

# 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 8<sup>th</sup> Street, Marysville and [www.co.yuba.ca.us](http://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.

**OCTOBER 2, 2012**

**1:00 P.M. YUBA COUNTY WATER AGENCY**

**3:30 P.M. THREE RIVERS LEVEE IMPROVEMENT AUTHORITY - CANCELLED**

**5:45 P.M. LAND USE AND PUBLIC WORKS COMMITTEE - (Supervisors Abe and Stocker - Alternate Supervisor Nicoletti)**

- A. Consider establishing Underground Utility District 2012-1 on Olivehurst Avenue from McGowan Parkway to 8th Avenue - Community Development and Services (Ten minute estimate) (382-12)

**6:00 P.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 Stocker

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

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

A. Administrative Services

1. Approve assignment of lease agreement between Peter Huckins and James Abbott for Corporate Hangar Lease Site 17, and authorize the Chair to execute same. (371-12)

B. Auditor-Controller

1. Adopt resolutions fixing general county-wide tax rate; and fixing special tax rates for county, school district, and special district indebtedness. (372-12)

C. Clerk of the Board of Supervisors

1. Approve minutes from the regular meetings of September 11 and 18, and final budget hearings of September 18, 2012. (373-12)

D. Community Development and Services

1. Adopt resolution authorizing Community Development and Services Agency Director to complete the purchase of single family residence APN 021-220-046 and execute all documents needed for completion of purchase, rehabilitation and resale. (374-12)

E. County Administrator

1. Adopt resolution authorizing Yuba County to opt into Regional Council of Rural Counties, California State Association of Counties memorandum of agreement with the U.S. Forest Service and the Bureau of Land Management; and appoint the Chairman as representative. (Finance and Administration Committee recommends approval) (375-12)

F. Human Resources and Organizational Services

1. Adopt resolutions amending Departmental Positional Allocation Schedule and Basic Salary Schedule as it relates to the Sheriff's Department, effective October 1, 2012. (376-12)

IV. **SPECIAL PRESENTATION**

- A. Receive presentation from Lee Sciocchetti regarding Knight2Day Inc. on Living History Camp the Medieval Life Experience. (Fifteen minute estimate) (377-12)
- B. Present proclamation recognizing Chant DeForest. (No background material) (378-12)

V. **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.

VI. **COUNTY DEPARTMENTS**

- A. Board of Supervisors
  1. Appoint CSAC Board of Directors representative and alternate for one-year terms commencing November 27, 2012. (Five minute estimate) (379-12)
- B. Human Resources and Organizational Services
  1. Adopt resolution amending the Basic Salary Schedule, as it relates to Health and Human Services, effective October 1, 2012. (Five minute estimate) (380-12)

VII. **CORRESPONDENCE** - (381-12)

- A. Independent audit report for Browns Valley Cemetery District for fiscal years ended June 30, 2004 and June 30, 2005.
- B. Three notices from California Emergency Management Agency advising of disaster designation for County of Yuba due to agricultural losses caused by drought beginning January 1, 2012 and continuing, and the Chips Fire.
- C. Letter from Pipeline Association for Public Awareness enclosing newsletter.
- D. Three Local Agency Biennial Notices regarding conflict of interest codes for Dobbins/Oregon House Fire Protection District, Plumas Brophy Fire Protection District, and Wheatland Fire Authority.
- E. Notice from State of California Fish and Game Commission regarding a petition to list the white shark as threatened or endangered.
- F. Notice from California Water Boards Central Valley Regional Water Quality Control Board advising of various meetings at various locations.
- G. Minutes from Fish and Game Wildlife Conservation Board indicating the Daugherty Hill Wildlife Area, Expansion 13 was withdrawn from consideration May 31, 2012.

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. **ADJOURN**

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

## **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**

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Land Use and Public Works Committee



# The County of Yuba

## Community Development & Services Agency

**Kevin Mallen, Director**

Phone - (530) 749-5430 • Fax - (530) 749-5434  
 915 8<sup>th</sup> Street, Suite 123  
 Marysville, California 95901  
[www.co.yuba.ca.us](http://www.co.yuba.ca.us)



749-5440 • Fax 749-5616

**CODE ENFORCEMENT**  
 749-5455 • Fax 749-5464

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

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

**PLANNING**  
 749-5470 • Fax 749-5434

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

**FINANCE AND ADMINISTRATION**  
 749-5430 • Fax 749-5434

October 2, 2012

TO: LAND USE AND PUBLIC WORKS COMMITTEE

FROM: MICHAEL G. LEE, DIRECTOR OF PUBLIC WORKS

SUBJ: FORMATION OF UNDERGROUND UTILITY DISTRICT ALONG OLIVEHURST AVENUE FROM MCGOWAN PARKWAY TO 8<sup>TH</sup> AVENUE

### RECOMMENDATION:

Consider the formation of an Underground Utility District along Olivehurst Avenue between McGowan Parkway and 8<sup>th</sup> Avenue, and recommend that the Board of Supervisors consider the Resolution to form Underground Utility District 2012-1.

### BACKGROUND:

Pacific Gas & Electric (PG&E) annually allocates funds for the conversion of overhead utilities to underground facilities. The funds are allocated under the company's Rule 20, Section A (Rule 20A) which is based on the number of overhead service meters within the community. The funds are carried over to following years until the County commits to the conversion of overhead utilities to underground facilities. If the money is not committed to a project within 5 years of its allocation, then other governmental agencies with committed projects may claim portions of the funds for their projects.

Olivehurst Avenue is classified as an urban minor arterial and is the main corridor bisecting the community of Olivehurst. Significant improvements are slated for this segment of Olivehurst Avenue in the near future, including road widening, bike lanes, curbs, gutters, sidewalks, drainage improvements, and transit stops. To accommodate the proposed improvements, the existing power poles will need to be relocated. If the utilities are kept on poles, significant right of way impacts would occur, whereas undergrounding the utilities can be accommodated within the existing road right of way. Additionally, the aesthetic value of eliminating overhead powerlines helps showcase the proposed complete street project.

## DISCUSSION:

Section 11.30.020 of the Yuba County Ordinance states that the Board of Supervisors may call for a public hearing to discuss the conversion of overhead utilities to underground facilities. After the public hearing, the Board of Supervisors may adopt a Resolution to designate an area an Underground Utility District.

We are requesting PG&E and other utility companies to underground their facilities prior to our proposed road improvements. The passage of a Resolution to create an Underground Utility District is the first step in the process to use Rule 20A funds. The Resolution forming an Underground Utility District needs to be adopted prior to PG&E performing any design work to underground its facilities.

The Rule 20A funds would also be used to fund trenching on the first 100 feet of private property and to fund the conversion of electrical panels on dwellings up to a maximum amount of \$1,500 each. This amount will cover the cost to convert the electrical panels in most cases. The typical cost for electrical panel conversion is \$600 for residential and \$900 for commercial.

The attached Resolution delineates the proposed boundary limits of the Underground Utility District. The Resolution also sets a timeline for conversion to underground facilities and for when utility poles are to be removed.

The Public Works Department recommends that a public hearing be held for discussion pertaining to the formation of the proposed Olivehurst Avenue Underground Utility District.

## FISCAL IMPACT:

None. PG&E has approximately \$5,290,000 in reserve in Yuba County's Rule 20A account for overhead utility conversion to underground facilities.



**BEFORE THE BOARD OF SUPERVISORS  
OF THE COUNTY OF YUBA**

**RESOLUTION ESTABLISHING UNDER- )  
GROUND UTILITY DISTRICT NO. 2012-1 )  
ON OLIVEHURST AVENUE FROM )  
MCGOWAN PARKWAY TO 8<sup>TH</sup> AVENUE )**

**RESOLUTION NO. \_\_\_\_\_**

**WHEREAS**, the California Public Utilities Commission (CPUC) has authorized electric and telecommunication utilities to convert overhead utility lines and facilities to underground pursuant to Electric Rule 20 and Telecommunication Rule 32; and

**WHEREAS**, pursuant to certain criteria, CPUC rules allow participating cities and counties to establish legislation authorizing the creation of underground utility districts within which existing overhead electric distribution and telecommunication distribution and service facilities will be converted to underground; and

**WHEREAS**, the County of Yuba, has adopted an ordinance authorizing the Board of Supervisors to designate areas within which all existing overhead poles, overhead wires and overhead equipment associated with the distribution of electric power, telecommunication services and cable television should be removed and replaced with underground wires and facilities; and

**WHEREAS**, the Director of Public Works for the County of Yuba has consulted with the affected public utilities and such utilities have agreed that the proposed underground conversion district, designated the Olivehurst Avenue Underground Utility District and more particularly described in Exhibit 1 attached hereto and incorporated herein by reference, meets the criteria established by the rules of the CPUC, to wit,

that such undergrounding will avoid or eliminate an unusually heavy concentration of overhead electric facilities; and

that the road right-of-way is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic; and

that the street or road or right-of-way is considered an arterial street or major collector as defined in the Governor's Office of Planning and Research General Plan Guidelines; and

**WHEREAS**, each year the County of Yuba is notified by PG&E regarding the allocation of work credits for conversion of overhead electric distribution lines and facilities to underground, known as Rule 20A allocations; and

**WHEREAS**, the Director of Public Works for the County of Yuba has consulted with PG&E and determined that the County has accumulated Rule 20A work credits to complete the proposed overhead to underground conversion project, and

**WHEREAS**, the County of Yuba and the affected utilities have agreed by letter that each utility shall complete the engineering of their respective portion of the Olivehurst Avenue Overhead to Underground Utility Conversion Project; and

**WHEREAS**, the County of Yuba and the affected utilities have agreed by letter that PG&E shall be responsible for preparation of the trench profile and composite drawings and that the County shall be designated as "trench lead" to manage trenching, installation of substructures, and pavement restoration and such other work; and

**WHEREAS**, the Director of Public Works of the County of Yuba and the affected utilities have agreed on a work schedule which meets their respective capabilities and further agreed to waive any administrative fees, permit fees, costs or special street restoration requirements for purposes of this project; and

**WHEREAS**, to the extent required, the County of Yuba has agreed to provide easements or rights of way on private property as may be necessary for installation of utility facilities in a form satisfactory to the affected utilities; and

**WHEREAS**, the Board of Supervisors of the County of Yuba has now received the report from the Director of Public Works recommending that the area identified in Exhibit 1 should be designated as an underground utility district within which all existing overhead poles, overhead wires and overhead equipment associated with the distribution of electric power, telecommunication services and cable television should be removed and replaced with underground wires and facilities; and

**WHEREAS**, upon the recommendation of the Director of Planning, the Board of Supervisors of the County of Yuba has determined that the proposed Olivehurst Avenue Underground Utility District is categorically exempt from environmental review pursuant to the California Environmental Quality Act; and

**WHEREAS**, the County of Yuba has notified all affected property owners within the proposed Olivehurst Avenue Underground Utility District and inviting same to attend a public hearing to discuss formation of the proposed district, and

**WHEREAS**, the Board of Supervisors of the County of Yuba held public hearings at which time the Board of Supervisors did receive and consider the recommendation of the Director of Public Works and did hear any and all objections or protests that were raised by the owners of property within the above described district pertaining to designating this area an underground utility district;

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Supervisors of the County of Yuba that:

Section 1. The public necessity, safety, and welfare requires the removal of all existing utility poles, excepting those poles supporting streetlights, traffic signals or trolley lines, and including overhead wires and associated overhead structures and installation of underground wires and facilities for supplying electric power, communication, or similar associated services within the areas as shown in Exhibit 1, attached hereto, with such area being designated as the Olivehurst Avenue Underground Utility District; and

Section 2. Within ten days of the passage of this resolution, notice pursuant to Yuba County Ordinance Code section 11.30.070 will be sent to all affected property owners.

Section 3. That the utility companies, cable television services and other affected services shall commence work on installation of underground facility installation in the Olivehurst Avenue Underground Utility District and that as each phase of the project is complete and ready for conversion from overhead to underground utility facilities, all fronting property owners shall be notified pursuant to Yuba County Code of Ordinances, Chapter 11.30, of the schedule for conversion of all utility service lines; and

Section 4. The electric utility shall use the underground conversion allocation computed pursuant to decisions of the California Public Utilities Commission for the purpose of providing to each premises in Olivehurst Avenue Underground Utility District requiring it, a maximum of one hundred feet of individual electric service trenching and conductor (as well as backfill, paving and conduit, if required) and each other serving utility shall provide service trenching and conductor in accordance with its rules and tariffs on file with the California Public Utilities Commission or as required by its Franchise Agreement with the County of Yuba; and

Section 5. The electric utility shall use said underground conversion allowance allocation, up to a maximum amount of \$1500 per service entrance excluding permit fees, for the conversion

of electric service panels to accept underground service in the Olivehurst Avenue Underground Utility District, and each property owner shall be financially responsible for any and all costs not covered by the electric utility for the installation and maintenance of the conduit and termination box located on, under or within any structure on the premises served; and

Section 6. That upon notification as specified in Section 3, all property owners in Olivehurst Avenue Underground Utility District shall have underground electrical entrance facilities installed and inspected pursuant to the 2010 California Electrical Code within thirty (30) days from said notification and that should any property owner fail to install satisfactory underground electrical entrance facilities by the date specified in the notice, pursuant to Yuba County Ordinance Section 11.30.090, the Chief Building Inspector will provide such required underground facilities, in which case the cost and expense thereof will be assessed against the property benefited and become a lien upon such property. If upon the expiration of the 30-day period, the said required underground facilities have not been provided, the Chief Building Inspector shall forthwith proceed to do the work provided, however, if such premises are unoccupied and no electric or communication services are being furnished thereto, the Chief Building Inspector shall in lieu of providing the required underground facilities, have the authority to order the disconnection and removal of any and all overhead service wires and associated facilities supplying utility service to said property. Upon completion of the work by the Chief Building Inspector, he or she shall file a written report with the Board of Supervisors setting forth the fact that the required underground facilities have been provided and the cost thereof, together with a legal description of the property against which such cost is to be assessed. The Board of Supervisors shall thereupon fix a time and place for hearing protests against the assessment of the cost of such work upon such premises, which said time shall not be less than ten days thereafter.; and

Section 7. That once all services have been converted from overhead to underground, the utility companies, cable television services and other affected services shall remove all poles (except as specified above) and associated overhead facilities in Olivehurst Avenue Underground Utility District, within three (3) years from the adoption of this resolution, thus completing the conversion.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_ 2012,  
by the Board of Supervisors of the County of Yuba, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
CHAIRPERSON

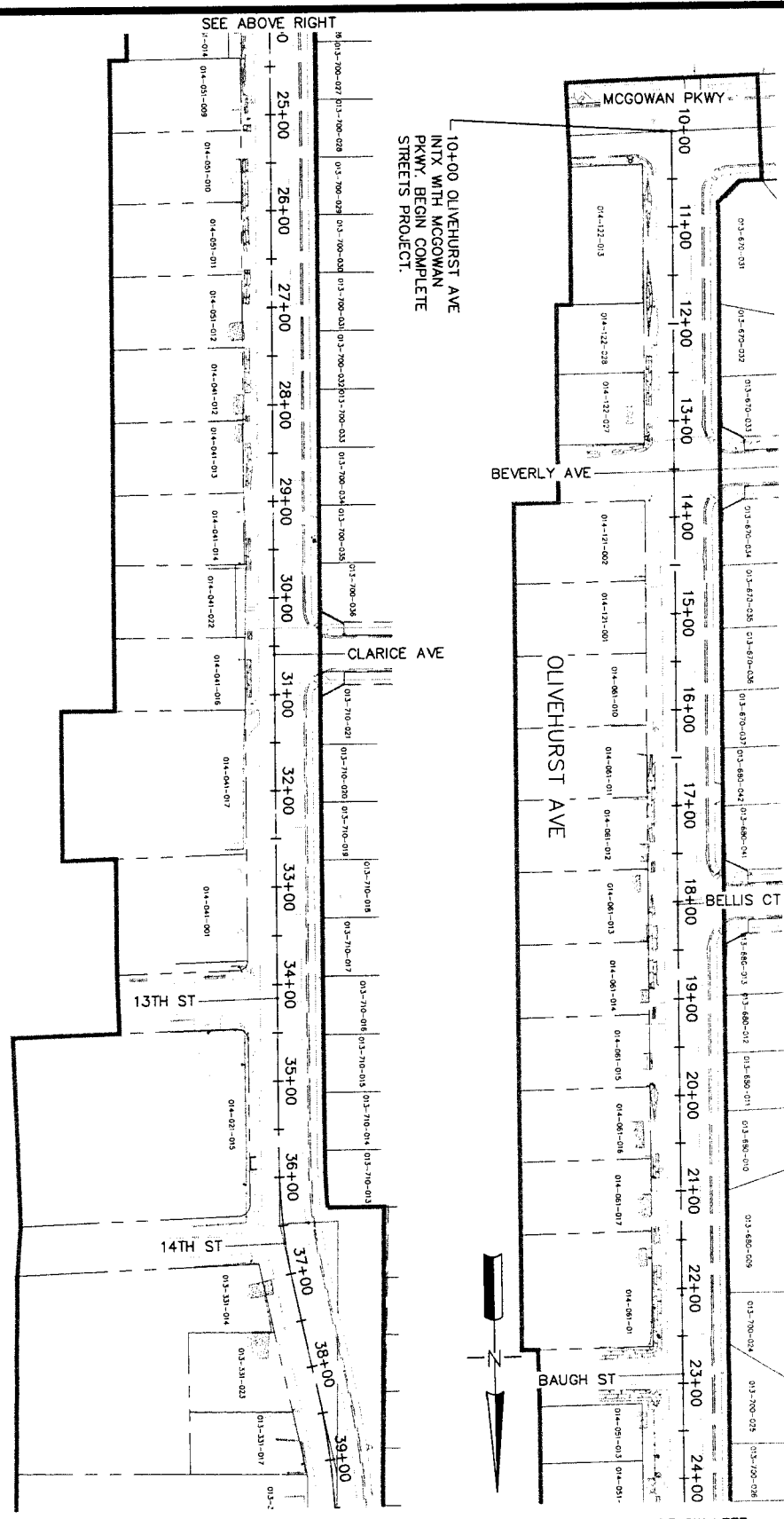
ATTEST:

\_\_\_\_\_  
Donna Stottlemeyer  
Clerk of the Board of Supervisors

APPROVED AS TO FORM:  
ANGIL MORRIS-JONES  
COUNTY COUNSEL

*Pat Garamove*  
\_\_\_\_\_

LEGEND  
 UUD BOUNDARY



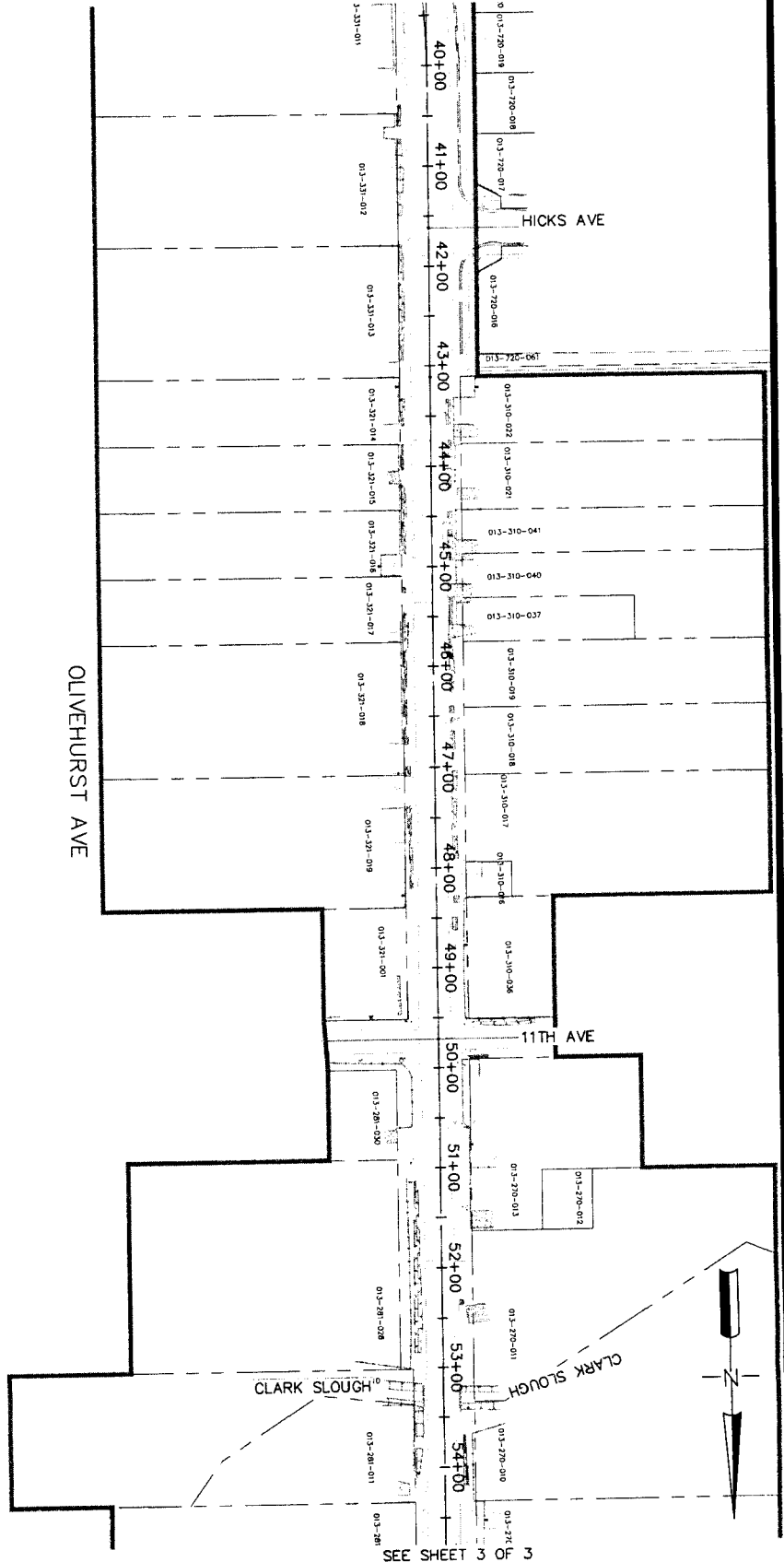
SEE SHEET 2 OF 3

YUBA COUNTY PUBLIC WORKS DEPT.

EXHIBIT 1

OLIVEHURST AVENUE  
 UNDERGROUND UTILITY DISTRICT

SEE SHEET 1 OF 3



SEE SHEET 3 OF 3

LEGEND

UUD BOUNDARY

YUBA COUNTY PUBLIC WORKS DEPT.

