,
 - 2. One hundred (100) feet of a residence, excluding the residence of the qualified patient or primary care giver performing the outdoor cultivation, on parcels twenty (20) acres and greater in size,
 - 3. The distance specified in this section shall be the horizontal distance measured in a straight line from the residence to the closest area in which the medical marijuana is cultivated.

7.40.330 Fencing

No outdoor cultivation shall occur that is not fully enclosed by a 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 7.40.140K,
- b. Fences over six (6) feet in height will require proof of an approved building permit,
- c. Should the marijuana plant(s) grow higher than the fence and within sight of the public, then the plants shall be altered or cut so as to not be in public view,
- d. The fence and gate must be adequately secure to prevent unauthorized entry and keep the area out of reach of children, and
- e. Bushes or hedgerows shall not constitute an adequate fence under this Chapter.

ARTICLE 4 ENFORCEMENT

7.40.400 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.

7.40.410 Right of Entry/Inspection

Whenever necessary to enforce the provision of this Code, or whenever an Enforcement Officer has reasonable cause to believe that there exist in or upon any parcel any such violation which makes such parcel unsafe, dangerous or hazardous, the Enforcement Officer may enter upon such premises at a reasonable time to inspect the same or to perform any duty imposed upon the Enforcement Officer by this Code. If such entry is refused, the Enforcement Officer shall have recourse to every remedy provided by law to secure entry.

7.40.420 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.

7.40.430 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.

7.40.440 Penalties

Violations of this Chapter are deemed a misdemeanor and, upon conviction, are punishable up to a \$1,000.00 fine or 1 year in jail or both a fine and jail.

7.40.450 Treble Damages

As authorized by Government Code Section 25845.5, upon entry of a second or subsequent civil or criminal judgment within a two year period finding that an owner of property is responsible for a condition that may be abated in accordance with this Chapter, the court may order the owner to pay treble the costs of abatement.

7.40.460 Remedies

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 and specifically by Chapter 7.36 of the Yuba County Ordinance Code.

7.40.470 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 and other rights or remedies available under law.

7.40.480 Enforcement Costs

All costs associated with the enforcement of this Chapter are the responsibility of the owner(s) of any parcel(s) on which a nuisance was allowed to exist.

7.40.490 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.