

# 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.

**APRIL 26, 2016**

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

**9:25 A.M. HUMAN SERVICES COMMITTEE – Supervisors Griego and Fletcher, Alternate Supervisor Nicoletti**

(169-0416) Consider Request for Proposals to solicit proposals for detoxification and residential substance abuse treatment services - Health and Human Services. (Ten minute estimate)

**9:28 A.M. YUBA COUNTY PUBLIC FACILITIES CORPORATION**

- A. ROLL CALL: Directors Vasquez, Nicoletti, Griego, Abe, Fletcher
- B. ELECTION OF OFFICERS: President-Chief Executive Officer; Secretary; Chief Financial Officer
- C. Approve minutes of the meeting of April 28, 2015.
- D. ADJOURN

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

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

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

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

**A. Health and Human Services**

- 1. (171-0416) Authorize request for proposals to solicit proposals for individuals and/or organizations to complete a Community Health Assessment and Community Health Improvement Plan. (Human Services Committee recommends approval)
- 2. (172-0416) Adopt resolution to authorize Health and Human Services Director to accept and appropriate grant funds from First 5 Yuba, and execute related agreements and other pertinent documents.

**B. Emergency Services**

- 1. (170-0416) Adopt resolution proclaiming the existence of ongoing local drought emergency in Yuba County pursuant to Government Code 8630.

**C. Human Resources**

- 1. (173-0416) Adopt resolution of intention to amend CalPERS contract cost sharing provision to pension costs sharing of .37% for Yuba County Employees Association and Non-Represented members; and 1% for Deputy

District Attorney Association members; and authorize the Clerk of the Board of Supervisors to complete Certification of Final Action of Governing Board.

D. Sheriff-Coroner

1. (174-0426) Approve agreement with U.S. Forest Service to provide campground patrols on U. S. forest land, and authorize Chair to execute.

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

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

- A. (161-0416) Ordinance - Hold public hearing, waive reading and adopt ordinance repealing and re-enacting certain Chapters of Title 13 of the Yuba County Consolidated Fee Ordinance regarding departmental fees. (Second Reading) (Finance and Administration Committee recommends approval) (Ten minute estimate) (Roll Call Vote)
- B. (175-0416) Public Hearing- Hold public hearing to consider proposed change to assessments for County Service Area No. 14, absent a majority protest, adopt resolution to establish assessments to take effect on July 1, 2016. (Roll Call Vote) (Fifteen minute estimate)

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

- A. (176-0416) Financial Statements for Three Rivers Levee Improvement Authority for year ended June 30, 2015.

VII. **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.

VIII. **CLOSED SESSION**

- A. Personnel pursuant to Government Code 54957.6(a) - Labor Negotiations DSA/MSA/YCPOA/County of Yuba Negotiating Parties: Abel

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

**1:30 P.M.** **COST ACCOUNTING HEARINGS** – If a party to a hearing before the Yuba County Board of Supervisors seeks to challenge in court a decision of the Board, pursuant to Yuba County Ordinance Code §1.16.070 and California Code of Civil Procedure §1094.6, any application for judicial review of such decision must be filed in the appropriate court not later than the 90th day following the date on which the Board decision was made.

1. (149-0416) Hold Hearing and adopt findings of facts, conclusions of law and orders authorizing the assessment of administrative and abatement costs and penalties in the amount of \$9,439.94 and the recording of a lien regarding 6482 Marysville Road, Browns Valley, CA 95918, Dustin Parsons. (Roll call vote) (Ten minutes)
2. (150-0416) Hold Hearing and adopt findings of facts, conclusions of law and orders authorizing the assessment of administrative and abatement costs and penalties in the amount of \$15,871.28 and the recording of a lien regarding 9248 Spring Valley Road, Marysville, CA 95901, Charles M. and Maurine L. Harrold,. (Roll call vote) (Ten minutes)
3. (151-0416) Hold Hearing and adopt findings of facts, conclusions of law and orders authorizing the assessment of administrative and abatement costs and penalties in the amount of \$18,015.46, and the recording of a lien regarding

15314 Burch Lane, Brownsville, CA 95919, Angela D. Stroming, Austin T. Stroming and William B. Stonecipher. (Roll call vote) (Ten minutes)