EXHIBIT 1

OLIVEHURST AVENUE  
UNDERGROUND UTILITY DISTRICT

SHEET 2 OF 3

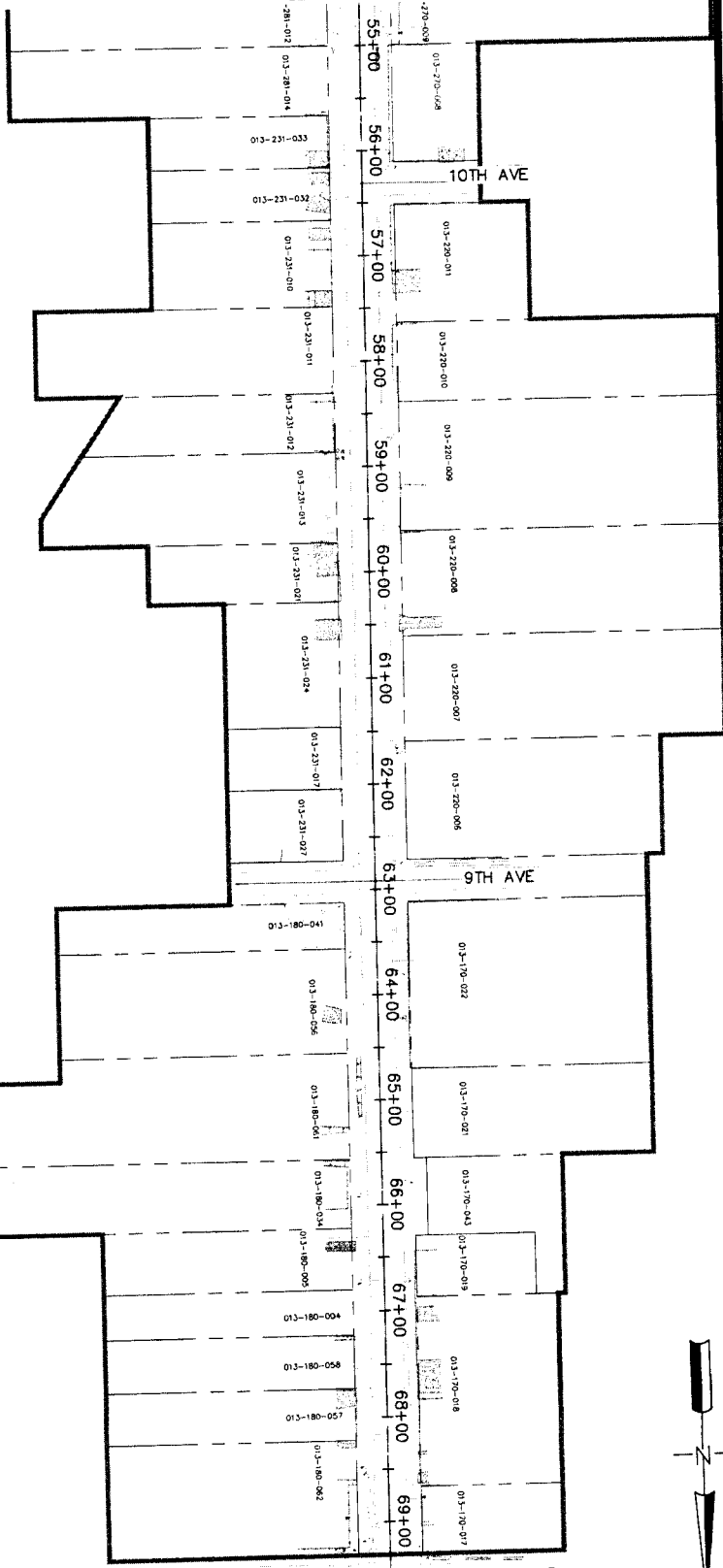
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SCALE: 1"=100'

DATE: 08-21-2012

SEE SHEET 2 OF 3

LEGEND  
— UUD BOUNDARY



SHEET 3 OF 3

YUBA COUNTY PUBLIC WORKS DEPT.

EXHIBIT 1

OLIVERHURST AVENUE  
UNDERGROUND UTILITY DISTRICT

DRAWN BY: SMC SCALE: 1"=100' DATE: 08-21-2012





*CONSENT*  
*AGENDA*

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# The County of Yuba

## Department of Administrative Services

Doug McCoy, Director



371-12

AIRPORT	749-7880
BUILDING & GROUNDS	749-7880
FACILITIES MANAGEMENT	749-7880
INFORMATION SERVICES	749-7891
PRINT SHOP	749-7880
PURCHASING	749-7880
TELECOMMUNICATIONS	749-7880

(530) 749-7880  
FAX (530) 749-7936

October 2, 2012

TO: YUBA COUNTY BOARD OF SUPERVISORS

FROM: DOUG MCCOY, Administrative Services Director

SUBJECT: AUTHORIZE THE CHAIRMAN TO EXECUTE ASSIGNMENT OF AIRPORT LEASE AGREEMENT FOR CORPORATE HANGAR LEASE SITE 17

### Recommendation:

It is recommended that the Board authorize the Chairman of the Board of Supervisors to execute the subject airport assignment of lease agreement.

### Background:

The attached Assignment of Lease Agreement is between the County of Yuba and Peter Huckins as Assignor and James Abbott as Assignee. This action will facilitate financial agreements between the parties that are referenced in the assignment document. There are no additional changes to the lease document as part of this assignment. The current lease will continue until December 31, 2012. A new lease will be renegotiated at that time with the Assignee.

### Discussion:

The location of the hangar ground lease site is shown on the attached layout as Exhibit A to the lease and consists of 6,080 square feet.

### Committee Action:

This item was not presented to the committee as it is a standard ground lease assignment and considered routine. The agreement was reviewed and approved by County Counsel.

### Fiscal Impact:

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

Attachments

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## ASSIGNMENT OF LEASE

THIS ASSIGNMENT OF LEASE ("Assignment") is made this 22 day of July, 2012, between PETER HUCKINS ("Assignor"), and JAMES ABBOTT ("Assignee").

## RECITALS

A. The County of Yuba ("Landlord") as Landlord, and Assignor as Tenant, executed a Lease dated as of February 26, 2008 ("Lease"), a copy of which is attached and incorporated by reference as Exhibit A hereto, pursuant to which Landlord leased to Tenant, and Tenant leased from Landlord, that certain real property described as Yuba County Assessor's Parcel No. AP850-000-201, commencing on January 1, 2008 and ending on December 31, 2012 subject to earlier termination as provided in the Lease.

B. As provided by the Lease, Tenant constructed a commercial airplane hangar on the aforesaid property.

C. Assignor desires to assign the lease to Assignee, and Assignee desires to accept the Assignment of the Lease from Assignor as security for that certain Promissory Note entered into by and between Assignor and Assignee.

NOW THEREFORE, for good and valuable consideration, the receipt and adequacy of which are acknowledged, Assignor and Assignee agree as follows:

1. Assignment. Assignor assigns and transfers to Assignee all right, title and interest in the Lease, and Assignee accepts from Assignor all right, title and interest subject to the terms and conditions set forth in this Assignment.

2. Promissory Note. Peter Huckins, Assignor, and James Abbott, Assignee, understand and agree that the purpose of the herein Assignment is to secure indebtedness of the Assignor to the Assignee (lender) in the sum of One Hundred Thirty Three Thousand, Six Hundred Seventy Six Dollars and Thirty Cents (\$133,676.30). Further, that upon full satisfaction of the repayment of said principal and interest of the aforesaid loan obligation (see Exhibit B, Promissory Note, attached hereto), Assignee shall reassign the herein Lease, Exhibit A, to Assignor or to Assignor's designee.

3. Assumption of Lease Obligations. Assignee shall assume possession and use of the aforesaid airplane hangar hereinabove described, and shall abide by the terms of the Lease, all of its terms, covenants, conditions and obligations, making all rent payments to Landlord as they become due and payable.

4. Revenue and Expenses. The parties understand, acknowledge and agree that the Assignor has sublet the hangar subject to the herein Assignment, and that any and all revenue which is derived therefrom shall become that of the Assignee upon the execution of the herein agreement.

The parties further understand, acknowledge and agree that Assignee will become financially responsible for the payment of the expenses of the leasehold, including but not limited to rent to the County of Yuba; PG&E charges; insurance; maintenance costs; and taxes attendant to this Lease.

5. Assignor Covenants. Assignor covenants that the copy of the Lease attached as Exhibit A is a true and accurate copy of the Lease as currently in effect, and that there exists no other agreement affecting Assignor's tenancy under the Lease. Further, Assignor covenants that the Lease is in full effect and no default exists under the Lease, nor any acts or events which, with the passage of time or the giving of notice, or both, could become default.

6. Litigation Costs. If any litigation between Assignor and Assignee arises out of the Assignment or concerning the meaning or interpretation of this Assignment, the losing party shall pay the prevailing party's costs and expenses of this litigation, including, without limitation, reasonable attorney's fees.

7. Indemnification. Assignor shall indemnify Assignee from and against any loss, cost, or expense, including attorney's fees and court costs relating to the failure of Assignor to fulfill Assignor's obligations under this Assignment.

8. Successors and Assigns. This Assignment shall be binding on and inure to the benefit of the parties to it, their heirs, executors, administrators, successors in interest, and assigns.

9. Governing Laws. This Assignment shall be governed by and construed in accordance with California law.

10. This Assignment has been prepared by Thomas Hill of Martinez Hayes Hyatt & Hill LLP, at the request of Assignor and Assignee. Assignor and Assignee are clients of Martinez Hayes Hyatt & Hill LLP, and each has executed a waiver of Conflict. The parties, by their signatures hereunder, acknowledge that the terms and conditions of the herein Assignment have been expressly agreed to, and that Thomas Hill has been directed to prepare this document consistent with these terms and conditions.

IN WITNESS WHEREOF, the parties have executed this Assignment as of the date first above written.

ASSIGNOR:



PETER HUCKINS

ASSIGNEE:



JAMES ABBOTT

## CONSENT OF LANDLORD

The undersigned, as Landlord under the Lease, consents to this Assignment of Lease to Assignee, provided, however, that notwithstanding this Assignment and the undersigned's consent to this Assignment, Assignor shall remain primarily obligated to Tenant under the Lease, and the undersigned does not waive or relinquish any rights under the Lease against Assignor or Assignee.

LANDLORD:

By \_\_\_\_\_

Capacity:

APPROVED AS TO FORM  
ANGEL R. FLORES-JONES  
COUNTY COUNSEL  
BY: Pat Garmon



Yuba County Airport Terminal Area  
Master Lease Map  
Site Number 17 Hangar (80 ft x 76 ft)  
(6,080 square feet)

Attached to this Lease and marked "Exhibit A" is the subject map showing the specific location of the property herein demised, which for this purpose is incorporated herein and by this reference made a part hereof.

2.     TERM:           The term of this Lease shall be five (5) years commencing on the 1st day of January, 2008. Lessee shall have the first right to negotiate to obtain a new lease for each additional five (5) year term before this Lease has expired. The new lease rate to be negotiated shall not exceed the average of the CPI Index over the past five years. The new lease rate will be mutually agreed upon by both the Lessor and the Lessee.

3.     CONSIDERATION:

A.     Lessee hereby agrees to pay as rent for said premises the sum of Three Cents (\$0.03) per square foot of building area per month, payable without deduction, setoff, prior notice, or demand, on or before the first day of each calendar month during the term hereof. Said rental shall be paid in lawful money of the United States of America and shall be paid to Lessor at the address set forth herein for notices, or to such other person or persons, or at such other places, as Lessor may designate in writing. Rent for any period less than a calendar month shall be a pro rata portion of the monthly installment. The Lessee, however, shall have the right to pay one annual payment of all the monthly rents prior to the first day of the following year and by so doing receive a ten percent (10%) reduction of said rents.

B.     Concurrently with Lessee's execution of this Lease, Lessee shall pay to Lessor the sum of the rent for the first and last month of the term of this Lease.

## AIRPORT LEASE AGREEMENT

**THIS LEASE** made and entered into this 26 day of February, 2008, by and between the COUNTY OF YUBA, a political subdivision of the State of California, hereinafter designated "Lessor," and PETER HUCKINS TRUST, hereinafter called "Lessee."

### WITNESSETH

**WHEREAS**, Lessor owns and operates the public airport facilities situated in the County of Yuba, California, hereinafter referred to as "Airport"; and

**WHEREAS**, said real property is devoted to and held for airport development, and

**WHEREAS**, pursuant to the provisions of Section 25536, Government Code, Lessor is authorized to enter into leases of all or any portion of said property without complying with the provisions of Title 3, Division 2, Part 2, Article 8, of the Government Code; and

**WHEREAS**, Lessor hereby finds that the terms and conditions as set forth herein below are beneficial and necessary, to promote the welfare and convenience of the public using the Airport.

### **NOW, THEREFORE, IT IS HEREBY AGREED:**

1. LEASED PREMISES: Lessor hereby sets over, leases, and demises to Lessee, and Lessee hereby hires from Lessor, all that certain real property situated in the County of Yuba, State of California, and more particularly described as follows:

4. OTHER CHARGES AND FEES:

Lessee shall meet all expenses and payments in connection with the use of the premises and the rights and privileges herein granted, including taxes, permit fees, license fees, and assessments lawfully levied or assessed upon the premises or property at any time situated therein and thereon. Lessee may, however, at their sole expense and cost, contest any tax, fee, or assessment.

5. PENALTIES: Payments not made by the 10<sup>th</sup> of the month are subject to a late fee as established by the Board of Supervisors, which is currently Twenty-Five Dollars each occurrence (\$25.00). In the event Lessee is in arrears for thirty (30) days or more after any of the amounts agreed upon with this Lease are due, Lessor shall assess interest at the rate of eighteen percent (18%) annual percentage rate of the payment due for each month unpaid or any portion of a monthly payment which is left unpaid.

6. LEASEHOLD IMPROVEMENTS:

A. Lessee, at its own cost, shall completely build, erect and equip, in accordance with plans and specifications to be approved by Lessor prior to the start of construction, a pre-engineered hangar building approximately 80 ft x 76 ft; building to be painted a color approved by Lessor. The exterior of said building to be compatible with the existing structures.

B. The demised premises and the building constructed thereon shall be used exclusively for the storage of aircraft owned, leased or hired by Lessee and for no other purpose.

C. In the event that Lessee shall fail or refuse to construct said hangar or complete said hangar in a timely manner, the Lessor shall have the right to demand a final date of completion. The Lessee shall make every attempt to construct the hangar within the first year of the lease.

D. Lessee shall submit to Lessor for approval all detailed plans and specifications for all leasehold improvements. Lessor agrees that it shall either approve the plans and specifications as submitted, or transmit proposed revisions to Lessee, within thirty (30) calendar days of receipt of the plans and specifications from Lessee.

E. In the event that Lessor requires revisions of the original plans and specifications, Lessee shall have thirty (30) calendar days from the date of receipt of the proposed revisions to resubmit the plans and specifications for Lessor's approval. Lessor's approval of plans and specifications shall not be withheld unreasonably.

F. Upon receiving final Lessor approval of the plans and specifications, Lessee shall engage one or more qualified contractors to construct said improvements. Construction shall commence within sixty (60) calendar days of Lessee's receipt of Lessor's final approval of the plans and specifications and shall be scheduled for completion not later than one hundred eighty (180) calendar days after commencement of construction.

G. Lessee, at its own expense, shall procure all necessary permits for any construction of facilities, and all work and installations shall be made in accordance with all applicable laws, ordinances, and rules and regulations of any governmental body having jurisdiction of such matters. Lessee shall save Lessor harmless from any loss or damage by reason of any mechanics lien or encumbrance of any kind or nature.

I. This Lease shall be subject to the Federal Aviation Administration's approval of any proposed construction as provided for on Federal Aviation Administration Form 7460-1.

J. At the end of the term of this Lease, Lessee shall have the right of removal. If Lessee fails to exercise said right of removal, Lessor may at its option remove and dispose of all structures then located on the premises, or may declare said structures abandoned; if so abandoned, title to said structures shall pass to Lessor. In the event of default in the payment of rent, Lessor may re-enter the premises and use same and all structures thereon

for its own purposes. In such event, and in the event default remains uncured for thirty (30) days thereafter, title to the structures shall thereupon pass to Lessor.

8. OTHER ALTERATIONS, ADDITIONS, IMPROVEMENTS:

A. Except for Lessee's work, Lessee shall make no alterations, additions, or improvements in or to the leased premises without Lessor's prior written consent.

B. All of the Lessee's work shall, upon construction or installation, become a part of the leased premises, subject to the use and occupancy of Lessee, and upon expiration or termination of this Lease does not become the property of Lessor. Lessee shall have the right at the termination of the Lease and within a reasonable amount of time after such expiration to remove Lessee's buildings, cement floors, personal property, and trade fixtures, provided any damage to Lessor's property resulting from such removal shall be repaired or restored at Lessee's expense. Any of Lessee's buildings, personal property, or trade fixtures that are not removed after a reasonable amount of time after the date of any termination of this Lease shall thereafter belong to Lessor without payment of any consideration therefor.

9. OPERATIONS: Lessee's approved operation at Airport is pursuant to the provisions of Part 135 of Title 14 of the Code of Federal Regulations, Federal Aviation Administration. Aircraft operated may be owned by Lessee or others. Lessee shall at all times and at its own cost and expense have all its owned or operated commercial aircraft maintained in good operating order and free from known mechanical defects. The method and arrangement for operating on the Airport, including but not limited to the parking of aircraft, shall be subject to the review and approval of the County Airport Manager. The Airport Manager shall at all times have final authority to designate the aprons, ramps, taxiways, runways, roadways, terminal, and common use areas at Airport to be utilized by Lessee in connection with its aircraft.

All of Lessee's activities conducted on Airport must be in accordance with appropriate federal and state statutory and decisional laws, Yuba County ordinances, rules and regulations, and the requirements of any other duly authorized government agency; however, in the event

any such law, rules, regulations or requirement is changed subsequent to the execution of this lease and Lessee's activities are affected thereby, Lessee shall be allowed a reasonable time within which to comply with such change. Lessee shall conform and comply with all noise abatement rules and regulations applicable to Airport. Lessee agrees to conduct all flights, activities authorized herein, and ground operations on, at, or near the Airport in accordance with proper rules and regulations of all authorities having jurisdiction over such operations and activities.

10. USE OF COMMON AREAS:

A. Lessee shall be entitled, in common with others so authorized, to the use of all facilities and improvements of a public nature which are or may hereafter be connected with or appurtenant to the Airport, including the use of landing areas, runways, taxiways, navigational aids, terminal facilities, and aircraft parking designated by Lessor.

B. Lessor reserves the right to take any action it considers necessary to protect the aerial approaches of the Airport against obstruction, together with the right to prevent Lessee from erecting, or permitting to be erected, any building or other structure on or adjacent to the Airport which, in the opinion of Lessor, would limit the usefulness of the Airport or constitute a hazard to aircraft.

11. USE OF PREMISES: Except as otherwise specifically limited herein, the leased premises shall be used by Lessee only for the purpose of conducting therein and thereon Lessee's registered aircraft operations and maintenance of the same aircraft and for no other purpose. Except for Lessor's obligations specifically set forth in this Lease and Use Permit, Lessee shall promptly comply with all laws, ordinances, orders, and regulations affecting the leased premises and its cleanliness, safety, occupation, and use. Lessee shall not do or permit anything to be done in or about the leased premises, or bring or keep anything on the leased premises, that (i) will increase the premiums (unless Lessee pays such increase) or cause cancellation or any insurance on the building, (ii) is prohibited by any insurance on the building,

(iii) would invalidate or be in conflict with the insurance coverage on the building, (iv) would invalidate any liability insurance of Lessor, or (v) may be in nuisance or menace to other tenants or users of the Airport provided. If Lessee is prohibited from using the leased premises for the permitted uses and purposes set forth in this paragraph 11 in order to comply with the covenants of this paragraph (other than payment of increased premiums), Lessee may terminate this Lease and Use Permit upon written notice thereof given to Lessor within thirty (30) days of such prohibited use. Lessee agrees to pay for any additional premiums on Lessor's fire and liability insurance policies charged by reason Lessee's use of or operations on the leased premises. No spray painting using inflammable paints or liquids will be done within the building without proper fire prevention and suppression equipment approved by Lessor.

12.     SIGNS:             During the term of this Lease, Lessee shall have the right, at Lessee's expense, to place in or on the premises a sign or signs identifying Lessee. Said sign or signs shall be of a size, shape, and design, and at a location or locations, approved by the Airport Manager and in conformance with any overall directional graphics or sign program established by Lessor. Notwithstanding any other provision of this Lease, said signs(s) shall remain the property of Lessee. Lessee shall remove, at its expense, all lettering, signs, and placards so erected on the premises at the expiration of the term of this Lease.

13.     INSURANCE:         Lessee shall throughout the existence of this Lease, at its own cost and expense, procure and maintain in full force and effect comprehensive general liability insurance in the minimum amounts of ONE MILLION DOLLARS (\$1,000,000.00) combined single limit as follows:

- A.       See Exhibit C attached hereto.
- B.       Full Worker's Compensation and Employers' Liability Insurance covering all employees of Lessee as required by law in the State of California.

C. Additional Insureds: The insurance required shall include the County of Yuba, its officers and employees, as additional insureds except with regard to occurrences that are the result of their sole negligence.

D. Cancellation Notice: The insurance required shall provide that no cancellation or material change in any policy shall become effective except upon thirty (30) days' prior written notice to the County of Yuba.

E. Proof of Insurance: Lessee shall furnish proof of coverage satisfactory to the Yuba County Risk Manager as evidence that the insurance required above is being maintained.

14. INDEMNITY: Lessee shall indemnify and defend the County and its officers, agents, and employees against and hold it harmless from any and all loss, damage, and liability for damages, including attorneys' fees and other costs of defense incurred by County, whether for damage to or loss of property, or injury to or death of person, including properties of County and injury to or death of County's officers, agents, and employees, which shall in any way arise out of or be connected with Lessee's operations hereunder, unless such damage, loss, injury or death shall be caused solely by the negligence of County.

15. MAINTENANCE AND REPAIR:

Lessee shall be responsible for the maintenance and repair of the premises and shall keep and maintain the premises in good condition, order, and repair, and shall surrender the same upon the expiration of this Lease in the condition in which they are required to be kept, reasonable wear, tear, and damage by the elements not caused by Lessee's negligence excepted.

16. TAXES: Under this Lease, a possessory interest subject to property taxation may be created. Notice is hereby given pursuant to California Revenue and Taxation Code Section 107.6 that such property interest may be subject to property taxation created, and that the party to whom the possessory interest is vested may be subject to the payment of



property taxes levied on such interest. Lessee shall pay all taxes of whatever character that may be levied or charged upon Lessee's operations hereunder and upon Lessee's right to use Airport.

17. UTILITIES: Lessee shall have sole and exclusive responsibility for obtaining all electricity, gas, water, telephone, sewer, or other utility services and for the payment of all rates or charges levied, assessed, or charged against said premises in the operation thereof for such services. Lessee will furnish its own heat, light, and power for the operation of said premises, including but not limited to any service charges, connection or installation fees, related thereto.

18. ASSIGNMENT OR SUBLEASE:

A. Lessee shall not assign or transfer in whole or in part by operation of law or otherwise this Lease or any of the Lessee's rights, duties, or obligations hereunder nor sublet any portion or all of the premises leased hereunder or the hangar constructed upon said premises without Lessor's consent to assignment of this Lease, and the Lessor shall not unreasonably withhold his consent to assignment. Lessor retains the right at time of proposed assignment to terminate Lease and renegotiate a new Lease with proposed assignees at Lessor's option.

B. Lessee shall have the right to sublease up to 100 percent of his leasehold with the approval of the Airport Manager, but sublessee's will be required to pay appropriate use and fees or charges as established from time-to-time by the County. Any sublease of this Lease shall also contain the above provision prohibiting further subleasing by sublessee's.

C. If Lessee, without securing prior written approval of Lessor, attempts to effect such a transfer, assignment, sublease, or if a transfer occurs by operation of law, Lessor may terminate this Lease upon thirty (30) days' notice to Lessee without further liability to Lessee and such assignment, transfer, or sublease shall be void.

19. DEFAULT: In the event Lessee is in default in the payment on any amount due under the terms of this Lease or defaults in the performance of any of the covenants or conditions on Lessee's part to be performed, then Lessor, at its option, may terminate this Lease and re-enter upon the premises. Lessor shall have the right to retain all rents and any other sums owing and unpaid to the date of termination hereunder.

20. BANKRUPTCY: In the event of bankruptcy, either voluntary or involuntary, or any assignment for the benefit of creditors made by Lessee, Lessee's interest hereunder shall automatically terminate.

21. FIRE DAMAGE: It is mutually understood and agreed between the parties hereto that in the event any portion of the demised premises be destroyed by fire and the same cannot be repaired within ninety (90) days, then Lessee may elect to terminate this Lease. In the event such restoration can be made within ninety (90) days, County agrees to restore said premises provided further that during the period of non-occupancy by Lessee, the rent for said premises shall not be the responsibility or obligation of Lessee.

22. BREACH OR NONCOMPLIANCE: The waiver of any breach or noncompliance with any terms, covenants, conditions, or provisions of this Lease or any rules, regulations, or decisions adopted pursuant thereto shall not constitute the waiver of any subsequent breach thereof whether such breach or noncompliance be the same or of a different kind or character.

23. ATTORNEY'S FEES: In case Lessor, without fault on its part, be made a part to any litigation commenced by or against Lessee, Lessee shall pay all costs, reasonable attorney's fees, and expenses which may be incurred or imposed on Lessor by or in connection with such litigation. Should either party hereto bring any action at law or in equity to enforce any of the rights hereunder, the prevailing party in such action shall be entitled to recover attorney's fees and any other relief that may be granted by the court, whether or not the party prevailing in such action be the party who instituted the same.

24. COMPLIANCE WITH SPONSOR'S FEDERAL GRANT ASSURANCES:

To the extent applicable, Lessee shall comply with all Federal Aviation Administration (FAA) assurances as shown on Exhibit B, attached hereto and made a part hereof.

25. NOTICES: Any notice, demand, request, consent, or approval that either party desires or is required to give to the other party pursuant to this Lease shall be in writing and either served personally or sent by prepaid, first-class mail. Such matters shall be addressed to the other party at the following address:

To County At:

Airport Manager  
YUBA COUNTY AIRPORT  
1364 Sky Harbor Drive  
Olivehurst, CA 95961

To Lessee At:

19275 South Harbor Drive  
Ft. Bragg, CA 95437

Notice shall be deemed communicated within 48 hours from the time of mailing if mailed as provided in this paragraph. An affidavit of such mailing shall be executed under penalty of perjury by the person depositing such notice in the mail, and such affidavit shall set forth the date, time, and place of such mailing and be delivered to the other party within 48 hours of such mailing.

IN WITNESS WHEREOF, the parties have signed this Lease the day and year first above written.

By:  2-1-08

Peter Huckins  
"Trustee"

COUNTY OF YUBA

By: 

Chairman

ATTEST: DONNA STOTTLEMEYER  
Clerk of the Board  
Of Supervisors


by:  Deputy

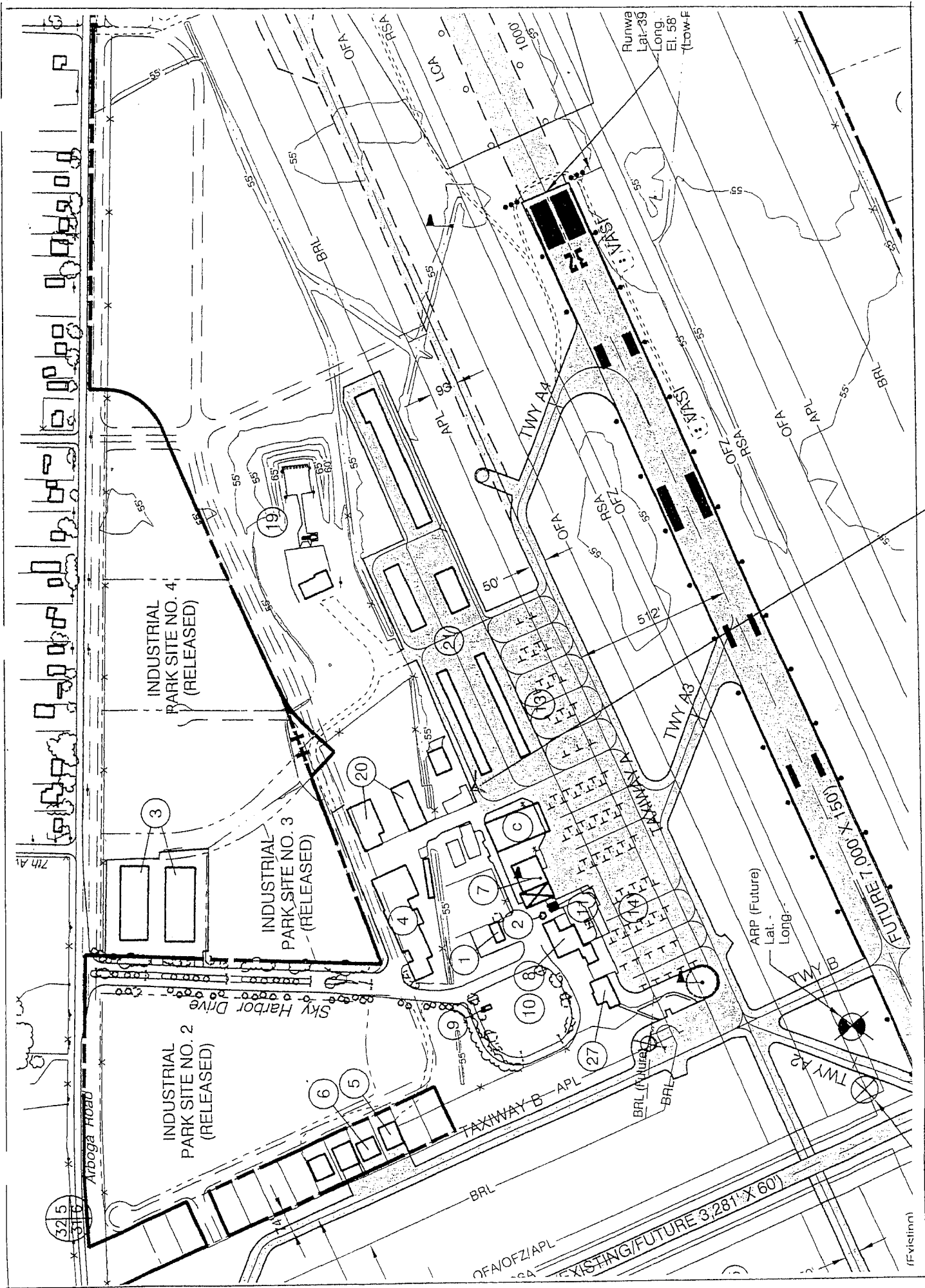
The foregoing instrument is a Correct Copy  
of the original on file in this office  
ATTEST: DONNA STOTTLEMEYER  
Clerk of the Board of Supervisors of the  
County of Yuba, State of California

By 

Date: 2-26-08

APPROVED AS TO FORM:

  
Daniel G. Montgomery, County Counsel



HANGAR CONSTRUCTION LOCATION

EXHIBIT A

Site 17

## **EXHIBIT B**

### **FEDERAL AVIATION ADMINISTRATION ASSURANCES**

**A. COMPLIANCE WITH SPONSOR'S FEDERAL GRANT ASSURANCES:** To the extent applicable, Lessee shall comply with all Federal Aviation Administration (FAA) assurances below:

1. The Lessee for himself, his heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenants and agree that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this Agreement for a purpose for which a DOT program or activity is extended or for another purpose involving the provision of similar services or benefits, the Lessee shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, COT, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

2. The Lessee for himself, his personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree that (in the case of leases add "as a covenant running with the land") that: (1) no person on the grounds of race, color, or national origin shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land and the furnishing of services thereon, no person on the grounds of race, color, or national origin shall be excluded from participation in, denied the benefits of, or otherwise be subject to discrimination, (3) that the (Lessee, licensee, Lessee, etc. shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

3. That in the event of breach of any of the above nondiscrimination covenants, the County of Yuba shall have the right to terminate the permit and to reenter and repossess said land and the facilities thereon, and hold the same as if said permit had never been made or issued. This provision does not become effective until the procedures of 49 CFR Part 21 are followed and completed including expiration of appeal rights.

4. Lessee shall furnish its accommodations and/or services on a fair, equal and not unjustly discriminatory basis to all users thereof and it shall charge fair, reasonable and not unjustly discriminatory prices for each unit or service; PROVIDED, THAT the Lessee may be allowed to make reasonable and nondiscriminatory discounts, rebates or other similar type of price reductions to volume purchasers.

5. Non-compliance with Provision 4 above shall constitute a material breach thereof and in the event of such non-compliance the County of Yuba shall have the right to terminate this permit and the estate hereby created without liability therefore or at the election of the County of Yuba or the United States either or both said Governments shall have the right to judicially enforce Provisions.

6. Lessee agrees that it shall insert the above five provisions in any permit by which said Lessee grants a right or privilege to any person, firm or corporation to render accommodations and/or services to the public on the premises herein permitted.

7. The Lessee assures that it will undertake an affirmative action program as required by 14 CFR Part 152, Subpart E, to insure that no person shall on the grounds of race, creed, color, national origin, or sex be excluded from participating in any employment activities covered in 14 CFR Part 152, Subpart E. The Lessee assures that no person shall be excluded on these grounds from participating in or receiving the services or benefits of any program or activity covered by this subpart. The Lessee assures that it will require that its covered suborganizations provide assurances to the Lessee that they similarly will undertake affirmative action programs and that they will require assurances from their suborganizations, as required by 14 CFR 152, Subpart E, to the same effort.

8. The County of Yuba reserves the right to further develop or improve the landing area of the airport as it sees fit, regardless of the desires or view of the Lessee and without interference or hindrance.

9. The County of Yuba reserves the right, but shall not be obligated to the Lessee to maintain and keep in repair the landing area of the airport and all publicly-owned facilities of the airport together with the right to direct and control all activities of the Lessee in this regard.

10. This lease shall be subordinate to the provisions and requirements of any existing or future agreement between the County of Yuba and the United States, relative to the development, operation or maintenance of the airport.

11. There is hereby reserved to the County of Yuba, its successors and assigns, for the use and benefit of the public, a right of flight for the passage of aircraft in the airspace above the surface of the premises herein permitted. This public right of flight shall include the right to cause in said airspace any noise inherent in the operation

of any aircraft used for navigation or flight through the said airspace or landing at, taking off from or operation on the Yuba County Airport.

12. Lessee agrees to comply with the notification and review requirements covered in Part 77 of the Federal Aviation Regulations in the event future construction of a building is planned for the permitted premises, or in the event of any planned modification or alteration of any present or future building or structure situated on the permitted premises.

13. The Lessee by accepting this expressly agrees for itself, its successors and assigns that it will not erect nor permit the erection of any structure or object, nor permit the growth of any tree on the land leased hereunder above the mean sea level elevation of 65 feet. In the event the aforesaid covenants are breached, the owner reserves the right to enter upon the land permitted hereunder and to remove the offending structure or object and cut the offending tree, all of which shall be at the expense of the Lessee.

14. The Lessee by accepting this Lease agrees for itself, its successors and assigns that it will not make use of the permitted premises in any manner which might interfere with the landing and taking off of aircraft from the Yuba County Airport or otherwise constitute a hazard. In the event the aforesaid covenant is breached, the owner reserves the right to enter upon the premises hereby permitted and cause the abatement of such interference at the expense of the Lessee.

15. It is understood and agreed that nothing herein contained shall be construed to grant or authorize the granting of an exclusive right within the meaning of Section 308a of the Federal Aviation Act of 1958 (49 U.S.C. 1349a).

16. This lease and all the provisions hereof shall be subject to whatever right the United States Government now has or in the future may have or acquire, affecting the control, operation, regulation and taking over of said airport or the exclusive or non-exclusive use of the airport by the United States during the time of war or national emergency.



## **EXHIBIT C**

### **COUNTY OF YUBA INSURANCE REQUIREMENTS**

**C.1 INSURANCE.** Prior to rendering services provided by the terms and conditions of this Agreement, LESSEE or its SUBLESSEES shall acquire and maintain during the term of this Agreement, insurance coverage, through and with an insurer acceptable to COUNTY, naming the COUNTY and any related agency governed by the Board of Supervisors which is letting the contract or for whom the services under the contract are being provided, and COUNTY's, or related agency's, officials, employees, and volunteers as additional insureds, (hereinafter referred to as "the insurance"). The limits of insurance herein shall not limit the liability of the LESSEE hereunder.

**C.1.1 TERM.** Policies of insurance shall be in effect during the term of this Agreement and shall provide that they may not be canceled without first providing COUNTY with thirty (30) days written notice of such intended cancellation. If LESSEE fails to maintain the insurance provided herein, COUNTY may secure such insurance and deduct the cost thereof from any funds owing to LESSEE.

**C.1.2 MINIMUM SCOPE OF INSURANCE.** LESSEE shall procure insurance covering general liability, automobile liability, and workers' compensation. Coverage shall be at least as broad as:

(a) Insurance Services Office (ISO) Commercial General Liability Occurrence form number CG 0001 or equivalent ISO form. A non-ISO form must be reviewed and approved by the COUNTY Risk Manager prior to acceptance of the Agreement.

(b) Insurance Services Office Business Auto Coverage form number CA 0001 0187 covering Automobile Liability, code 1 "any auto" and Endorsement CA 0029.

(c) Workers' Compensation insurance as required by the Labor Code of the State of California and Employers Liability insurance.

(d) If this Agreement is for the provision of professional services, Professional Errors and Omissions Liability Insurance, with a coverage form subject to COUNTY approval.

**C.1.3 OTHER INSURANCE PROVISIONS.** The policies are to contain, or be endorsed to contain the following provisions:

(a) General Liability and Automobile Liability Coverages.

(i) The COUNTY and the public entity awarding the contract if other than the COUNTY, and their officials, employees and volunteers are to be covered as insureds as respects: liability arising out of activities performed by or on behalf of the LESSEE; products and completed operations of the LESSEE; premises owned, leased, occupied, or used by the LESSEE; or automobiles owned, leased, hired, or borrowed by the LESSEE. The coverage shall contain no special limitations on the scope of protection afforded to the COUNTY, its officials, employees or volunteers.

(ii) The LESSEE's insurance coverage shall be primary insurance as respects the COUNTY, its officials, employees and volunteers and any other insureds under this Agreement. Any insurance or self-insurance maintained by the COUNTY, its officials, employees and volunteers or other insureds shall be excess of the LESSEE's insurance and shall not contribute with it.

(iii) Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the COUNTY, its officials, employees and volunteers or other insureds under this Agreement.

(iv) The insurance policy required by this clause shall be endorsed to state that the LESSEE's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

(b) Worker's Compensation and Employers Liability Coverage. The insurer shall agree to waive all rights of subrogation against the COUNTY, its officials, employees and volunteers or other insureds under this Agreement.

(c) All Coverages. Each insurance policy required by this clause shall be endorsed to state that coverage shall not be suspended, voided, canceled by either party, reduced in coverage or in limits except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the COUNTY.

**C.1.4 ACCEPTABILITY OF INSURERS.** Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A:VII.

**C.1.5 MINIMUM LIMITS OF INSURANCE.** LESSEE shall maintain limits no less than:

(a) Commercial General Liability: One Million Dollars (\$1,000,000) combined single limit per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with general aggregate limit is used, either the general aggregate limit shall apply separately to this Agreement or the general aggregate limit shall be twice the required occurrence limit.

(b) Automobile Liability: \$1,000,000 combined single limit per accident for bodily injury or property damage.

(c) Workers' Compensation and Employers Liability: Workers' Compensation limits as required by the Labor Code of the State of California and Employers Liability limits of One Million Dollars (\$1,000,000) per accident.

(d) Professional Errors and Omissions Liability (if required): Policy limits of not less than One Million Dollars (\$1,000,000) per incident and One Million Dollars (\$1,000,000) annual aggregate, with deductible or self-insured portion not to exceed Two Thousand Five Hundred Dollars (\$2,500). Coverage may be made on a claims-made basis with a "Retro Date" either prior to the date of the Agreement or the beginning of the Agreement services. If claims-made, coverage must extend to a minimum of twelve-months beyond completion of the services. If coverage is canceled or non-renewed and not replaced with another claims-made policy form with a "Retro Date" prior to the Agreement effective date, the LESSEE must purchase "extended reporting" coverage for a minimum of twelve (12) months after completion of services.

**C.1.6 SUBLESSEES.** In addition to the above policies, if LESSEE hires a SUBLESSEE under this Agreement LESSEE shall include all SUBLESSEES as insureds under its policies or shall furnish separate certificates and endorsements for each SUBLESSEE. All coverages for SUBLESSEES shall be subject to all of the requirements stated herein. If LESSEE requires SUBLESSEES to provide insurance coverage, then LESSEE shall be named as an additional insureds under such policy or policies.

**C.1.7 DEDUCTIBLES AND SELF-INSURED RETENTIONS.** Except as otherwise provided in this Agreement, any deductibles or self-insured retentions must be declared to and approved by the COUNTY. At the option of the COUNTY either the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the COUNTY, its officials, employees and volunteers; or, the LESSEE shall procure a bond

guaranteeing payment of losses and related investigations, claim administration and defense expenses.

#### **C.1.8 VERIFICATION OF COVERAGE.**

(a) LESSEE shall furnish COUNTY with Certificates of Insurance and with original endorsements effecting coverage required by this clause. The certificate(s) and endorsement(s) for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. The certificate(s) and endorsement(s) are to be on forms provided by the COUNTY or on forms received and approved by the COUNTY before work commences. COUNTY reserves the right to require complete, certified copies of all required insurance policies at any time.

(b) LESSEE shall not render services under the terms and conditions of this Agreement unless each type of insurance coverage and endorsement is in effect and LESSEE has delivered the certificate(s) of insurance and endorsement(s) to COUNTY as previously described. If LESSEE shall fail to procure and maintain said insurance, COUNTY may, but shall not be required to, procure and maintain the same, and the premiums of such insurance shall be paid by LESSEE to COUNTY upon demand. The policies of insurance provided herein which are to be provided by LESSEE shall be for a period of time sufficient to cover the term of the Agreement, including COUNTY's acceptance of LESSEE's work. It is understood and agreed that thirty (30) days prior to the expiration of any policy of insurance, LESSEE will deliver to COUNTY certificate(s) and endorsement(s) evidencing a renewal or new policy to take the place of the policy expiring.

# The County of Yuba

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AUDITOR - CONTROLLER

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372-12



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C. RICHARD EBERLE, CPA

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915 8<sup>th</sup> Street, Suite 105  
Marysville, CA 95901-5273  
(530) 749-7810

**TO:** Board of Supervisors

**FROM:** Richard Eberle, Auditor-Controller

**SUBJECT:** Ad Valorem Bond Rates

**DATE:** October 2, 2012

## *Recommendation*

Adopt attached resolutions for County-wide General, School, and Special District ad valorem tax rates on the secured property tax rolls for the fiscal year 2012-2013.

## *Background*

California State Government Code Section 29102 requires the Board of Supervisors to adopt the rate of taxation on the secured tax rolls and any allowance for delinquencies

## *Discussion*

The rates for ad valorem assessments rates are calculated by the Auditor-Controller's office or any special or school districts based on debt service obligations, legal statute, or other criteria and usually include a projected delinquency rate. These rates are used to determine the ad valorem assessments on real property for the current fiscal year.

*Committee Action:* (Omit if to Committee)

None

## *Fiscal Impact:*

These rates affect the property tax collections for the County and any school or special districts with ad valorem assessments on the secured tax rolls. These rates determine funds collected for county operations and any debt service obligations for school or special districts

Attachment  
Proposed resolutions

**BOARD OF SUPERVISORS  
COUNTY OF YUBA  
STATE OF CALIFORNIA**

IN RE:

RESOLUTION FIXING GENERAL) RESOLUTION NO. \_\_\_\_\_  
COUNTY WIDE TAX RATE )

**WHEREAS**, pursuant to the State of California Government Code Section 29100 which requires the Board of Supervisors to adopt, on or before October 3 of each year, the rates of taxes on the secured roll and allowances for delinquencies, and

**WHEREAS**, pursuant to Article XIII A of the California Constitution, the maximum amount any ad valorem tax on real property, except levies for indebtedness approved by the voters prior to the time this section became effective, shall not exceed one percent (1%), and

**WHEREAS**, Government Code Section 29100 further provides with regard to voter-approved indebtedness, the Board of Supervisors shall adopt a tax rate on the secured roll by determining the percentage of full value of property on the secured roll legally subject to support the annual debt requirement.

**NOW, THEREFORE, BE IT RESOLVED** that the County Auditor-Controller shall apply a delinquency provision of ten percent (10%) of the taxable value on the County Secured Roll and the County Unsecured Roll for the 2012-2013 fiscal year.

**BE IT FURTHER RESOLVED** by the Board of Supervisors of the County of Yuba, State of California that the ad valorem tax on real property shall not exceed one percent (1%) of the assessed value of such property for fiscal year 2012-2013.

**BE IT FURTHER RESOLVED** by the Board of Supervisors of the County of Yuba adopt the percentage of full value property on the secured roll legally subject to support the annual debt requirements as follows:

County Wide General.....	1.000000 %
Unitary Bond Indebtedness....	.000577 %

**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:

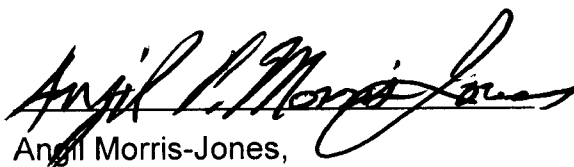
ABSENT:

\_\_\_\_\_  
CHAIRMAN OF THE  
BOARD OF SUPERVISORS

ATTEST: Donna Stottlemeyer  
Clerk of Board of Supervisors

By: \_\_\_\_\_

APPROVED AS TO FORM

  
Angil Morris-Jones,  
COUNTY COUNSEL



**BOARD OF SUPERVISORS  
COUNTY OF YUBA  
STATE OF CALIFORNIA**

IN RE:

RESOLUTION FIXING SPECIAL TAX)  
RATES FOR COUNTY, SCHOOL     )  
DISTRICT, AND SPECIAL DISTRICT )  
INDEBTEDNESS                     )

RESOLUTION NO. \_\_\_\_\_

**WHEREAS**, pursuant to the State of California Government Code section 29102 which requires the Board of Supervisors to adopt tax rates and levy taxes for School and Special Districts for which a tax levy is carries on the regular County Assessment Roll; and

**WHEREAS**, pursuant to the State of California Government Code section 29100 which specifies the procedure to be followed and requires the Board of Supervisors to adopt, on or before October 3 of each year, the rates of taxes on the secured roll, not to exceed the one-percent limitation specified in Article XIII A of the California Constitution and Revenue and Taxation Code section 93 and 100; and further provides that the Board shall adopt the rates on the secured roll by determining the percentage of full value of property on the secured roll legally subject to support the annual debt requirement.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Yuba County that the County Auditor-Controller is hereby directed to use the following rates of taxation of the taxable valuation in each of the herein below named districts for fiscal year 2012-2013. Those rates denoted by asterisk (\*) are calculated and set by the named district.

**SPECIAL DISTRICTS**

BROWNS VALLEY IRRIGATION DISTRICT\*.....0.1000000 %

**SCHOOL DISTRICTS (HIGH SCHOOLS)**

MARYSVILLE JOINT UNIFIED SCHOOL DISTRICT

GO BOND 2006 .....0.0231431 %

GO BOND 2008 .....0.0379152 %

GO BOND 2009 .....0.0584900 %

NEVADA UNION HIGH SCHOOL .....0.0085000 %

WESTERN PLACER UNIFIED SCHOOL DISTRICT.....0.0252100 %

**SCHOOL DISTRICTS (COMMUNITY COLLEGES)**

YUBA COUNTY COMMUNITY COLLEGE

BOND 2006 A .....0.0045336 %

BOND 2006 B .....0.0107789 %

BOND 2006 C .....0.0093969 %

**PASSED AND ADOPTED** at a regular meeting of the Board of Supervisors at the County of Yuba, State of California, on the \_\_\_\_\_ day of \_\_\_\_\_, 2012 by the following vote:

AYES:

NOES:

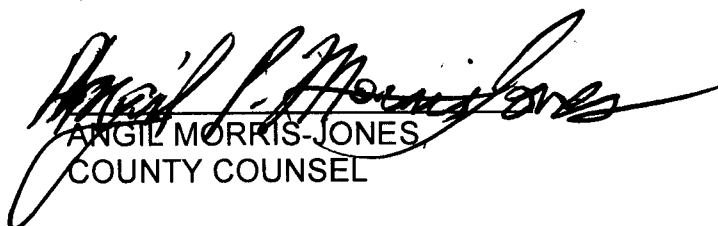
ABSENT:

\_\_\_\_\_  
CHAIRMAN OF THE  
BOARD OF SUPERVISORS

ATTEST: Donna Stottlemeyer  
Clerk of the Board of Supervisors

By: \_\_\_\_\_

APPROVED AS TO FORM

  
ANGEL MORRIS-JONES  
COUNTY COUNSEL

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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



## SEPTEMBER 11, 2012 - MINUTES

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 9:31 a.m., within the Government Center, Marysville, California, with a quorum being present as follows: Supervisors Andy Vasquez, John Nicoletti, Mary Jane Griego, Roger Abe, and Hal Stocker. Also present were County Administrator Robert Bendorf, County Counsel Angil Morris-Jones, and Deputy Clerk of the Board of Supervisors Rachel Ferris. Chairman Stocker presided.

- I. PLEDGE OF ALLEGIANCE - Led by Supervisor Nicoletti
- 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.

County Counsel Angil Morris-Jones advised of a correction to Community Development and Services agreement with Wesley Dale Everett for Caretaker Services at Hammon Grove and Sycamore Ranch Parks.

MOTION: Move to approve Consent Agenda 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

### A. Agricultural Commissioner

1. Authorize out-of-state travel for the Agricultural Commissioner to the California Agricultural Commissioners and Sealers Association delegation to Washington DC during Fiscal Year 2012-2013. (324-12) Approved.

### B. Board of Supervisors

1. Approve response to the 2011-2012 Grand Jury Report entitled "Has the County Made You a Lawbreaker" and authorize the Chair to execute same. (325-12) Approved.

### C. Clerk of the Board of Supervisors

1. Approve minutes of budget workshops and regular meeting of August 14 and 28, 2012. (326-12) Approved.
2. Reappoint David Hantusch to the In-Home Supportive Services Advisory Committee for a term to expire September 11, 2014. (327-12) Approved.
3. Appoint Lawrence M. Riley to the Yuba County Economic Development Advisory Committee as a District Two Representative to serve at the pleasure of the Board. (328-12) Approved.

4. Appoint Keith Warner to the Yuba County Fish and Game Advisory Commission as the Youth Representative for a term to end September 11, 2013. (329-12) Approved.

D. Community Development and Services

1. Approve agreement with Wesley Dale Everett for caretaker services at Hammon Grove and Sycamore Ranch Parks and authorize the Chair to execute same. (330-12) Approved as corrected.
2. Adopt resolution authorizing purchase of two single family residences identified as APN 021-204-012 and 019-433-011 and authorizing the Director to execute all necessary documents for purchase, rehabilitation and resale. (331-12)  
Adopted Resolution No. 2012-68, which is on file in Yuba County Resolution Book No. 42, entitled: "RESOLUTION AUTHORIZING YUBA COUNTY COMMUNITY DEVELOPMENT AND SERVICES AGENCY DIRECTOR OR HIS DESIGNEE TO COMPLETE THE PURCHASE OF SINGLE FAMILY RESIDENCE APN 021-204-012 AND APN 019-433-011 AS PART OF THE NEIGHBORHOOD STABILIZATION PROGRAM AND EXECUTE ALL DOCUMENTS NEEDED FOR COMPLETION OF PURCHASE REHABILITATION AND RESALE."
3. Approve amendment to agreement with The Planning Center: DC & E for Olivehurst Sustainable Community and Economic Revitalization Plan and authorize the Chair to execute same. (332-12) Approved.
4. Adopt resolution authorizing purchase of one single family residence identified as APN 021-113-021 and authorizing the Director to execute all necessary documents for purchase, rehabilitation and resale. (333-12)  
Adopted Resolution No. 2012-69, which is on file in Yuba County Resolution Book No. 42, entitled: "RESOLUTION AUTHORIZING YUBA COUNTY COMMUNITY DEVELOPMENT AND SERVICES AGENCY DIRECTOR OR HIS DESIGNEE TO COMPLETE THE PURCHASE OF SINGLE FAMILY RESIDENCE APN 021-113-021 AS PART OF THE NEIGHBORHOOD STABILIZATION PROGRAM AND EXECUTE ALL DOCUMENTS NEEDED FOR COMPLETION OF PURCHASE, REHABILITATION AND RESALE. "

E. Emergency Services

1. Adopt resolution authorizing the Director of Emergency Services to submit a grant application for the Fiscal Year 2012 Pre-Disaster Mitigation Competitive Grant program and to execute all documents upon approval of Counsel. (334-12)  
Adopted Resolution No. 2012-70, which is on file in Yuba County Resolution Book No. 42, entitled: "SIGNATURE RESOLUTION AUTHORIZING THE COUNTY DIRECTOR OF EMERGENCY SERVICES, OR ITS DESIGNEE, TO SUBMIT A GRANT APPLICATION FOR THE FISCAL YEAR 2012 PRE-DISASTER MITIGATION COMPETITIVE GRANT PROGRAM AND FOLLOW THROUGH THEREON."

F. Health and Human Services

1. Approve amended Medi-Cal Targeted Case Management Provider Participation agreement with State of California and authorize the Chair to execute same. (Human Services Committee recommends approval) (335-12) Approved.

2. Approve Memorandum of Understanding with Sutter-Yuba Mental Health Services for therapeutic services and authorize the Chair to execute same. (Human Services Committee recommended approval) (336-12) Approved.
3. Adopt resolution approving agreement with California Department of Public Health for Public Health Emergency Preparedness and General Fund Pandemic Influenza funds for the period of July 1, 2012 through June 30, 2013 and authorize the Chair to execute documents as required. (Human Services Committee recommends approval) (337-12)  
Adopted Resolution No. 2012-71, which is on file in Yuba County Resolution Book No. 42, entitled: "RESOLUTION AUTHORIZING THE YUBA COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT TO ENTER THE 2012-2013 PUBLIC HEALTH EMERGENCY PREPAREDNESS (PHEP) GENERAL FUND PANDEMIC INFLUENZA (GF PAN FLU) FUNDING AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH AND FURTHER AUTHORIZING THE CHAIRMAN TO EXECUTE DOCUMENTS AS REQUIRED BY THIS AGREEMENT."

#### G. Human Resources and Organizational Services

1. Adopt resolutions amending the Position Allocation and Basic Salary Schedule as they relate to the Health Program Coordinator effective September 1, 2012. (338-12)  
Adopted Resolution No. 2012-72, which is on file in Yuba County Resolution Book No. 42, entitled: "RESOLUTION AMENDING THE DEPARTMENTAL POSITION ALLOCATION SCHEDULE"; and adopted Resolution No. 2012-73, which is on file in Yuba County Resolution Book No. 42, entitled: "RESOLUTION AMENDING THE CLASSIFICATION SYSTEM- BASIC SALARY SCHEDULE."

#### H. Probation

1. Approve agreements with Marysville Joint Unified School District for services of Deputy Probation Officers and Intervention Counselors in the Probation and Schools Success Program and authorize the Chair to execute same. (339-12) Approved.

#### IV. CLOSED SESSION: The Board retired into closed session at 9:34 a.m. to discuss the following:

- A. Potential litigation pursuant to Government Code §54956.9(b) - Two Cases
- B. Conference with Real Property Negotiator pursuant to Government Code §54956.8 - Property: APN 006-180-056, 061, 062, 066 (Barbour) Negotiating Parties: County of Yuba/ Kevin Mallen Negotiation: Terms of Payment

The Board returned from closed session at 10:20 a.m. with all members present as indicated above.

County Counsel Angil Morris-Jones reported staff was given direction on all three matters.

#### V. SPECIAL PRESENTATION

- A. Present proclamation proclaiming September 2012 as National Prostate Cancer Awareness Month. (Five minute estimate) (340-12) Chairman Stocker read and presented proclamation to Mr. Bob Gass.

Supervisor Griego left the meeting at 10:23 a.m. and returned at 10:26 a.m.

B. Receive presentation regarding Economic Development Mid-Year Report. (No background material) (Twenty minute estimate) (341-12) Economic Development and Coordinator John Fleming and Yuba Sutter Economic Development Commission President Brynda Stranix recapped the following:

- 2011-2012 Accomplishments and Projects
- Business Expansion and Retention Program (BEAR)
- Business walks contacted 544 businesses during the fiscal year
- Yuba County "Champion" Frank M. Booth
- Perspectives held April 22, 2012
- Continue applications for grants
- Investment opportunities with China

2011-2012 Chairman Tib Belza recapped activities from previous year.

VI. PUBLIC COMMUNICATIONS: Ms. Freda Calvert, Hammonton Road expressed concerns regarding a large sink hole in Hammonton Road.

VII. COUNTY DEPARTMENTS

A. Community Development and Services

1. Adopt resolution authorizing Community Development and Services Director to create, transfer, and sell portions of APN 016-350-003 to Olivehurst Public Utilities District, Plumas Elementary School District, and Wheatland High School District for future school and park sites and execute all necessary documents. (Five minute estimate) (342-12) Community Development and Services Director Kevin Mallen provided a brief recap and responded to Board inquiries.

Mr. Mallen responded to specific inquiries from Olivehurst Public Utilities District General Manager Tim Shaw regarding the School District's ability to purchase.

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

Adopted Resolution No. 2012-74, which is on file in Yuba County Resolution Book No. 42, entitled: "RESOLUTION AUTHORIZING YUBA COUNTY COMMUNITY DEVELOPMENT AND SERVICES AGENCY DIRECTOR OR HIS DESIGNEE TO CREATE, TRANSFER AND SELL PORTIONS OF THE 100 ACRE PORTION OF APN 016-350-003 TO OLIVEHURST PUBLIC UTILITIES DISTRICT, PLUMAS ELEMENTARY SCHOOL DISTRICT, WHEATLAND HIGH SCHOOL DISTRICT FOR FUTURE SCHOOLS AND PARK AND EXECUTE ALL NECESSARY DOCUMENTS."

2. Adopt resolution authorizing release of River Highlands Community Services District Pre-Annexation agreement in exchange for full payment of 1991-B, Series A and B Bonds. (Five minute estimate) (343-12) Community Development and Services Director Kevin Mallen recapped bond history and responded to Board inquiries.

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



Adopted Resolution No. 2012-75, which is on file in Yuba County Resolution Book No. 42, entitled: "A RESOLUTION OF THE BOARD OF SUPERVISORS ACTING ON BEHALF OF THE RIVER HIGHLANDS COMMUNITY SERVICES DISTRICT AUTHORIZING RELEASE OF THE RIVER HIGHLANDS COMMUNITY SERVICES DISTRICT PRE-ANNEXATION AGREEMENT IN EXCHANGE FOR FULL PAYMENT OF THE 1991-B, SERVICES A AND B BONDS."

3. Receive presentation on the Draft Yuba County Bikeway Master Plan. (Twenty minute estimate) (344-12)  
Public Works Director Mike Lee recapped updated master plan.

Consultant Charlie Alexander presented a PowerPoint presentation regarding the following:

- 2010 SACOG Regional Bicycle and Pedestrian Funding Program
- Public workshops held September 2011 and February 2012
- Existing and Proposed Bicycling Infrastructure
- Implementation Guide
- Cost Estimates
- Design Standards
- Barrier Elimination
- Public comment period ends October 5, 2012

The following individual spoke: Mr. William Appleby, Loma Rica, suggested a Bicycling Pedestrian Advisory Committee and submitted additional correspondence.

#### VIII. CORRESPONDENCE - (345-12)

- A. Invitation form United States Department of Interior to participate as a cooperative agency in preparation of the Environmental Impact Statement for the Remanded Biological Opinions on the Coordinated Long-Term Operation of the Central Valley project and the State water project. Accepted.
- B. State of California Board of Equalization Fiscal Year 2010-2011 Annual Report. Accepted.
- C. Letter of resignation from Andrea Armstrong of the Child Care Planning Council. Accepted.
- D. Local Agency Biennial Notice advising an amendment is necessary to the conflict of interest code for Browns Valley Cemetery District. Accepted.
- E. Letter from Robert Swift resigning from the Substance Abuse Advisory Board. Accepted.

#### IX. BOARD AND STAFF MEMBERS' REPORTS:

Supervisor Griego left the meeting at 11:24 a.m. and did not return.

Supervisor Abe:

- Feather River Regional Flood Plan meeting held September 4, 2012
- LAFCO meeting held September 5, 2012
- CSAC meeting held September 6, 2012
- South Member Units meeting held September 7, 2012
- BMLC Golf Tournament held September 7, 2012

Supervisor Nicoletti:

- Flood Plain Management Conference held September 4, 2012
- Community Services Commission meeting held September 6, 2012
- Met with Senator Leland Yee September 7, 2012
- Received Board consensus for a letter commending Wesley Dale Everett for work at Sycamore Ranch and Hammon Grove Parks
- Harvest the Arts Saturday, September 22, 2012
- Memorial Adjournment – Ms. Peggy Stier

Supervisor Vasquez:

- Attended Beale Air Force Base Commanders call September 7, 2012 for Purple Heart award presentation

Supervisor Stocker:

- Memorial Adjournment - Mrs. Ann Bushling
- Yuba County Community Services Commission program funding

County Administrator Robert Bendorf:

- Final Budget Hearings Tuesday, September 18, 2012
- Out of the office September 12 - 15, 2012.

X. ADJOURN 11:42 a.m. by Chairman Stocker in memory of Ms. Peggy Stier and Mrs. Ann Bushling.

\_\_\_\_\_  
Chair

ATTEST: DONNA STOTTLEMEYER  
CLERK OF THE BOARD OF SUPERVISORS

\_\_\_\_\_  
By: Rachel Ferris, Deputy Clerk

Approved: \_\_\_\_\_

# *The County of Yuba*

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



SEPTEMBER 18, 2012 – MINUTES

The Honorable Board of Supervisors of the County of Yuba met on the above date, commencing at 9:30 a.m., within the Government Center, Marysville, California, with a quorum being present as follows: Supervisors Andy Vasquez, John Nicoletti, Mary Jane Griego, Roger Abe, and Hal Stocker. 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 Griego
- 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: Mary Jane Griego  
AYES: John Nicoletti, Mary Jane Griego, Andy Vasquez, Roger Abe, Hal Stocker  
NOES: None    ABSENT: None    ABSTAIN: None

## A. Agricultural Commissioner

1. Adopt resolution approving grant application with National Rifle Association Foundation State Fund Committee General Grant to allow pheasant purchase for 2013 pheasant hunt and authorizing Agricultural Commissioner to execute grant documentation.(351-12) Adopted Resolution No. 2012-76, which is on file in Yuba County Resolution Book No. 43, entitled: "RESOLUTION RATIFYING AND APPROVING THE SUBMITTAL OF AN APPLICATION FOR A NATIONAL RIFLE ASSOCIATION GRANT BY THE YUBA COUNTY AGRICULTURAL COMMISSIONER ON BEHALF OF THE FISH AND GAME ADVISORY COMMISSION TO EDUCATE INDIVIDUALS ABOUT HUNTING SAFETY AND MARKSMANSHIP AND AUTHORIZING THE AGRICULTURAL COMMISSIONER TO EXECUTE ANY DOCUMENTS REQUIRED AND/OR RELATED TO THE APPLICATION AND ADMINISTRATION OF THE GRANT."

## B. Board of Supervisors

1. Cancel December 4, 2012 Board meeting to allow members to attend Association of California Water Agencies Conference December 4 - 7, 2012. (No background material) (352-12) Approved.

## C. Community Development and Services

1. Adopt resolution authorizing submission of transportation claim for funds from the Transportation Development Act of 1971 as amended. (353-12) Adopted Resolution No. 2012-77, which is on file in

Yuba County Resolution Book No. 43, entitled: "RESOLUTION AUTHORIZING SUBMISSION OF TRANSPORTATION CLAIM FOR FUNDS FROM THE TRANSPORTATION DEVELOPMENT ACT OF 1971 AS AMENDED."

2. Accept 2011 Rubberized Chip Seal Project as complete and authorize Public Works Director to sign and record notice of completion. (354-12) Approved.
3. Adopt resolution authorizing purchase of one single family residence identified as APN 019-470-030 and authorizing the Director to execute all necessary documents for purchase, rehabilitation and resale. (355-12) Adopted Resolution No. 2012-78, which is on file in Yuba County Resolution Book No. 43, entitled: "RESOLUTION AUTHORIZING YUBA COUNTY COMMUNITY DEVELOPMENT AND SERVICES AGENCY DIRECTOR OR HIS DESIGNEE TO COMPLETE THE PURCHASE OF SINGLE FAMILY RESIDENCE APN 019-470-030 AS PART OF THE NEIGHBORHOOD STABILIZATION PROGRAM AND EXECUTE ALL DOCUMENTS NEEDED FOR COMPLETION OF PURCHASE, REHABILITATION AND RESALE."

D. Health and Human Services

1. Approve agreement with Yuba College for the Independent Living Program and authorize the Chair to execute. (Human Services Committee recommends approval) (356-12) Approved.
2. Approve agreement with Yuba County Special Education Local Plan Area for referrals and services and authorize the Chair to execute. (Human Services Committee recommends approval) (357-12) Approved.

E. Human Resources and Organizational Services

1. Adopt resolution adopting the Departmental Position Allocation Schedule in its entirety as it relates to the 2012-2013 Fiscal Year Budget. (358-12) Adopted Resolution No. 2012-79, which is on file in Yuba County Resolution Book No. 43, entitled: "RESOLUTION ADOPTING THE DEPARTMENTAL POSITION ALLOCATION IN ITS ENTIRETY."

F. Probation

1. Adopt resolution approving an agreement with Board of State and Community Corrections for an Anti Drug Abuse program and authorizing the Chief Probation Officer to execute documents as required, acceptance and transfer of funds, and all extensions and amendments. (359-12) Adopted Resolution No. 2012-80, which is on file in Yuba County Resolution Book No. 43, entitled: "RESOLUTION AUTHORIZING THE YUBA COUNTY PROBATION DEPARTMENT TO APPLY FOR, AND ENTER INTO AN AGREEMENT WITH THE BOARD OF STATE AND COMMUNITY CORRECTIONS FOR GRANTS RELATING TO THE DELIVERY OF THE ANTI-DRUG ABUSE PROGRAM AND AUTHORIZE THE YUBA COUNTY CHIEF PROBATION OFFICER TO EXECUTE DOCUMENTS AS REQUIRED, TO AUTHORIZE ACCEPTANCE AND TRANSFER OF FUNDS, AS WELL AS ANY AND ALL EXTENSIONS AND AMENDMENTS."

IV. SPECIAL PRESENTATION

- A. Present proclamation to Marysville City Manager Stephen Casey on his retirement. (No background material) (Five minute estimate) (360-12) Supervisor Nicoletti read and presented the proclamation to Mr. Casey.

Mr. Casey commended the Board and staff for their interaction with the City.

- B. Receive presentation from Recology Yuba Sutter on Whatbin.com project. (Ten minute estimate) (361-12) General Manager Scott Pardini and Public Education Coordinator Jackie Sillman provided a Power Point presentation recapping the website for recycling and what bin items belong.

V. PUBLIC COMMUNICATIONS: No one came forward.

VI. COUNTY DEPARTMENTS

A. Community Development and Services

- 1. Approve cooperative agreement with Caltrans for use of county roads as a detour route during construction of State Route 20 and 70 road rehabilitation project in the City of Marysville. (Land Use and Public Works Committee recommends approval) (Ten minute estimate) (362-12) Public Works Director Mike Lee recapped the agreement, cash in lieu payment, construction time lines through 2014, and responded to Board inquiries.

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

B. County Administrator

- 1. Approve amendment to the public defender services agreement assigning rights and duties to Brian J. Davis on October 1, 2012 and authorize the Chair to execute same. (Ten minute estimate) (363-12) Management Analyst Grace Mull recapped the amendment and assignment of services.

Mr. Benjamin Wirtschafter recapped his service with the County, recommended approval, and introduced Mr. Davis. Mr. Davis and Mr. Wirtschafter responded to Board inquiries.

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

- 2. Approve letter of agreement with Superior Court of California for Grand Jury services and authorize the Chair to execute same. (Ten minute estimate) (364-12) Management Analyst Grace Mull recapped services provided and responded to Board inquiries.

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

VII. ITEM OF PUBLIC INTEREST

- A. Consider request from Tsi-Akim Maidu tribe to waive all fees for usage of park and camping sites at Sycamore Ranch for the 14th Annual Indigenous Peoples Days event October 5 - 8, 2012; construction of a bark house, and take action as appropriate. (Fifteen minute estimate) (365-12) Mr. Don Ryberg and Ms. Letty Litchfield recapped the request for waiver of fees, construction of a temporary bark house, local business participants at event, and responded to inquiries.

Community Development and Services Director Kevin Mallen advised fees are approximately \$1,000 per night.

MOTION: Move to approve waiver of all fees for 4 days usage of park and camping sites at Sycamore Ranch October 5 - 8, 2012 and construction of a temporary bark house

MOVED: John Nicoletti                      SECOND: Roger Abe

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

NOES: None   ABSENT: None   ABSTAIN: None

VIII. CORRESPONDENCE - (366-12)

- A. Annual report from Yuba County Commission on Aging dated June 13, 2012. Accepted.
- B. Letter from Wheatland River Associates regarding Bear River Apartments. Accepted.
- C. Four Local Agency Biennial Notices advising no amendment is required to the conflict of interest code from Loma Rica/Browns Valley Community Services District, Foothill Fire Protection District and Yuba County Resource Conservation District. Accepted.
- D. Notice from United States Department of Agriculture/Tahoe National Forest regarding an amended plan for the Camp Project located in Yuba County. Accepted.
- E. Letter from Child Care Planning Council enclosing activities and accomplishment for Fiscal Year 2011-2012. Accepted.
- F. Notice from Office of the Governor calling a Special Election January 8, 2013. Accepted.
- G. Letter from Fremont-Rideout Health Group regarding notice of mass layoff of approximately 44 employees. Accepted.

IX. BOARD AND STAFF MEMBERS' REPORTS:

Supervisor Abe:

- Yuba County Alliance for Development meeting September 12, 2012
- Golden State Risk Management meeting September 12, 2012
- Presentation to leadership class at Riverside Meadows School
- Sierra Sacramento Valley EMS Directors meeting September 14, 2012
- Marysville Japanese American Citizens League Congressional Gold Medal Ceremony held September 15, 2012
- RCRC Annual Conference September 19-21, 2012

Supervisor Vasquez:

- Area 4 Agency on Aging Governing Board meeting September 14, 2012
- RCRC Annual Conference September 19-21, 2012

Supervisor Griego:

- CALAFCO Awards Committee
- SACOG meeting and Agricultural Tour September 20, 2012
- Sacramento Metro Study Mission Study in Denver, CO September 12 - 14, 2012

Supervisor Stocker:

- Ambulance response times in foothills
- Camptonville Fire Department fundraiser
- Consideration of dedication of LaPorte Road Bridge to John Murphy

County Administrator Robert Bendorf:

- Wheatland tax sharing agreement for annexation projects
- Request for proposal for feasibility study of wastewater treatment for Regional Waste Management Authority
- CSAC Finance Corporation Board of Directors

X. ADJOURN: 10:52 a.m. by Chairman Stocker.

\_\_\_\_\_  
Chair

ATTEST: DONNA STOTTLEMEYER  
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



### SEPTEMBER 18, 2012 FINAL BUDGET HEARING MINUTES

The Honorable Board of Supervisors of the County of Yuba met on the above date, commencing at 1:35 p.m., within the Government Center, Marysville, California, with a quorum being present as follows: Supervisors Andy Vasquez, John Nicoletti, Mary Jane Griego, Roger Abe, and Hal Stocker. 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 – Supervisors Griego and Stocker absent.

III. SPECIAL DISTRICTS PUBLIC HEARINGS

A. County Service Areas

1. Adopt County Service Area Assessments for CSA No. 2 through 70A in the total amount of \$2,564,026.18 for Fiscal Year 2012-2013. (367-12)

MOTION: Move to approve

MOVED: John Nicoletti

SECOND: Andy Vasquez

AYES: John Nicoletti, Andy Vasquez, Roger Abe

NOES: None ABSENT: Mary Jane Griego, Hal Stocker ABSTAIN: None

B. Gledhill Landscaping and Lighting District

1. Adopt resolution adopting budget for Gledhill Landscaping and Lighting District in the amount of \$106,487 for Fiscal Year 2012-2013. (368-12) Public Works Director Mike Lee advised of a revised budget amount of \$71,261 and responded to Board inquiries.

MOTION: Move to adopt

MOVED: John Nicoletti

SECOND: Roger Abe

AYES: John Nicoletti, Roger Abe, Andy Vasquez

NOES: None ABSENT: Mary Jane Griego, Hal Stocker ABSTAIN: None

Adopted Resolution No. 2012-81, which is on file in Yuba County Resolution Book No. 43, entitled: RESOLUTION ADOPTING BUDGET FOR GLEDHILL LANDSCAPING AND LIGHTING DISTRICT," in the amount of \$71,261.00.

C. Linda Street Lighting Maintenance District

1. Adopt resolution adopting budget for Linda Street Lighting Maintenance District in the amount of \$135,000 for Fiscal Year 2012-2013. (369-12)

Supervisor Stocker joined the meeting at 1:45 p.m.

MOTION: Move to adopt

MOVED: John Nicoletti

SECOND: Roger Abe

AYES: John Nicoletti, Roger Abe, Andy Vasquez, Hal Stocker

NOES: None ABSENT: Mary Jane Griego ABSTAIN: None

Adopted Resolution No. 2012-82, which is on file in Yuba County Resolution Book No. 43, entitled: "RESOLUTION ADOPTING BUDGET FOR LINDA STREET LIGHTING MAINTENANCE DISTRICT," in the amount of \$135,000.

#### IV. FINAL COUNTY BUDGET FISCAL YEAR 2012-2013 PUBLIC HEARINGS

##### A. County Administrator

1. Present overview and recommended changes for Fiscal Year 2012-2013 Final Budget. (370-12) County Administrator Robert Bendorf recapped the following regarding the Final Budget:

- Final budget differences
- Health Insurance Premium increase of \$342,847
- Use of one-time Funds
- Supervisor Griego joined the meeting at 1:50 p.m.
- Upcoming potential fiscal impacts:
- November elections and initiatives
- Potential special elections in fiscal year unbudgeted
- Legislation or budget changes regarding program administered on behalf of the State
- Fiscal Year 2013-14 salary and benefit increases

Financial Analyst Grace Mull recapped final adjustments:

- Increase Fund Balance to \$2,010,212 from \$1,200,000
- Decrease Secured Property Tax Revenues from \$9.4 million to \$9,267,396
- Increase General Fund Reserves to \$1,442,588 to meet adopted Board policy
- Increase General Fund Contingences to \$594,872 from \$378,975
- Establish Trust Fund 141 for Fifth Street Bridge major maintenance/repair
- Reduce use of General Government Capital Outlay to \$150,000
- Additional adjustments to various departmental line items - outline these
- Elections budget adjustment of \$57,943 for minor reorganization of staff
- Agricultural Commissioner adjustment of \$15,000
- Probation budget realigned due to grants
- Health Services grant funds - Child Support Services
- Industrial Development, Airport and Enterprise Zone

Mr. Bendorf responded to Board inquiries.

##### B. County/Bi-County Departments

1. Receive comments from County/Bi-County Department Heads. There were no comments.

##### C. Public Comments

1. Receive public comments. Comments will be limited to five minutes per individual or group and may address only those items so identified with Final Budget Hearings. No one came forward.

##### D. Board of Supervisors

1. Consider Fiscal Year 2012-2013 Final Budget, provide direction to staff, and take action as appropriate. Auditor Rich Eberle briefly recapped budget unit allocations, encumbrances, and internal service funds.

MOTION: Move to approve Operating Funds as outlined in Exhibit B attached to minutes  
MOVED: John Nicoletti SECOND: Andy Vasquez  
YES: John Nicoletti, Andy Vasquez, Mary Jane Griego, Roger Abe, Hal Stocker  
NOES: None ABSENT: None ABSTAIN: None

MOTION: Move to approve Contingencies-General in the amount of \$153,663,242  
MOVED: John Nicoletti SECOND: Mary Jane Griego  
YES: John Nicoletti, Mary Jane Griego, Andy Vasquez, Roger Abe, Hal Stocker  
NOES: None ABSENT: None ABSTAIN: None

MOTION: Move to approve Enterprise Fund in the amount of \$369,256  
MOVED: John Nicoletti SECOND: Mary Jane Griego  
YES: John Nicoletti, Mary Jane Griego, Andy Vasquez, Roger Abe, Hal Stocker  
NOES: None ABSENT: None ABSTAIN: None

MOTION: Move to Internal Service Funds in the total amount of \$16,200,067 as outlined below:  
Automotive Service \$26,139 Sheriff-Automotive Service \$559,676  
Workers Comp \$1,484,630 Liability Insurance \$2,668,519  
Health Insurance \$10,813,836 General Insurance \$141,464  
Unemployment Insurance \$184,757 Short Term Disability \$184,757  
MOVED: John Nicoletti SECOND: Mary Jane Griego  
YES: John Nicoletti, Mary Jane Griego, Andy Vasquez, Roger Abe, Hal Stocker  
NOES: None ABSENT: None ABSTAIN: None

V. RECESS TO DATE AND TIME CERTAIN OR ADJOURN: Adjourned at 2:40 p.m. by Chairman Stocker.

\_\_\_\_\_  
Chair

ATTEST: DONNA STOTTLEMEYER  
CLERK OF THE BOARD OF SUPERVISORS

\_\_\_\_\_  
Approved: \_\_\_\_\_

Yuba County Department of Public Works  
County Service Area Assessments  
2012-2013

CSA NO.	ASSESSMENT PER LOT - VACANT	ASSESSMENT PER LOT - IMPROVED	ASSESSMENT PER LOT FOR STREETLIGHT	ANNUAL REVENUE \$
2	100.00	200.00	0	21,900.00
4	24.00	96.00	0	1,872.00
5	100.00	400.00	0	4,300.00
8	44.00	176.00	0	4,400.00
9	21.00	84.00	0	2,100.00
10	163.00	163.00	0	1,630.00
11	22.00	88.00	0	2,882.00
12	20.00	80.00	0	980.00
13	25.00	100.00	0	1,825.00
14	100.00	200.00	0	29,900.00
15	75.00	150.00	0	13,050.00
16	28.00	112.00	0	1,120.00
17	182.00	250.00	0	1,046.00
18	33.00	132.00	0	3,927.00
19	N/A	300.00	0	15,900.00
20	31.00	124.00	0	1,271.00
21	34.00	136.00	0	9,350.00
22	N/A	N/A	220	1,760.00
24	48.00	192.00	0	1,152.00
25	38.00	152.00	0	1,634.00
25A	N/A	75.00	0	2,325.00
26	18.00	72.00	0	864.00
28	20.00	80.00	0	600.00
29	21.00	84.00	0	861.00
30	60.00	240.00	0	840.00
31	10.00	10.00	0	70.00
32	15.00	60.00	0	360.00
33	43.00	172.00	0	1,935.00
34	20.00	80.00	0	1,020.00
36	48.00	192.00	0	864.00
37	38.00	152.00	0	2,888.00
38	90.00	360.00	0	13,410.00
39	25.00	100.00	0	2,675.00
40	84.00	336.00	0	3,948.00
42	27.00	108.00	0	1,539.00
43	15.00	60.00	0	405.00
44	110.00	440.00	0	2,640.00
45	60.00	240.00	0	1,920.00
46	45.00	180.00	0	1,575.00
48	60.00	60.00	0	12,720.00
52	23.00	148.00	20	96,791.00
52B	N/A	254.18	20	342,888.82
52C	N/A	401.26	20	19,260.48
53	100.00	200.00	0	900.00
54	100.00	200.00	0	1,300.00
55	18.00	72.00	0	234.00

Yuba County Department of Public Works  
County Service Area Assessments  
2012-2013

CSA NO.	ASSESSMENT PER LOT - VACANT	ASSESSMENT PER LOT - IMPROVED	ASSESSMENT PER LOT FOR STREETLIGHT	ANNUAL REVENUE \$
59	100.00	200.00	0	2,100.00
60	50.00	200.00	0	450.00
61	N/A	284.08	0	5,113.44
63	N/A	252.08	0	17,393.52
66A	N/A	423.70	20	1,282,116.20
66B	N/A	320.00	20	75,520.00
66C	N/A	528.56	20	234,680.64
66D	N/A	334.50	20	61,213.50
66E	N/A	559.70	20	55,410.30
69	N/A	257.08	20	21,080.56
70	N/A	154.10	0	89,378.00
70A	N/A	89.64	0	82,737.72
<b>TOTAL =</b>				<b>2,564,026.18</b>

# Budget for Fiscal Year 2012-2013

## Allocation by Budget Unit

### Section I                      Operating Funds

*The following budgets may be approved en mass.*

<u>Department</u>	<u>Notes</u>	<u>Budget</u>	<u>Encumbrances</u>	<u>Total</u>
Welfare Administration		\$26,408,569	\$89,000	\$26,497,569
Welfare - Categorical Aids		\$19,772,204		\$19,772,204
General Relief		\$84,311		\$84,311
Board of Supervisors		\$454,916	\$5,611	\$460,527
Board of Supervisors - Special		\$838,592	\$4,006	\$842,598
Clerk - Recorder		\$529,677		\$529,677
Human Resources		\$228,337		\$228,337
Auditor-Controller		\$467,303	\$17,712	\$485,015
Treasurer		\$525,718		\$525,718
Assessor		\$1,247,334		\$1,247,334
County Counsel		\$526,501	\$2,025	\$528,526
Elections		\$534,309	\$2,000	\$536,309
Buildings & Grounds		\$574,889	\$4,725	\$579,614
Energy		\$530,754		\$530,754
Custodial Services		\$186,471		\$186,471
Capital Improvements		\$665,500		\$665,500
Industrial Development	Consolidated with Airport budget	\$0		\$0
Surveyor		\$142,655		\$142,655
Comm Dev Admin & Finance		\$62,438		\$62,438
County Administration		\$113,567	\$25,000	\$138,567
Clerk of the Board		\$195,741		\$195,741
Economic Development		\$199,600		\$199,600
Administrative Services		-\$34,442	\$212	-\$34,230
Information Technology		\$1,231,653	\$30,501	\$1,262,154
Public Defender		\$1,272,780		\$1,272,780
Grand Jury		\$60,250	\$2,500	\$62,750
Sheriff - Boat Grant		\$245,333		\$245,333
Probation		\$4,518,155	\$4,660	\$4,522,815
Victim/ Witness - Child Abuse		\$125,000		\$125,000
Victim / Witness Program		\$136,064		\$136,064
V.W. - Spec Emph		\$125,000		\$125,000
Revenue Recovery		\$1,418		\$1,418
Crime Prevention Act 2000		\$107,300		\$107,300
Youth Offender Block Grant		\$167,270		\$167,270
Probation - Family Resource Center		\$228,755		\$228,755
State Correctional School		\$8,350		\$8,350
Drainage Ditch Maintenance		\$0		\$0
Agriculture Commissioner & Sealer of Weights		\$1,006,479	\$9,642	\$1,016,121
Building Inspection		\$1,071,723		\$1,071,723
Code Enforcement		\$268,853		\$268,853
Juvenile Traffic		\$18,250		\$18,250
Public Guardian		\$228,231	\$1,017	\$229,248
Emergency Services		\$522,705	\$16,000	\$538,705
Planning		\$583,482		\$583,482
Animal Control		\$701,701	\$28,724	\$730,425
Health/CMSP		\$101,907		\$101,907
Environmental Health		\$1,555,889		\$1,555,889

9-18-12

## Section I cont'd

## Operating Funds

<u>Department</u>	<u>Notes</u>	<u>Budget</u>	<u>Encumbrances</u>	<u>Total</u>
Refuse Disposal		\$2,010		\$2,010
Bi - County Veterans		\$275,619		\$275,619
Library		\$617,850		\$617,850
Subsidies - Human Services		\$96,210		\$96,210
Subsidies - Health		\$187,701		\$187,701
Subsidies - Public Authority		\$83,426		\$83,426
Subsidies - Public Works Road		\$79,184		\$79,184
Subsidies - Public Safety		\$13,022,661		\$13,022,661
Agriculture Extension		\$61,499		\$61,499
Housing Authority		\$306,062		\$306,062
Other Long Term Debts		\$0		\$0
Public Works Road		\$20,849,687	\$43,593	\$20,893,280
Fish & Game		\$18,135		\$18,135
Special Aviation		\$10,000		\$10,000
Health Services		\$4,229,658	\$57,594	\$4,287,252
Public Authority		\$539,227		\$539,227
Child Support Services		\$3,890,771		\$3,890,771
District Attorney		\$2,013,727	\$1,708	\$2,015,435
Sheriff		\$11,030,807	\$46,898	\$11,077,705
Sheriff - County Jail		\$10,084,835		\$10,084,835
Juvenile Hall		\$3,695,963		\$3,695,963
Sheriff - Court Bailiffs		\$509,733		\$509,733
County Drug Grant		\$121,080		\$121,080
Criminal Justice System Grant		-\$592		-\$592
CDBG 2010		\$729,500		\$729,500
2010 HOME Program		\$729,678		\$729,678
Sutter County - Community Services Block Grant - 2013		\$219,894		\$219,894
Sutter County - Community Services Block Grant - 2010		\$220,719		\$220,719
CDBG 2009 NSP		\$1,350,000		\$1,350,000
CSBG 2012		\$237,688		\$237,688
CSBG 2013		\$243,024		\$243,024
NSP 3 HCD		\$8,765,714		\$8,765,714
YS Enterprise Zone		\$132,000		\$132,000
EDBG Grant 2007		\$300,000		\$300,000
Standards & Training - Probation		\$21,109		\$21,109
Standards & Training - Sheriff		\$38,964		\$38,964
Standards & Training - Juv. Hall		\$15,079		\$15,079

## Section II

## Individually Approved Funds

*The following funds must be approved individually.*

Contingencies - General		\$594,872		
<b>Total Operating Funds</b>	<b>Budget</b>		<b>Encumbrances</b>	<b>Total</b>
<b>(including Contingencies)</b>	<b>\$153,864,986</b>	<b>\$</b>	<b>393,128</b>	<b>\$153,633,242</b>
Airport		\$369,256		
<b>Total Enterprise Funds</b>		<b>\$369,256</b>		

**Internal Service Funds**

Automotive Service	\$26,139
Sheriff - Automotive Service	\$559,676
Workers Comp	\$1,484,630
Liability Insurance	\$2,668,519
Health Insurance	\$10,813,836
General Insurance	\$141,464
Unemployment Insurance	\$321,046
Short Term Disability	\$184,757
<b>Total Internal Service Funds</b>	<b>\$16,200,067</b>



# The County of Yuba

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## Community Development & Services Agency

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**Kevin Mallen, Director**

Phone – (530) 749-5430 • Fax – (530) 749-5424  
915 8<sup>th</sup> Street, Suite 123  
Marysville, California 95901  
[www.co.yuba.ca.us](http://www.co.yuba.ca.us)



374-12

749-5455 • Fax 749-5424

**CODE ENFORCEMENT**  
749-5455 • Fax 749-5424

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

**HOUSING & COMMUNITY SERVICES**  
749-5460 • Fax 749-5464

**PLANNING**  
749-5470 • Fax 749-5434

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

**Date:** October 2, 2012

**To:** Yuba County Board of Supervisors

**From:** Sean Powers, Director of Finance and Administration

**Subject:** Acquisition of Single Family Residence APN 021-220-046 for the Neighborhood Stabilization Program

**Recommendation:**

Adopt the attached resolution authorizing the Community Development Director or his designee to complete the purchase of single family residence APN 021-220-046 as part of the Neighborhood Stabilization Program and execute all documents needed for completion of purchase, rehabilitation, and resale.

**Background:**

The goal of the County of Yuba Neighborhood Stabilization Program is to stabilize property values and homeownership rates in neighborhoods impacted by foreclosures. The County of Yuba has been awarded \$4,265,711 under the Neighborhood Stabilization Program allocation per agreement 11-NSP3-8112 for acquisition, rehabilitation, and resale single family homes. The activities are to be primarily performed in census tract number 0403.00 in the areas of Marysville and Linda.

**Discussion:**

The attached resolution is required for further implementation of the Neighborhood Stabilization Program. For each individual property approved for the program by the County, the Board must consider and approve the purchase of the property by resolution. Assuming Board approval, the County will hold title during the rehabilitation up to resale. CDSA will oversee all activities involving acquisition, rehabilitation, and resale. The Board has previously approved the Community Development Services Agency Director to make purchase offers to the current property owners which have been accepted.

**Committee Action:**

This item was previously discussed with the Board in order to make the initial offers to the current property owners and therefore is being presented directly to the full Board in order to formally move forward with the acquisition.

**Fiscal Impact:**

The purchase and rehabilitation costs will be covered by the Neighborhood Stabilization Program funds in accordance with the requirements established by the State of California Neighborhood Stabilization Program. The purchase price of for APN 021-220-046 is estimated to be \$88,000.

**BEFORE THE BOARD OF SUPERVISORS  
OF THE COUNTY OF YUBA**

**RESOLUTION AUTHORIZING YUBA COUNTY )  
COMMUNITY DEVELOPMENT AND SERVICES )  
AGENCY DIRECTOR OR HIS DESIGNEE TO )  
COMPLETE THE PURCHASE OF SINGLE FAMILY )  
RESIDENCE APN 021-220-046 AS PART OF THE )  
NEIGHBORHOOD STABILIZATION PROGRAM )  
AND EXECUTE ALL DOCUMENTS NEEDED FOR )  
COMPLETION OF PURCHASE, REHABILITATION )  
AND RESALE. )**

**RESOLUTION NO. \_\_\_\_\_**

**WHEREAS**, Yuba County was awarded Neighborhood Stabilization Program funds per agreement 11-NSP3-8112 with the Department of Housing and Community Development on April 30, 2012 and is authorized to conduct activities in housing acquisition, rehabilitation, and resale of single family homes; and

**WHEREAS**, these activities are to be performed in the census tract number 0403.00 in the following areas of Marysville and Linda; and

**WHEREAS**, the purpose of acquiring these foreclosed properties through the Neighborhood Stabilization Program is to rehabilitate and resell the properties to a owner-occupant which meets the program requirements; and

**WHEREAS**, the Board has previously approved the Community Development Services Agency Director to make, and he has made, a purchase offer to the current property owner which has been accepted; and

**WHEREAS**, the purchase and rehabilitation costs will be covered by the Neighborhood Stabilization Program funds in accordance with the requirements established by the State of California Neighborhood Stabilization Program and the purchase price of APN 021-220-046 is estimated to be \$88,000.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Supervisors authorizes the Yuba County Community Development and Services Agency Director or his designee to complete the purchase, rehabilitation and resale of APN 021-220-046 and execute any necessary documents, subject to County Counsel review.

**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:

\_\_\_\_\_  
CHAIR

ATTEST: DONNA STOTTLEMEYER  
CLERK OF THE BOARD OF SUPERVISORS

\_\_\_\_\_

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

*Pat Garamone*  
\_\_\_\_\_



# The County of Yuba

## Office of the County Administrator

Robert Bendorf, County Administrator  
 John Fleming, Economic Development Coordinator  
 Russ Brown, Communications & Legislative Affairs Coordinator  
 Grace M Mull, Administrative Analyst  
 Teena L. Carlquist, Executive Assistant to the County Administrator  
 Yuba County Government Center  
 915 8th Street, Suite 115  
 Marysville, CA 95901

Phone: (530) 749-7575  
 Fax: (530) 749-7312  
 Email: rbendorf@co.yuba.ca.us  
 jfleming@co.yuba.ca.us  
 rbrown@co.yuba.ca.us  
 gmull@co.yuba.ca.us  
 tcarlquist@co.yuba.ca.us

DATE: October 2, 2012  
 TO: Board of Supervisors  
 FROM: Russ Brown, Legislative Affairs Coordinator *fb*  
 SUBJECT: Resolution to Opt In to RCRC/CSAC Memorandum of Agreement with U.S. Forest Service and Bureau of Land Management

**Recommended Action:** Approve resolution to opt in to Memorandum of Agreement between RCRC, CSAC, the U.S. Forest Service and the Bureau of Land Management that will enhance mutual communications; appoint Board Chair as representative.

**Background & Discussion:** Yuba County shares a long partnership with the U.S. Forest Service and the Bureau of Land Management in the stewardship of federal public lands and national forests. Similar partnerships can be found among counties throughout the state, and in virtually every case the greatest struggle has been in maintaining clear communications between local and federal entities.

In an effort to improve interagency relationships, CSAC and RCRC entered into a Memorandum of Agreement with the USFS and BLM to facilitate early and frequent communications between these federal agencies and counties. The MOA is intended to establish enhanced mutual communications between USFS, BLM, and county governing bodies to assure consistency in process and outcomes among all parties. Through this agreement, regular and consistent communications is intended to build positive working relationships, while maximizing trust and minimizing misunderstanding and potential conflicts.

The key to making this MOA work is for counties to designate a contact – a consistent position in the county – that would be the ongoing contact for the USFS and BLM. These federal agencies will each designate a contact from their field offices that serve Yuba County. The county contact will then meet separately with the USFS and BLM contacts to discuss the MOA and lay the groundwork to discuss and resolve issues related to overall land management, as needed.

To participate in the MOA, the Board of Supervisors must approve a resolution and designate someone to be the point of contact for each of the two federal entities. The Board Chairman, as lead representative for the full Board, is the recommended assigned county representative to both federal entities.

**Committee Action:** The Administration & Finance Committee heard this item on September 18, 2012 recommended approval.

**Fiscal Impact:** None

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**BEFORE THE BOARD OF SUPERVISORS  
OF THE COUNTY OF YUBA**

<b>RESOLUTION AUTHORIZING YUBA COUNTY TO OPT INTO REGIONAL COUNCIL OF RURAL COUNTIES/CALIFORNIA STATE ASSOCIATION OF COUNTIES MEMORANDUM OF AGREEMENT WITH THE U.S. FOREST SERVICE AND BUREAU OF LAND MANAGEMENT</b>	) ) ) ) ) ) )	<b>RESOLUTION NO. _____</b>
--	---------------------------------	-----------------------------

**WHEREAS**, Yuba County wishes to improve/enhance the working relationship between the United States Forest Service, the Bureau of Land Management and the County; and

**WHEREAS**, Yuba County recognizes the need for a communications framework to ensure consistency within such working relationships; and

**WHEREAS**, Yuba County acknowledges the utility of the Memorandum of Agreement (MOA) between Regional Council of Rural Counties (RCRC), California State Association of Counties (CSAC), the United States Forest Service (USFS) and the Bureau of Land Management (BLM) in accomplishing this goal; and

**WHEREAS**, the MOA is an additional tool that counties can utilize to improve/enhance the relationship between Yuba County, the United State Forest Service and the Bureau of Land Management; the MOA in no way jeopardizes or otherwise infringes upon the current legal rights of counties or the existing legal obligations of the United States Forest Service under the Planning Rule to their local government partners; and

**WHEREAS**, Yuba County believes that the use of this MOA will improve/enhance the existing relationship between it and both the United States Forest Service and the Bureau of Land Management and hopes that the clarity and stability that it will bring to the communications between this County and these federal land management entities will benefit the people and the communities within Yuba County.

**NOW THEREFORE, BE IT RESOLVED** that the Board of Supervisors of the County of Yuba:

1. Adopts the tenets provided by the Memorandum of Agreement between RCRC, CSAC, USFS, and BLM for utilization by Yuba County;
2. Hereby invokes the terms of the MOA with the Tahoe National Forest Ranger District Office in Camptonville, CA and the Bureau of Land Management Mother Lode Field Office in El Dorado Hills, CA; and
3. Designates the Chair of the Yuba County Board of Supervisors as the point of contact between Yuba County and both the Tahoe National Forest Ranger District Office in Camptonville, CA and the Bureau of Land Management Mother Lode Field Office in El Dorado Hills, CA.

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2012, by the Board of Supervisors of the County of Yuba, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

YUBA COUNTY BOARD OF SUPERVISORS

\_\_\_\_\_  
Hal Stocker, Chairman

By: \_\_\_\_\_

ATTEST: Donna Stottlemeyer

CLERK OF THE BOARD OF SUPERVISORS

APPROVED AS TO FORM:

By: Pat Garrison

Angil P. Morris-Jones, County Counsel



**YUBA COUNTY  
HUMAN RESOURCES & ORGANIZATIONAL  
SERVICES DEPARTMENT**

**915 8TH STREET, SUITE 113, MARYSVILLE, CA 95901**

**DATE:** October 2, 2012  
**TO:** Board of Supervisors  
**FROM:** Martha Wilson, Human Resources Director  
Steven L. Durfor, Sheriff

**RECOMMENDATION**

Approve the recommendation to amend the Position Allocation and Classification System – Basic Salary Schedules as they relate to the Sheriff's Department, effective October 1, 2012.

**BACKGROUND**

In July of 2008 the Sheriff's Department initiated a transition in titles for their correctional division. The Sheriff's Sergeant – Corrections was properly re-titled to Correctional Sergeant at that time.

**DISCUSSION**

The Sheriff's Lieutenant – Corrections is currently vacant. The Sheriff's department is anticipating the need to fill this position during this fiscal year. During previous union negotiations it was agreed that the department would re-title the position to Correctional Lieutenant before filling the vacancy. This administrative action is in anticipation of that need.

The attached Resolutions update the County position allocation and salary schedule.

**COMMITTEE**

This item has bypassed committee as it is administrative in action only.

**FISCAL IMPACT**

No fiscal impact.

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**BEFORE THE BOARD OF SUPERVISORS  
OF THE COUNTY OF YUBA**

RESOLUTION AMENDING THE ) RESOLUTION NO. \_\_\_\_\_  
 DEPARTMENTAL POSITION )  
 ALLOCATION SCHEDULE )  
 \_\_\_\_\_ )

BE IT RESOLVED that the Departmental Position Allocation Schedule as it relates to the following department(s) is amended effective October 1, 2012 as follows:

**DELETE:**

DEPARTMENT	CLASSIFICATION	# OF POSITIONS
Sheriff	Sheriff's Lieutenant – Corrections	1

**ADD:**

DEPARTMENT	CLASSIFICATION	# OF POSITIONS
Sheriff	Correctional Lieutenant	1

PASSED AND ADOPTED by the Board of Supervisors of the County of Yuba, State of California, on the \_\_\_\_\_ day of \_\_\_\_\_, 2012 by the following votes:

AYES:  
 NOES:  
 ABSENT:

\_\_\_\_\_  
 CHAIRMAN

ATTEST: Donna Stottmeyer  
 Clerk of the Board

APPROVED AS TO FORM: Angil Morris-Jones  
 County Counsel

By: \_\_\_\_\_

By: Pat Garamone

**BEFORE THE BOARD OF SUPERVISORS  
OF THE COUNTY OF YUBA**

RESOLUTION AMENDING THE  
CLASSIFICATION SYSTEM –  
BASIC SALARY SCHEDULE

RESOLUTION NO. \_\_\_\_\_

BE IT RESOLVED that the Classification System – Basic Salary Schedule is amended as follows effective October 1, 2012.

**DELETE:**

Code	Classification	Unit	BASE: STEP A	HOURLY	OT Code	WC Code
SHLC	Sheriff's Lieutenant – Corrections	7	\$5,525	31.88	06	7720

**ADD:**

Code	Classification	Unit	BASE: STEP A	HOURLY	OT Code	WC Code
CORL	Correctional Lieutenant	7	\$5,525	31.88	06	7720

PASSED AND ADOPTED by the Board of Supervisors of the County of Yuba, State of California, on the \_\_\_\_\_ day of \_\_\_\_\_, 2012 by the following votes:

AYES:  
NOES:  
ABSENT:

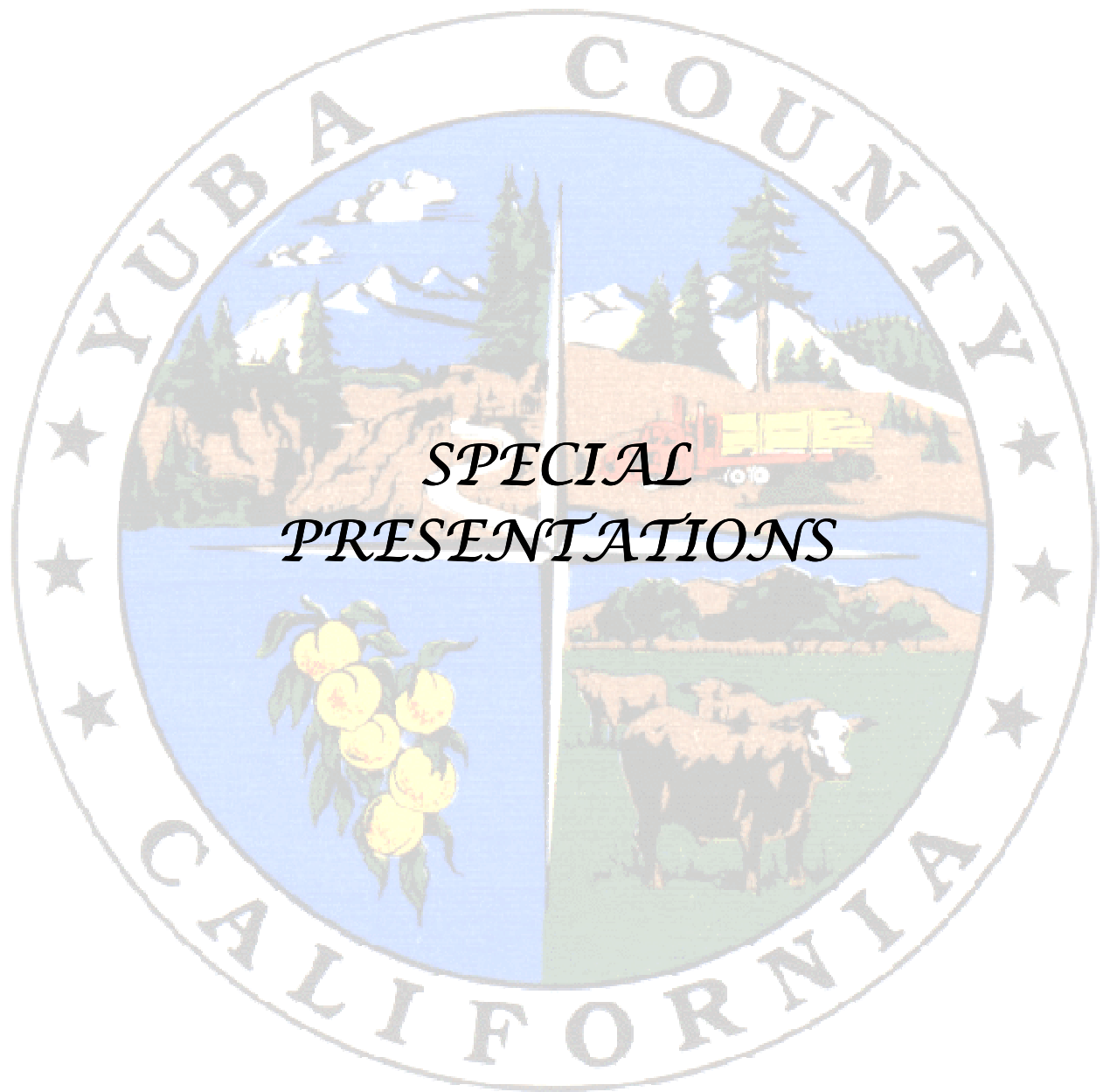
\_\_\_\_\_  
CHAIRMAN

ATTEST: Donna Stottlemeyer  
Clerk of the Board

APPROVED AS TO FORM: Angil Morris-Jones  
County Counsel

By: \_\_\_\_\_

By: *Paul Garamone*



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# Living History Camp

## The Medieval Life Experience

Lee Sciocchetti



Property is located at: 7986 Highway 20  
Smartsville, CA 95977

To Whom it May Concern:

We at Knight2Day, Inc. wish to provide an enjoyable and entertaining educational experience for children and adults of all ages about life in Medieval Europe. We wish to make Medieval history come alive!

**Why the Middle Ages?** The Middle Ages happened a very long time ago, on a continent we don't even live on. Knowledge of medieval history provides a context for understanding the modern world in which we live. There are many institutions, concepts, ideas, and values that are derived from the past, and are not really new ideas and values.

**Stage One:** We plan to do this by constructing a 'Walk Through Time' village in a Bailey, with examples of different periods from the Stone Age to the 14<sup>th</sup> century demonstrating clothing, weaponry, housing and living conditions. These will be uninhabited structures that are made in the tradition of their time.

**Stage Two:** Next we plan to construct a wooden Medieval fort in the style of a Motte and Keep. This will be an uninhabited structure that is a small wooden castle on a dirt and rock mound.

**Stage Three:** We will build a demonstration village recreating actual crafts, village life and activities that took place in Medieval Times. This will bring crafters and customers of those crafts to the village

By the time of construction of the third stage, both villages and the keep would be surrounded by a wooden palisade (fence). Construction of the villages will consist of cottages built using primarily wattle and daub on wooden frames. They will be constructed without using interior plumbing, heating or electrical as these structures are for demonstration only; they are not intended for human habitation. It is our intent to stay as true to actual medieval construction techniques as possible, while maintaining environmental, health and safety standards.

Temporary or overnight visitor stays shall be in a medieval style encampment in tents we set up for that purpose to give visitors a greater experience of medieval life. Portable sanitary facilities will be provided. At a later date we will wish to construct permanent restrooms and a gift shop.

We intend also to provide options for such medieval life experiences as knight training, husbandry, farming, cooking and herbs, and crafting.

A longer term goal would be the construction of a stone castle demonstrating one or two later versions of the early medieval wooden fort, such as a shell keep and then the classic stone castle.

We believe this project will not only provide a valuable learning experience and educational opportunity, but will also bring revenue into the County in the form of additional tourism, publicity, promotional and other opportunities including, but not limited to, film location projects, sales tax on educational items, souvenirs and more. We are planning to have heritage animals for the FFA and 4H clubs to work and learn with as well as heritage agricultural crops. A medieval faire 1-2 weekends a year, and the village will be open to the public on a limited basis.

We are intending this camp to be the '7<sup>th</sup> grade' field trip. In 4<sup>th</sup> grade students go to Coloma and Sutter's Fort. In the 5<sup>th</sup> grade students from all over California go to a Mission, in 6<sup>th</sup> grade students go to 'Science Camp' and in 8<sup>th</sup> grade students go to Washington DC. There is nothing at this time for the seventh graders of California. We are hoping to bring the schools to this village and to our county.



Thank you for your consideration.

Knight2Day

**Possible camp life opportunities**

- 1 day – Knight's Life
- 3 day – Knight, Husbandry, Crafting
- 5 day – Knight, Husbandry, Crafting, Farming, Cooking
- 7 day – Everything + feast and tournament

**Mission Statement**

- To encourage students to understand history as more than dates in a book.
- To bring history alive and create a desire to learn from the past to prepare for the future.
- To encourage high level students to experience their studies in a whole new way, and at the same time helping younger students to share a love of history and new (old) experiences.

**Benefits of the History Camp**

For middle school and high school students

- Bring history to life and engender a love, passion and fascination for history by living it
- Spend time in a castle
- Learn about medieval history by being there
- Experience the life of different social classes
- Gain an appreciation for how our modern life developed from its medieval foundations
- Learn the origins of many modern day sayings

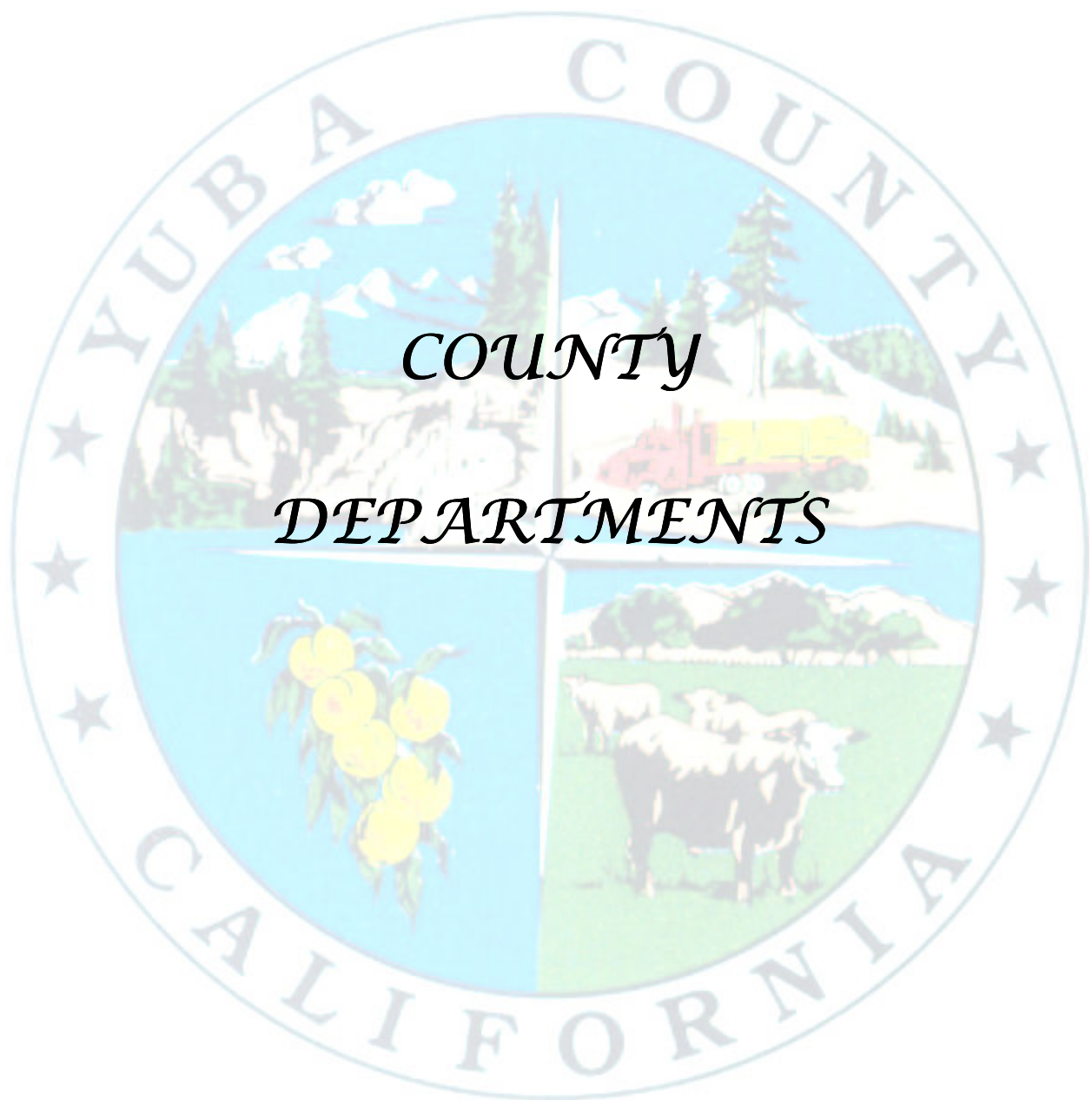
- Structured schedule with fun and thought provoking physical activities
- Plus dance, songs chess, stories in the great hall and courtyard in the evenings
- Experience husbandry, farming, crafting, cooking and the page/squire/knight progression. Each of these in a day with their varied activities.
- Spend time in the historical clothing, and simple everyday historical living activities

For university students-

- Certified as work experience for history students
- Volunteer positions available with boarding in a castle, as class aids, historical re-enactors, camp counselors and castle staff

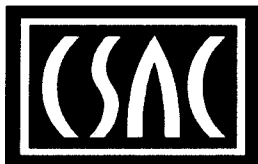
- **School Camp Programs**

- **Knight School**
- **Husbandry**
- **Farming**
- **Crafting**
- **Cooking**



*COUNTY*  
*DEPARTMENTS*

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California State Association of Counties  
1100 K Street, Suite 101  
Sacramento, CA 95814  
Phone (916) 327- 7500  
Facsimile (916) 321- 5047

September 13, 2012

TO: Chairs, Boards of Supervisors

FROM: Steve Keil, Interim Executive Director

**SUBJECT: Selection of CSAC Board of Directors Members**

Under provisions of the CSAC Constitution, members of the Board of Directors and alternates are elected by their respective boards of supervisors to one-year terms of office commencing with the first day of the CSAC annual conference. This year that will be on November 27, 2012. Any member of your Board of Supervisors is eligible for the directorship.

CSAC's Board of Directors holds its first meeting of each year at the association's annual conference in November. **Thus, it is important that your county has its newly appointed board representative at this first meeting.** Enclosed is a list of current directors, along with a form for use in notifying us of your Board's appointment.

The new Board of Directors will meet at the annual conference, first by caucus (urban, suburban and rural) to nominate CSAC officers and Executive Committee members, and again as a full Board to elect the 2013 Executive Committee and to conduct other business. Details of these meetings will be sent to you at a later date. Please note that under the CSAC Constitution, Executive Committee members are elected from the membership of the Board of Directors.

If you have any questions or need further information, please contact Sue Ronkowski of my staff at 916.327.7500 x508 or e-mail [sronkowski@counties.org](mailto:sronkowski@counties.org).

Enclosures

cc: 2012 Board of Directors  
Clerks, Board of Supervisors **without attachments**

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**YUBA COUNTY**  
**HUMAN RESOURCES & ORGANIZATIONAL**  
**SERVICES DEPARTMENT**  
**915 8TH STREET, SUITE 113, MARYSVILLE, CA 95901**

**DATE:** October 2, 2012  
**TO:** Board of Supervisors  
**FROM:** Martha Wilson, Human Resources Director  
Suzanne Nobles, Director of Health and Human Services

**RECOMMENDATION**

Approve the recommendation to amend the Basic Salary Schedule as it relates to the Health and Human Services Department, effective October 1, 2012.

**BACKGROUND**

The Public Health Nursing Division of the Health and Human Services Department is currently suffering an ongoing and critical nursing shortage which is threatening the ability to retain current levels of funding and service to the County residents. Human Resources conducted a review of the organizational structure and salary of the Health and Human Services Department Public Health Nursing Division, as well as a comparison of the same within the four surrounding counties of Butte, Nevada, Sutter and Yolo. In addition, as the result of recent turnover comments, Human Resources reviewed comparable salaries for Placer and Sacramento County. Finally, Human Resources also reviewed the recruitment and retention history of the Public Health Nursing classifications

**DISCUSSION**

The Public Health Nursing Division currently has allocated nine (9) Public Health Nurse I/II, three (3) Senior Public Health Nurse, two (2) Supervising Public Health Nurse and one (1) Director of Nurses, in addition to various support staff. Of these there are currently four (4) Public Health Nurse I/II and one (1) Public Health Nurse III vacancies, representing a total vacancy rate of 33%. Human Resources has conducted an ongoing Open Until Filled recruitment on both of these positions, which has produced a limited pool of qualified candidates, the vast majority of which have no prior public health nursing experience. Additionally, of those qualified several have declined appointment due to a non-competitive salary. Finally, the department has experienced a severe retention issue over the last several years. Since January 2011, the Public Health Division has had eighteen (18) public health nurses leave County employment, fourteen (14) of which stayed with the County for only a year, gaining enough experience to qualify for higher paid positions at other agencies who typically will not hire nurses without prior public health nursing experience.

After a complete review of the current salaries it is Human Resources' finding that Yuba County would greatly benefit from an increase in base salary to be more competitive with surrounding counties.

The attached Resolution updates the County basic salary schedule.

**COMMITTEE**

This item has bypassed committee due to an immediate need to address recruitment and retention issues and comes directly to the Board.

**FISCAL IMPACT**

There is no fiscal impact to the general fund. The increase to the non-general fund is \$70,178 for the remainder of this fiscal year.



**BEFORE THE BOARD OF SUPERVISORS  
OF THE COUNTY OF YUBA**

RESOLUTION AMENDING THE  
CLASSIFICATION SYSTEM –  
BASIC SALARY SCHEDULE

RESOLUTION NO. \_\_\_\_\_

BE IT RESOLVED that the Classification System – Basic Salary Schedule is amended as follows effective October 1, 2012.

**DELETE:**

	Classification	Unit	BASE: STEP A	HOURLY	OT Code	WC Code
RENU	Registered Nurse	4	4,329	24.98	06	9410
PHNI	Public Health Nurse Intern	4	4,456	25.71	06	9410
PHNR-1	Public Health Nurse I	4	4,729	27.28	06	9410
PHNR-2	Public Health Nurse II	4	5,166	29.80	06	9410
PHNR-3	Public Health Nurse III	4	5,480	31.62	06	9410
SPHN	Supervising Public Health Nurse	5	5,990	34.56	06	8810.1
DRNU	Director of Nurses	8	6,943	40.06	07	9410

**ADD:**

	Classification	Unit	BASE: STEP A	HOURLY	OT Code	WC Code
RENU	Registered Nurse	4	4,729	27.28	06	9410
PHNI	Public Health Nurse Intern	4	4,870	28.10	06	9410
PHNR-1	Public Health Nurse I	4	5,166	29.80	06	9410
PHNR-2	Public Health Nurse II	4	5,480	31.62	06	9410
PHNR-3	Public Health Nurse III	4	5,815	33.55	06	9410
SPHN	Supervising Public Health Nurse	5	6,355	36.66	06	8810.1
DRNU	Director of Nurses	8	7,151	41.26	07	9410

PASSED AND ADOPTED by the Board of Supervisors of the County of Yuba, State of California, on the \_\_\_\_\_ day of \_\_\_\_\_, 2012 by the following votes:

AYES:

NOES:

ABSENT:

CHAIRMAN

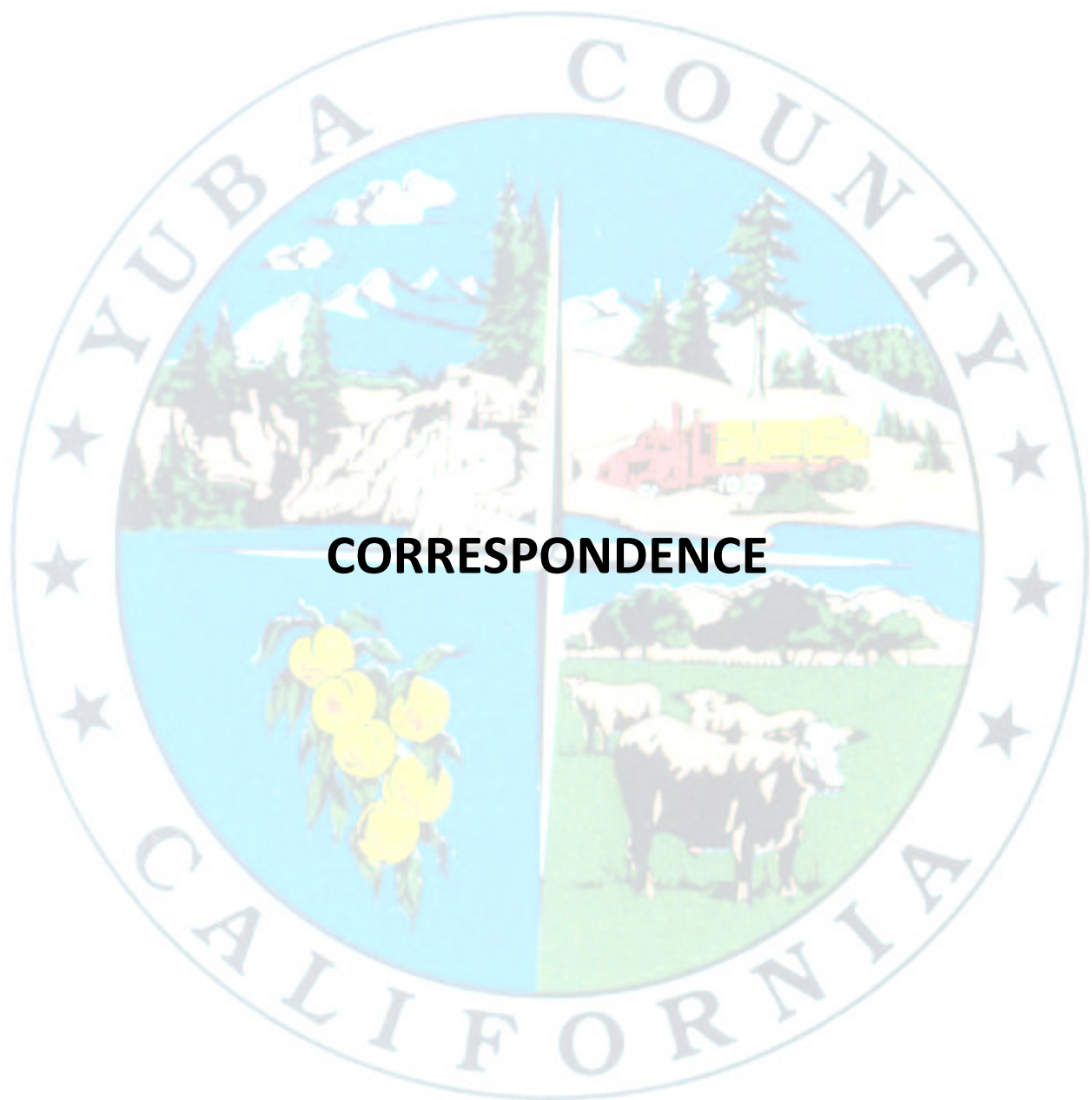
ATTEST: Donna Stottlemeyer  
Clerk of the Board

APPROVED AS TO FORM: Angil Morris-Jones  
County Counsel

By: \_\_\_\_\_

By: Pat Garamou

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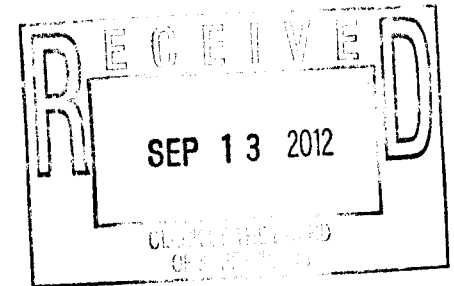
**D.R. Watts Accountancy Corporation**

1585 Butte House Road, Suite E

Yuba City, CA 95993

Phone (530) 674-8809 / Fax (530) 674-8868

drwattscpa@aol.com

**INDEPENDENT AUDITOR'S REPORT**

Board of Trustees  
Browns Valley Cemetery District  
Browns Valley, California

**COPY OF REFERENCED  
DOCUMENT ON FILE WITH  
CLERK OF THE BOARD**

We have audited the accompanying financial statements of the Browns Valley Cemetery District as of and for the years ended June 30, 2005 and June 30, 2004, as listed in the Table of Contents. These financial statements are the responsibility of Browns Valley Cemetery District's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America, the *State Controller's Minimum Audit Requirements for California Special Districts*, and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amount and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the general purpose financial statements referred to above present fairly, in all material respects, the financial position of the Browns Valley Cemetery District's internal control over financial reporting. Also reported are our findings on the District's compliance with certain provisions of laws, regulations, contracts and grants. That report is an integral part of the audit performed in accordance with *Government Auditing Standards* and should be read in conjunction with this report in considering the results of the audit.

The District has not presented the Management Discussion and Analysis that the government Accounting Standards Board has determined is necessary to supplement, although not required to be part of the basic financial statements. The supplementary information on pages 17 and 18 are not a required part of the basic financial statements, but are supplementary information required by the Governmental Accounting Standards Board. We have applied certain limited procedures, which consisted principally of inquiries of management regarding the methods of measurement and presentation of the supplementary information. However, we did not audit the information and express no opinion on it.

D.R Watts Accountancy Corporation

A handwritten signature in cursive script that reads "D.R. Watts Accountancy Corp.".

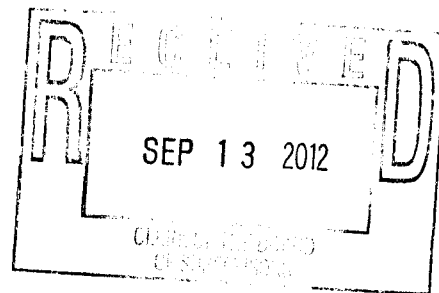
Yuba City, California

August 21, 2012



**Cal EMA**  
CALIFORNIA EMERGENCY  
MANAGEMENT AGENCY

September 10, 2012



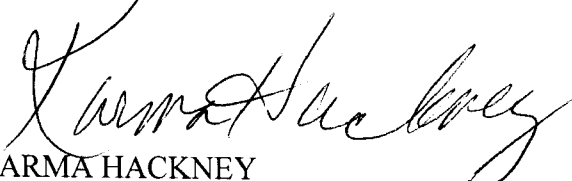
Mr. Hal Stocker, Chairperson  
Yuba County Board of Supervisors  
915 8th Street, Suite 109  
Marysville, California 95901

Dear Chairperson Stocker:

The U.S. Small Business Administration declared the primary counties of **Contra Costa, Glenn, Kings, Placer, San Joaquin, Santa Clara, Stanislaus**, and the contiguous counties of **Alameda, Amador, Butte, Calaveras, Colusa, El Dorado, Fresno, Kern, Lake, Marin, Mariposa, Mendocino, Merced, Monterey, Nevada, Sacramento, San Benito, San Luis Obispo, San Mateo, Santa Cruz, Solano, Sutter, Tehama, Tulare, Tuolumne**, and **Yuba** a disaster area. This declaration is a result of a September 5, 2012, U.S. Department of Agriculture disaster designation due to agricultural losses caused by drought beginning January 1, 2012, and continuing.

The California Emergency Management Agency is providing the enclosed information regarding this declaration. Please inform interested individuals, businesses, and city officials within your county of this declaration and information.

Sincerely,

  
KARMA HACKNEY  
Individual Assistance Officer

Enclosure

c: Yuba County Office of Emergency Services  
Cal EMA Recovery Division  
Cal EMA Regional Administrator  
Cal EMA Individual Assistance

3650 SCHRIEVER AVENUE MATHER, CA 95655  
RECOVERY DIVISION • INDIVIDUAL ASSISTANCE  
(916) 845-8149 TELEPHONE (916) 845-8395 FAX

# U.S. Small Business Administration (SBA) Declaration SBA #13275 - Drought

## Declaration Information

The following table illustrates the declaration information.

<b>Eligible Primary County(s):</b>	Contra Costa, Glenn, Kings, Placer, San Joaquin, Santa Clara, Stanislaus
<b>Eligible Contiguous County(s):</b>	Alameda, Amador, Butte, Calaveras, Colusa, El Dorado, Fresno, Kern, Lake, Marin, Mariposa, Mendocino, Merced, Monterey, Nevada, Sacramento, San Benito, San Luis Obispo, San Mateo, Santa Cruz, Solano, Sutter, Tehama, Tulare, Tuolumne, Yuba
<b>Reason/Event:</b>	September 5, 2012, USDA Designation for drought beginning January 1, 2012, and continuing
<b>Assistance made available by declaration:</b>	SBA Economic Injury Disaster Loans
<b>Application deadline for business economic injury:</b>	May 6, 2013
<b>Who may apply:</b>	Small, non-farm businesses, small agricultural cooperatives, and most private non-profit organizations of any size. Small businesses include those that do business directly with the growers, such as truckers and suppliers of agricultural equipment or services.
<b>How to apply:</b>	Contact SBA at 1-800-659-2955, or visit SBA's website at: <a href="http://www.sba.gov/services/disasterassistance">www.sba.gov/services/disasterassistance</a> . Hearing impaired individuals may call 1-800-877-8339.





September 10, 2012

Mr. Hal Stocker, Chairperson  
Yuba County Board of Supervisors  
915 8th Street, Suite 109  
Marysville, California 95901

Dear Chairperson Stocker:

On September 5, 2012, the U.S. Department of Agriculture granted a Secretarial disaster designation for the primary counties of **Contra Costa, Glenn, Kings, Placer, San Joaquin, Santa Clara, Stanislaus**, and the contiguous counties of **Alameda, Amador, Butte, Calaveras, Colusa, El Dorado, Fresno, Kern, Lake, Marin, Mariposa, Mendocino, Merced, Monterey, Nevada, Sacramento, San Benito, San Luis Obispo, San Mateo, Santa Cruz, Solano, Sutter, Tehama, Tulare, Tuolumne**, and **Yuba** due to agricultural losses caused by drought beginning January 1, 2012, and continuing.

The California Emergency Management Agency is providing the enclosed information regarding this designation. Please inform potential applicants throughout your county of this designation and information.

Sincerely,

A handwritten signature in cursive script, reading "Karma Hackney", is positioned above the typed name.

KARMA HACKNEY  
Individual Assistance Officer

Enclosure

c: Yuba County Office of Emergency Services  
Yuba County Agricultural Commissioner  
Karen Ross, Secretary, California Department of Food and Agriculture  
Ed Williams, County Liaison Director, California Department of Food and Agriculture  
Cal EMA Recovery Division  
Cal EMA Regional Administrator  
Cal EMA Individual Assistance

3650 SCHRIEVER AVENUE MATHER, CA 95655  
RECOVERY DIVISION • INDIVIDUAL ASSISTANCE  
(916) 845-8149 TELEPHONE (916) 845-8395 FAX

# U.S. Department of Agriculture (USDA) Designation USDA #S3379 - Drought

**Designation  
Information**

The following table illustrates the designation information.

<b>Eligible Primary County(s):</b>	<b>Contra Costa, Glenn, Kings, Placer, San Joaquin, Santa Clara, Stanislaus</b>
<b>Eligible Contiguous County(s):</b>	<b>Alameda, Amador, Butte, Calaveras, Colusa, El Dorado, Fresno, Kern, Lake, Marin, Mariposa, Mendocino, Merced, Monterey, Nevada, Sacramento, San Benito, San Luis Obispo, San Mateo, Santa Cruz, Solano, Sutter, Tehama, Tulare, Tuolumne, Yuba</b>
<b>Event:</b>	Drought beginning January 1, 2012, and continuing
<b>Assistance made available by designation:</b>	<ul style="list-style-type: none"> <li>• Emergency farm loans for actual losses as a direct result of the disaster</li> <li>• Up to a maximum of \$500,000</li> <li>• Interest rate 3.75 percent</li> </ul>
<b>Application deadline:</b>	<b>May 6, 2013</b>
<b>Who may apply:</b>	Farmers and ranchers who conduct family-sized farming operations
<b>How to apply:</b>	<ul style="list-style-type: none"> <li>• Contact local Farm Service Agency (FSA) office listed in the local telephone directory under U.S. Government, Agriculture</li> <li>• Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD)</li> </ul>
<b>USDA website for additional information:</b>	<a href="http://www.fsa.usda.gov/pas/disaster/assistance1.htm">www.fsa.usda.gov/pas/disaster/assistance1.htm</a>



September 19, 2012

Mr. Hal Stocker, Chairperson  
Yuba County Board of Supervisors  
915 8th Street, Suite 109  
Marysville, California 95901

Dear Chairperson Stocker:

On September 14, 2012, the U.S. Small Business Administration declared the primary county of **Plumas** and the contiguous counties of **Butte, Lassen, Shasta, Sierra, Tehama, and Yuba** a disaster area. This declaration is a result of the economic impacts caused by the Chips Fire that occurred July 29, 2012, through August 31, 2012.

The California Emergency Management Agency is providing the enclosed information regarding this declaration. Please inform interested businesses and city officials within your county of this declaration and information.

Sincerely,

A handwritten signature in cursive script that reads "Karma Hackney".

KARMA HACKNEY  
Individual Assistance Officer

Enclosure

c: Yuba County Office of Emergency Services  
Cal EMA Recovery Division  
Cal EMA Regional Administrator  
Cal EMA Individual Assistance

# U.S. Small Business Administration (SBA) Declaration

## SBA #13291 – Chips Fire

### Declaration Information

The following table illustrates the declaration information.

<b>Eligible Primary County(s):</b>	<b>Plumas</b>
<b>Eligible Contiguous County(s):</b>	<b>Butte, Lassen, Shasta, Sierra, Tehama, Yuba</b>
<b>Event:</b>	Chips Fire that occurred July 29, 2012, through August 31, 2012
<b>Assistance made available by declaration:</b>	SBA Economic Injury Disaster Loans
<b>Application deadline for business economic injury:</b>	<b>June 14, 2013</b>
<b>Who may apply:</b>	Small, non-farm businesses, small agricultural cooperatives, and most private non-profit organizations of any size. Small businesses include those that do business directly with the growers, such as truckers and suppliers of agricultural equipment or services.
<b>How to apply:</b>	Contact SBA at <b>1-800-659-2955</b> , or visit SBA's website at: <a href="http://www.sba.gov/services/disasterassistance">www.sba.gov/services/disasterassistance</a> . Hearing impaired individuals may call 1-800-877-8339.



Pipeline Association  
for Public Awareness

381-12 C

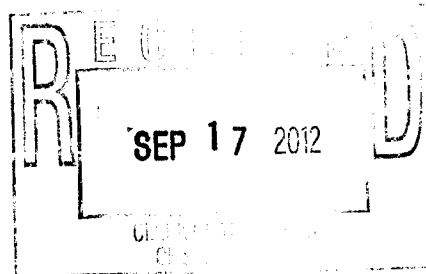
info@pipelineawareness.org

September 2012



\*\*\*\*\*AUTO\*\*5-DIGIT 95901

Donna Stottlemeyer  
Yuba County Supervisors Board  
915 8th St Ste 109  
Marysville CA 95901-5273



NONPROFIT ORG  
U.S. POSTAGE  
PAID  
DENVER, CO  
PERMIT NO 5114

P-10 P105 - 41527

CC COPY OF REFERENCE  
DOCUMENT TO FILE WITH  
CLERK OF THE BOARD

Dear Public Official,

Enclosed is your copy of the ***Pipeline Awareness Newsletter for Public Officials.***

You are receiving this information because one or more participating member pipeline companies operate natural gas or hazardous liquid pipelines in your area. **See the reverse side for a listing of the member companies in Yuba County.**

This newsletter includes information about:

- The purpose of various types of pipelines and the actions operators take to ensure the reliability and integrity of these systems
- Awareness of the potential hazards associated with pipelines and the steps that should be taken to avoid incidents and prepare for a possible emergency
- Land use practices associated with pipeline right-of-ways that will protect pipelines and improve community safety
- General One-Call requirements and recommended safe excavation practices
- How to locate pipelines in your area and obtain additional information from pipeline operators

Thank you for taking the time to review the enclosed material,

*Pipeline Association for Public Awareness and Participating Members*

[www.pipelineawareness.org](http://www.pipelineawareness.org)

**See the reverse side for a listing of member companies in Yuba County**

BOS CORRESPONDENCE C



16361 Table Mountain Parkway, Golden, Colorado 80403

[www.pipelineawareness.org](http://www.pipelineawareness.org)



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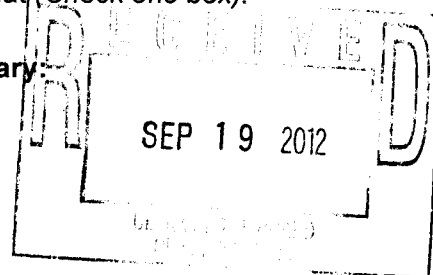
## 2012 Local Agency Biennial Notice

Name of Agency: Dobbins/Oregon House Fire Protection District  
 Mailing Address: P.O. Box 164 Oregon House CA 95962  
 Contact Person: Lloyd Appleby Office Phone No: 530 692-0631  
 E-mail: Lloyd.appleby@gmail.com Fax No: \_\_\_\_\_

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code requires disclosure by agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict-of-interest code and has determined that (Check one box):

- ☐ An amendment is required. The following amendments are necessary:  
 (Mark all that apply.)
- ☐ Include new positions.
  - ☐ Revise disclosure categories.
  - ☐ Revise the titles of existing positions.
  - ☐ Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions.
  - ☐ Other (describe) \_\_\_\_\_



☒ No amendment is required.

☐ The code is currently under review by the code reviewing body.

### Verification

The agency's code accurately designates all positions that make or participate in the making of governmental decisions; the disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding the designated positions; and the code includes all other provisions required by Government Code Section 87302.

[Signature]  
 Signature of Chief Executive Officer

8/23/12  
 Date

Complete this notice regardless of how recently your code was approved or amended.  
 Please return this notice no later than **October 1, 2012**, or the date specified by your agency, if earlier, to:

Board of Supervisors, Yuba County Government Center, 915 8th Street, Suite 109, Marysville CA 95901

**PLEASE DO NOT RETURN THIS FORM TO THE FPPC.**

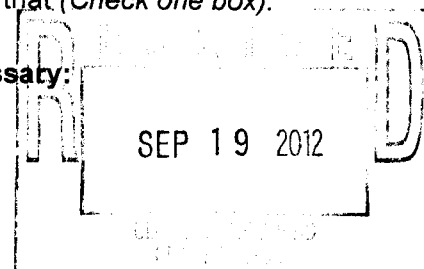
## 2012 Local Agency Biennial Notice

Name of Agency: Plumas Bioply Fire Prot. Dist.  
 Mailing Address: 4514 Darry Road Wheatland CA  
 Contact Person: \_\_\_\_\_ Office Phone No: \_\_\_\_\_  
 E-mail: \_\_\_\_\_ Fax No: \_\_\_\_\_

**Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code requires disclosure by agency officials who make or participate in making governmental decisions.**

This agency has reviewed its conflict-of-interest code and has determined that (Check one box):

- ☐ **An amendment is required. The following amendments are necessary:**  
 (Mark all that apply.)
- ☐ Include new positions.
  - ☐ Revise disclosure categories.
  - ☐ Revise the titles of existing positions.
  - ☐ Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions.
  - ☐ Other (describe) \_\_\_\_\_



- ☒ **No amendment is required.**  
☐ **The code is currently under review by the code reviewing body.**

### Verification

*The agency's code accurately designates all positions that make or participate in the making of governmental decisions; the disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding the designated positions; and the code includes all other provisions required by Government Code Section 87302.*

James B. Boddin Chairman of Board 9-13-12  
 Signature of Chief Executive Officer Date

Complete this notice regardless of how recently your code was approved or amended.  
 Please return this notice no later than **October 1, 2012**, or the date specified by your agency, if earlier, to:

Board of Supervisors, Yuba County Government Center, 915 8th Street, Suite 109, Marysville CA 95901

**PLEASE DO NOT RETURN THIS FORM TO THE FPPC.**



## 2012 Local Agency Biennial Notice

Name of Agency:

WHEATLAND FIRE AUTHORITY

Mailing Address:

PO Box 119, WHEATLAND, CA 95692

Contact Person:

JOE WAGGERSHAUER

Office Phone No:

(530) 633-0861

E-mail:

CHIEF@WHEATLANDFIREAUTHORITY.COM

Fax No:

(530) 633-8215

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code requires disclosure by agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict-of-interest code and has determined that (Check one box):

☐ An amendment is required. The following amendments are necessary:  
(Mark all that apply.)

- ☐ Include new positions.
- ☐ Revise disclosure categories.
- ☐ Revise the titles of existing positions.
- ☐ Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions.
- ☐ Other (describe) \_\_\_\_\_

SEP 19 2012

☒ No amendment is required.

☐ The code is currently under review by the code reviewing body.

### Verification

The agency's code accurately designates all positions that make or participate in the making of governmental decisions; the disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding the designated positions; and the code includes all other provisions required by Government Code Section 87302.

Signature of Chief Executive Officer

Date

Complete this notice regardless of how recently your code was approved or amended.

Please return this notice no later than **October 1, 2012**, or the date specified by your agency, if earlier, to:

Board of Supervisors, Yuba County Government Center, 915 8th Street, Suite 109, Marysville CA 95901

**PLEASE DO NOT RETURN THIS FORM TO THE FPPC.**

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**Commissioners**  
**Jim Kellogg, President**  
Discovery Bay  
**Michael Sutton, Vice President**  
Monterey  
**Daniel W. Richards, Member**  
Upland  
**Richard Rogers, Member**  
Santa Barbara  
**Jack Baylis, Member**  
Los Angeles

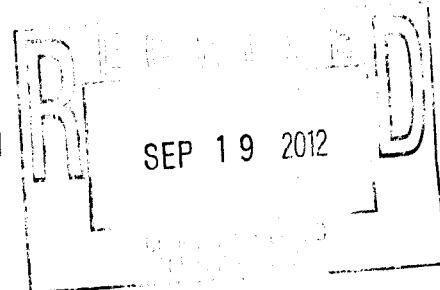
STATE OF CALIFORNIA  
Edmund G. Brown Jr., Governor

## Fish and Game Commission



381-12 E  
**Sonke Mastrup, Executive Director**  
1416 Ninth Street, Room 1320  
Sacramento, CA 95814  
(916) 653-4899  
(916) 653-5040 Fax  
[www.fgc.ca.gov](http://www.fgc.ca.gov)

### CALIFORNIA FISH AND GAME COMMISSION NOTICE OF RECEIPT OF PETITION



NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Section 2073.3 of the Fish and Game Code, the California Fish and Game Commission, on August 20, 2012 received a petition from Oceana, Center for Biological Diversity, and Shark Stewards to list the white shark (*Carcharodon carcharias*) as threatened or endangered under the California Endangered Species Act.

White sharks are a pelagic species and are endothermic, allowing them to inhabit cold water and remain active predators of swift and agile prey.

Pursuant to Section 2073 of the Fish and Game Code, on August 27, 2012 the Commission transmitted the petition to the Department of Fish and Game for review pursuant to Section 2073.5 of said code. It is anticipated that the Department's evaluation and recommendation relating to the petition will be received by the Commission at its February, 2013 Commission meeting. Interested parties may contact Paul Hamdorf, Acting Manager, Marine Region, 20 Lower Ragsdale Drive, Suite 100, Monterey, CA 93940, or telephone 562-342-7210 for information on the petition or to submit information to the Department relating to the petitioned species.

August 29, 2012

Fish and Game Commission

Sonke Mastrup  
Executive Director

**Commissioners**  
**Jim Kellogg**, President  
Discovery Bay  
**Michael Sutton**, Vice President  
Monterey  
**Daniel W. Richards**, Member  
Upland  
**Richard Rogers**, Member  
Santa Barbara  
**Jack Baylis**, Member  
Los Angeles

STATE OF CALIFORNIA  
Edmund G. Brown Jr., Governor

## Fish and Game Commission



**Sonke Mastrup**, Executive Director  
1416 Ninth Street, Room 1320  
Sacramento, CA 95814  
(916) 653-4899  
(916) 653-5040 Fax  
[www.fgc.ca.gov](http://www.fgc.ca.gov)

September 12, 2012

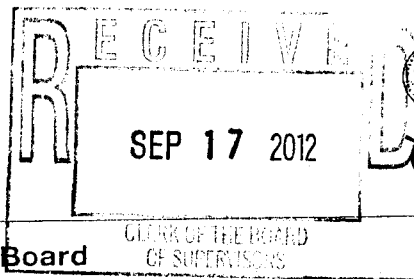
TO ALL AFFECTED AND INTERESTED PARTIES:

This is to provide you with a Notice of Receipt of Petition to list the white shark (*Carcharodon carcharias*) as threatened or endangered under the California Endangered Species Act. This notice will appear in the California Regulatory Notice Register on September 14, 2012.

Sincerely,

  
Sheri Tiemann  
Staff Services Analyst

Attachment



EDMUND G. BROWN, JR.  
GOVERNOR 381-f2  
MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

## CENTRAL VALLEY DIURON TOTAL MAXIMUM DAILY LOAD and BASIN PLAN AMENDMENT

### Notice of California Environmental Quality Act Public Scoping Meeting 30 October 2012

**NOTICE IS HEREBY GIVEN** that staff of the Central Valley Regional Water Quality Control Board ("Central Valley Water Board" or "Board") have scheduled a public meeting to discuss and solicit comments and suggestions regarding a proposal to amend the *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins* (the "Basin Plan") for the control of discharges of the herbicide diuron.

The purpose of this early consultation is to solicit input regarding the range of project actions, alternatives, reasonably foreseeable methods of compliance, significant and cumulative impacts, and potential mitigation measures that the Board will need to analyze in the course of developing the amendment to the Basin Plan. Public comments will assist the Central Valley Water Board in developing the amendment, which may include the establishment of water quality objectives for diuron and an implementation program to achieve those objectives and establishment of total maximum daily loads (TMDLs).

The public meeting will be held at the following date and location:

Tuesday, October 30, 2012, 9:00 a.m.  
Central Valley Regional Water Quality Control Board Office  
11020 Sun Center Drive, Ste. 200  
Rancho Cordova, CA 95670

Written comments are due by November 13, 2012. Please submit comments to Melissa Dudley at [mdudley@waterboards.ca.gov](mailto:mdudley@waterboards.ca.gov) or to the address above.

Although a quorum of Central Valley Water Board members may be present, the Board will not take any action at this meeting. Recipients of this notice are encouraged to inform others who are interested in diuron issues in the Central Valley.

#### WHO SHOULD ATTEND

Growers or their representatives, water district managers, government officials in charge of drainage, storm water, or wastewater management, organizations responsible for maintaining rights-of-way or others that use diuron in their weed control operations, local and state pesticide regulators, pesticide manufacturers, retailers and applicators, environmental groups, environmental justice groups, and other groups or individuals interested in the regulation of pesticide discharges.

BOS CORRESPONDENCE **F**

KARL E. LONGLEY SCD, P.E., CHAIR | PAMELA C. CREEDON P.E., BCCE, EXECUTIVE OFFICER

1685 E Street, Fresno, CA 93706 | [www.waterboards.ca.gov/centralvalley](http://www.waterboards.ca.gov/centralvalley)

#### **AVAILABLE SUPPORTING DOCUMENTS**

Supporting documents will be available on the Central Valley Water Board website at [http://www.waterboards.ca.gov/centralvalley/water\\_issues/tmdl/central\\_valley\\_projects/central\\_valley\\_pesticides/diuron\\_tmdl\\_bpa/index.shtml](http://www.waterboards.ca.gov/centralvalley/water_issues/tmdl/central_valley_projects/central_valley_pesticides/diuron_tmdl_bpa/index.shtml).

You may also receive a paper copy of scoping materials by contacting Melissa Dudley, Central Valley Regional Water Quality Control Board, 11020 Sun Center Drive, Ste. 200, Rancho Cordova, CA 95670; (916) 464-4603; or at [mdudley@waterboards.ca.gov](mailto:mdudley@waterboards.ca.gov). These materials are also available for inspection at the address above during normal business hours.

#### **CALIFORNIA ENVIRONMENTAL QUALITY ACT AND SUBMISSION OF COMMENTS**

The Board's water quality planning program is a certified regulatory program under the California Environmental Quality Act ("CEQA"), which means that the Board prepares and circulates a substitute environmental document or "SED", rather than an environmental impact report, before adopting amendments to the Basin Plan. In the SED, the Board must analyze any potential adverse environmental effects associated with the proposed amendment. This public meeting will help guide the Board's environmental analysis. Oral comments received at the public meetings will be considered when the Board prepares the SED.

#### **CONTACT INFORMATION**

Questions regarding this issue should be directed to Melissa Dudley at (916) 464-4603 or [mdudley@waterboards.ca.gov](mailto:mdudley@waterboards.ca.gov) or to Danny McClure at (916) 464-4751 or [dmcclure@waterboards.ca.gov](mailto:dmcclure@waterboards.ca.gov).

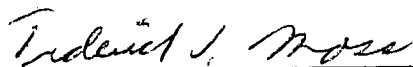
To continue receiving notifications regarding this TMDL and BPA, you must sign up for the electronic mailing list or complete the attached form to receive copies of notifications through the mail.

Persons wishing to subscribe to the electronic mailing list related to this amendment can do so through our website by clicking on the "Subscribe" button on the right side of our webpage at: [http://www.waterboards.ca.gov/resources/email\\_subscriptions/reg5\\_subscribe.shtml](http://www.waterboards.ca.gov/resources/email_subscriptions/reg5_subscribe.shtml)

(NOTE: Check the box titled "**Central Valley Diuron TMDL & Basin Plan Amendment**")

#### **ACCESSIBILITY**

The facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Melissa Dudley at (916) 464-4603 at least 5 working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.



Frederick S. Moss, Assistant Executive Officer

7 September 2012

Central Valley Regional Water Quality Control Board

**CENTRAL VALLEY PYRETHROID PESTICIDES TOTAL MAXIMUM  
DAILY LOAD and BASIN PLAN AMENDMENT**

**Notice of California Environmental Quality Act  
Public Scoping Meeting  
30 October 2012**

**NOTICE IS HEREBY GIVEN** that staff of the Central Valley Regional Water Quality Control Board ("Central Valley Water Board" or "Board") have scheduled a public meeting to discuss and solicit comments and suggestions regarding a proposal to amend the *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins* (the "Basin Plan") for the control of discharges of pyrethroid pesticides.

The purpose of this early consultation is to solicit input regarding the range of project actions, alternatives, reasonably foreseeable methods of compliance, significant and cumulative impacts, and potential mitigation measures that the Board will need to analyze in the course of developing the amendment to the Basin Plan. Public comments will assist the Central Valley Water Board in developing the amendment, which may include the establishment of water quality objectives for pyrethroids and an implementation program to achieve those objectives, and establishment of total maximum daily loads (TMDLs).

The public meeting will be held at the following date and location:

Tuesday, October 30, 2012, 1:00 p.m.  
Central Valley Regional Water Quality Control Board Office  
11020 Sun Center Drive, Ste. 200  
Rancho Cordova, CA 95670

Written comments are due by November 13, 2012. Please send comments to Tessa Fojut at [tfojut@waterboards.ca.gov](mailto:tfojut@waterboards.ca.gov) or the above address.

Although a quorum of Central Valley Water Board members may be present, the Board will not take any action at this meeting. Recipients of this notice are encouraged to inform others who are interested in pyrethroid issues in the Central Valley.

**WHO SHOULD ATTEND**

Growers or their representatives, water district managers, government officials in charge of drainage, storm water, or wastewater management, local and state pesticide regulators, pesticide manufacturers, retailers and applicators, environmental groups, environmental justice groups, and other groups or individuals interested in the regulation of pesticide discharges.

### AVAILABLE SUPPORTING DOCUMENTS

Supporting documents will be available on the Central Valley Water Board website at [http://www.waterboards.ca.gov/centralvalley/water\\_issues/tmdl/central\\_valley\\_projects/central\\_valley\\_pesticides/pyrethorid\\_tmdl\\_bpa/index.shtml](http://www.waterboards.ca.gov/centralvalley/water_issues/tmdl/central_valley_projects/central_valley_pesticides/pyrethorid_tmdl_bpa/index.shtml).

You may also receive a paper copy of scoping materials by contacting Tessa Fojut, Central Valley Regional Water Quality Control Board, 11020 Sun Center Drive, Ste. 200, Rancho Cordova, CA 95670; (916) 464-4691; or at [tfojut@waterboards.ca.gov](mailto:tfojut@waterboards.ca.gov). These materials are also available for inspection at the address above during normal business hours.

### CALIFORNIA ENVIRONMENTAL QUALITY ACT AND SUBMISSION OF COMMENTS

The Board's water quality planning program is a certified regulatory program under the California Environmental Quality Act ("CEQA"), which means that the Board prepares and circulates a substitute environmental document or "SED", rather than an environmental impact report, before adopting amendments to the Basin Plan. In the SED, the Board must analyze any potential adverse environmental effects associated with the proposed amendment. This public meeting will help guide the Board's environmental analysis. Oral comments received at the public meetings will be considered when the Board prepares the SED.

### CONTACT INFORMATION

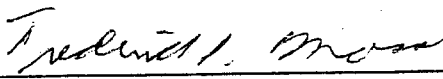
Questions regarding this issue should be directed to Tessa Fojut at (916) 464-4691 or [tfojut@waterboards.ca.gov](mailto:tfojut@waterboards.ca.gov) or to Danny McClure at (916) 464-4751 or [dmcclure@waterboards.ca.gov](mailto:dmcclure@waterboards.ca.gov).

To continue receiving notifications regarding this TMDL and Basin Plan Amendment, you must sign up for the electronic mailing list or complete the attached form to receive copies of notifications through the mail.

Persons wishing to subscribe to the electronic mailing list related to this amendment can do so through our website by clicking on the "Subscribe" button on the right side of our webpage at: [http://www.waterboards.ca.gov/resources/email\\_subscriptions/reg5\\_subscribe.shtml](http://www.waterboards.ca.gov/resources/email_subscriptions/reg5_subscribe.shtml)  
(NOTE: Check the box titled "Central Valley Pyrethroids and Basin Plan Amendment")

### ACCESSIBILITY

The facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Tessa Fojut (916) 464-4691 at least 5 working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

  
Frederick S. Moss, Assistant Executive Officer

7 September 2012



Central Valley Regional Water Quality Control Board

**Evaluation of the Municipal and Domestic Supply Beneficial Use  
(MUN) in Agriculturally Dominated Water Bodies  
Notice of Public Workshops and  
California Environmental Quality Act Public Scoping Meetings  
October/November 2012**

**NOTICE IS HEREBY GIVEN** that staff from the Central Valley Regional Water Quality Control Board (Central Valley Water Board) will hold three public workshops and California Environmental Quality Act (CEQA) scoping meetings to discuss and solicit comments and suggestions from the public regarding a proposal to:

- Evaluate appropriate application of the Municipal and Domestic Supply (MUN) beneficial use in receiving waters of four Publically Owned Treatment Works (POTWs) in the Sacramento River Basin
- Amend the Water Quality Control Plans for the Sacramento River and San Joaquin River Basins and the Tulare Lake Basin (Basin Plans) to incorporate a framework for evaluating the appropriate MUN beneficial use designation as well as water quality objectives and implementation requirements to protect the use in agriculturally (Ag) dominated water bodies.

This MUN beneficial use project is the initial phase of a larger effort to evaluate appropriate protection of all applicable beneficial uses in Ag dominated water bodies.

**BACKGROUND:** By way of the Sources of Drinking Water Policy (Resolution 88-63), the Central Valley Regional Water Quality Control Board Basin Plans (Basin Plans) designate MUN beneficial use to all water bodies unless they are specifically listed in a Basin Plan as water bodies that are not designated with MUN. During permit adoptions for the National Pollution Discharge Elimination System (NPDES) program, there have been challenges to protecting the MUN beneficial use designation in constructed agricultural drains due to the stated exception in Resolution 88-63. The Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS) initiative has also identified the need to evaluate the level of protection of MUN beneficial uses in constructed agricultural drains as well as other agriculturally dominated water bodies. The receiving waters of four POTWs in the cities of Willows, Colusa, Biggs and Live Oak will serve as case studies for the development of a framework to evaluate the appropriate level of MUN beneficial use protection in Ag dominated water bodies. This framework will be expanded upon to include other beneficial uses in later phases of the evaluation.

Preliminary surveys indicate that the MUN beneficial use in the receiving waters of the four POTWs is not an existing use and its protection would require costly measures that are more stringent than required under the Clean Water Act.

Additional information regarding the proposed amendment is available at the Central Valley Water Board's Internet website at:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/salinity/mun\\_beneficial\\_use/index.shtml](http://www.waterboards.ca.gov/centralvalley/water_issues/salinity/mun_beneficial_use/index.shtml)

A staff report describing the project will be available on the website by 28 September 2012. Copies of these documents can also be obtained by contacting or visiting the Central Valley Water Board's office at: 11020 Sun Center Drive, #200, Rancho Cordova, California 95670-6114 weekdays between 8:00 a.m. and 5:00 p.m.

KARL E. LONGLEY ScD, P.E., CHAIR | PAMELA C. CREEDON P.E., BCEE, EXECUTIVE OFFICER

11020 Sun Center Drive #200, Rancho Cordova, CA 95670 | [www.waterboards.ca.gov/centralvalley](http://www.waterboards.ca.gov/centralvalley)

**PUBLIC SCOPING/EARLY CONSULTATION MEETING PURPOSE:** These meetings will provide participants with: (1) Background on previous work conducted evaluating appropriate beneficial uses for agriculturally dominated water bodies and application of the Drinking Water Policy (88-63); (2) an overview of conditions in the four POTW archetype study areas and potential to use case study results as a template for the Central Valley; (3) an opportunity to comment on a methodology for characterizing and defining Ag dominated water body categories; and (4) an opportunity to comment on the appropriate scope and content of the proposed amendments and environmental documents to be prepared pursuant to CEQA (Public Resources Code section 21000 et seq.) and the Central Valley Water Board's certified regulatory program for basin planning (California Code of Regulations, Title 14, section 15251, subdivision (g); and Title 23, section 3775 et seq.).

**Written comments should be submitted to Anne Littlejohn no later than 15 November 2012** (contact information provided below). Written comments and comments provided at the workshops will be reviewed and considered to draft recommendations for basin plan amendments and a draft staff report for Central Valley Water Board consideration in 2014. All comments will be included in the final administrative record.

**CEQA SCOPING MEETING TIMES AND LOCATIONS:**

**WILLOWS**

Wednesday October 24, 2012, 10:00 a.m.  
City of Willows Council Chambers  
201 North Lassen Street  
Willows, CA 95988

**RANCHO CORDOVA**

Friday November 2, 2012, 10:00 a.m.  
Central Valley Regional Water Board  
11020 Sun Center Drive, St. 200, Board Room  
Rancho Cordova, CA 95670

**TULARE LAKE BASIN**

Wednesday November 7, 2012, 10:00 a.m.  
(A Fresno or Visalia location will be confirmed  
at least two weeks prior to meeting date – please  
contact Anne Littlejohn at (916) 464-4840 for directions)

The facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Anne Littlejohn at (916) 464-4840 at least 5 working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

**CONTACT INFORMATION**

Questions regarding this issue should be directed to Anne Littlejohn at (916) 464-4840 or [alittlejohn@waterboards.ca.gov](mailto:alittlejohn@waterboards.ca.gov). To continue receiving notifications regarding this basin plan amendment, you must subscribe to the "Beneficial Uses of Agriculturally Dominated Water Bodies" mailing list through our webpage at: [http://www.waterboards.ca.gov/resources/email\\_subscriptions/reg5\\_subscribe.shtml](http://www.waterboards.ca.gov/resources/email_subscriptions/reg5_subscribe.shtml) or complete the attached form and return it to:

Betty Yee  
California Regional Water Quality Control Board  
Central Valley Region  
11020 Sun Center Drive, #200  
Rancho Cordova, CA 95670

Please bring the above information to the attention of anyone you know who would be interested in the matter.

  
Frederick Moss, Assistant Executive Officer

7 September 2012

## Central Valley Regional Water Quality Control Board

### Notice of Public Workshops

concerning

The 2013 Joint Triennial Review of the Water Quality Control Plans for the  
Sacramento River and San Joaquin River Basins  
and the  
Tulare Lake Basin

The Central Valley Regional Water Quality Control Board (Central Valley Water Board) is beginning the process of reviewing its Water Quality Control Plans for the Sacramento River and San Joaquin River Basins and for the Tulare Lake Basin (Basin Plans). The Basin Plans cover all the watersheds of the Central Valley from the Oregon state border to the northern tip of Los Angeles County. The Basin Plans identify beneficial uses of surface water and groundwater, establish water quality objectives to protect beneficial uses, and describe an implementation plan to achieve water quality objectives.

The Central Valley Water Board will hold two public workshops to receive comments on basin plan elements that may need amendment. The purpose of the triennial review is to identify high priority basin planning issues that the Central Valley Water Board will direct basin planning efforts over the next three years. Amendments to the basin plan may occur as a result of the triennial review priorities but are not part of the triennial review process. The triennial review process does not include consideration of waste discharge requirements, waivers of waste discharge requirements, National Pollutant Discharge Elimination System permits, or other regulatory matters.

The public workshops will be held before the Central Valley Water Board. No action will be taken on the triennial review during these workshops; however, the Central Valley Water Board may provide direction to staff. Time limits may be imposed on interested persons. The public workshops are scheduled as follows:

Date: 24 October 2012  
Time: 1:00 pm  
Place: Central Valley Water Board office  
1685 E Street  
Fresno, CA 93706

Date: 6/7 December 2012 (please contact  
the Regional Water Board office  
two weeks prior to the meeting for  
the exact date)  
Time: 8:30 am  
Place: Central Valley Water Board office  
11020 Sun Center Drive, Suite 200  
Rancho Cordova, CA 95670

The workshop facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Ms. Betty Yee at (916) 464-4643 at least 5 working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

In order to have comments summarized by staff during the public workshop, the public is encouraged to submit written comments by **10 October 2012** on basin planning issues for the Central Valley Water Board to consider in this triennial review. Comments should be submitted to Betty Yee, Regional Water Quality Control Board, Central Valley Region, 11020 Sun Center Drive, #200, Rancho Cordova, CA 95670 or to Bethany Soto, Regional Water Quality Control Board, Central Valley Region, 1685 E Street, Fresno, CA 93706. In the comments, please provide a detailed description of the issue, a brief statement of reasons for the addition or deletion of an issue, and recommendation on the priority that should be given to that particular issue. At the workshops, interested persons will be provided the opportunity to present oral comments to the Central Valley Water Board. Comments on either Basin Plan may be presented at either workshop.

Following the workshops, staff will review oral and written comments and prepare final recommendations in work plans for Central Valley Water Board consideration at a future public hearing. Staff will identify which issues are expected to be addressed in the next three years with existing resources and which require additional resources. The work plans will be available for comments prior to the hearing.

Additional information regarding the triennial review is available in PDF format from the Central Valley Water Board's Internet website at:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/triennialreviews.shtml](http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/triennialreviews.shtml)

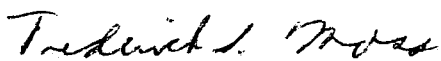
Copies of this document can also be obtained by contacting or visiting the Central Valley Water Board's office at 11020 Sun Center Drive, #200, Rancho Cordova, California 95670-6114 or 1685 E Street, Fresno, California 93706 weekdays between 8:00 a.m. and 5:00 p.m. Questions regarding this triennial review should be directed to Betty Yee at (916) 464-4643 or [byee@waterboards.ca.gov](mailto:byee@waterboards.ca.gov) or to Bethany Soto at (559) 445-6077 or [bsoto@waterboards.ca.gov](mailto:bsoto@waterboards.ca.gov). Persons wishing to subscribe to the electronic mailing list can do so through our website by clicking on the "Subscribe" button on the right side of our webpage at:


[http://www.waterboards.ca.gov/resources/email\\_subscriptions/reg5\\_subscribe.shtml](http://www.waterboards.ca.gov/resources/email_subscriptions/reg5_subscribe.shtml)

Check either or both of the boxes titled "Basin Plan Triennial Review for the Sacramento & San Joaquin River Basins" and "Basin Plan Triennial Review for the Tulare Lake Basin."

If you have already signed up for the mailing list in the past, you need not sign up a second time. All future information and notifications pertaining to this triennial review will be provided electronically through this subscription service, and to those interested parties who have requested notification via US mail.

Please bring the above information to the attention of anyone you know who would be interested in this matter.



 Kenneth D. Landau, Assistant Executive Officer

7 September 2012

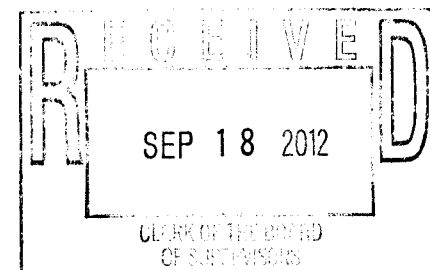
## DEPARTMENT OF FISH AND GAME

**WILDLIFE CONSERVATION BOARD**

1807 13<sup>TH</sup> STREET, SUITE 103  
 SACRAMENTO, CALIFORNIA 95811  
 (916) 445-8448  
 FAX (916) 323-0280  
[www.wcb.ca.gov](http://www.wcb.ca.gov)

State of California  
 Natural Resources Agency  
 Department of Fish and Game  
**WILDLIFE CONSERVATION BOARD**

Minutes  
 May 31, 2012



**COPY OF REFERENCED  
 DOCUMENT ON FILE WITH  
 CLERK OF THE BOARD**

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