4. (153-0416) Hold Hearing and adopt findings of facts, conclusions of law and orders authorizing the assessment of administrative and abatement costs and penalties in the amount of \$105,441.41 and the recording of a lien regarding 1791 East Eleventh Avenue, Olivehurst, CA 95961, owned by Diane Stanaland. (Roll call vote) (Ten minutes)
5. (154-0416) Hold Hearing and adopt findings of facts, conclusions of law and orders authorizing the assessment of administrative and abatement costs and penalties in the amount of \$462,954.42 and the recording of a lien regarding 9943 Camper Lane, Brownsville, CA 95919, Rufus M. and AE Sun Monts. (Roll call vote) (Ten minutes)

IX. **ADJOURN**

**4/29/2016**      **TRI-COUNTY OVERSIGHT COMMITTEE**  
**8:30 A.M.**      Wheatland Room, 915 8th Street,  
Marysville, CA 95901

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

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# The County of Yuba

## HEALTH & HUMAN SERVICES DEPARTMENT

**Jennifer Vasquez, Director**

5730 Packard Ave., Suite 100, P.O. Box 2320, Marysville, California 95901  
Phone: (530) 749-6311 FAX: (530) 749-6281



169-0416

**Nichole Quick, MD, MPH**  
Health Officer  
Phone: (530) 749-6366

**TO:** Human Services Committee  
Yuba County

**FROM:** *J. Vasquez PM*  
Jennifer Vasquez, Director  
Tracy Bryan, Program Manager  
Pam Morasch, Deputy Director  
Health & Human Services Department

**DATE:** April 26, 2016

**SUBJECT:** Board of Supervisors Authorization to Solicit Proposals for Residential Substance Use Treatment Services

**RECOMMENDATION:** It is recommended that the Board of Supervisors authorize the Health and Human Services Department (HHSD) to solicit proposals for detoxification treatment services and/or substance use residential services to adults of the Child Welfare Services (CWS) and Employment Services programs.

**BACKGROUND:** The county is required to provide residential substance use treatment services to adults of the CWS and Employment Services programs. The county has been contracting for several years with various licensed professionals/facilities to provide the required residential substance use treatment services to children and families dealing with individual and family issues. Those contracts are due to expire on June 30, 2016.

**DISCUSSION:** Pursuant to Section 2.0(b) of the County Purchasing and Contract Policy Manual, the county is required to solicit competitive proposals for contracts in the amount of \$15,000.00 or more. To meet the contracting requirements, HHSD will solicit proposals from interested and qualified licensed professionals to provide detoxification treatment services and/or substance use residential services to the adults of CWS and Employment Services to strengthen families and support the reunification process.

**FISCAL IMPACT:** Approval of this authorization will not impact County General Funds. The administrative responsibilities of the Department are mandated by State and Federal laws and are funded with State and Federal dollars.

COUNTY OF YUBA  
HEALTH AND HUMAN SERVICES DEPARTMENT  
REQUEST FOR PROPOSAL

***Substance Abuse Residential Treatment Services***



**PROPOSAL CLOSING DATE:**

**Wednesday, June 15, 2016  
at 4:00pm (PST)**

**NOTE:** It is the applicant's responsibility to check the County solicitation Website, see address below, or to contact the RFP point-of-contact identified in the RFP for any addenda issued to this RFP. The County shall not be responsible for any incomplete proposal submitted as a result of missing addenda, attachments or other information regarding the RFP.

<http://www.co.yuba.ca.us/departments/admin%20services/purchasing%20solicitaions.aspx>

APPROVED BY: \_\_\_\_\_ FORM

ANGIL B. ADAMS-JONES

COUNTY COUNSEL

BY: \_\_\_\_\_

A handwritten signature in black ink, appearing to read "Angil B. Adams-Jones", is written over the line for the County Counsel's signature.

MINUTES OF THE REGULAR MEETING OF  
THE COUNTY OF YUBA  
PUBLIC FACILITIES CORPORATION  
APRIL 28, 2015

The Honorable Board of Directors of the Yuba County Public Facilities Corporation met in regular session on the above date, commencing at 09:57 a.m., within the Government Center, Marysville, California, with a quorum being present as follows: Directors Andy Vasquez, John Nicoletti, Mary Jane Griego, Roger Abe, and Randy Fletcher. Also present were County Administrator Robert Bendorf and County Counsel Angil Morris-Jones.

A. ROLL CALL: Directors Vasquez, Nicoletti, Griego, Abe, Fletcher

B. ELECTION OF OFFICERS:

MOTION: Move to appoint Roger Abe President-Chief Executive Officer; John Nicoletti Chief Financial Officer, Mary Jane Griego Secretary

MOVED: Mary Jane Griego SECOND: Randy Fletcher

AYES: Mary Jane Griego, Randy Fletcher, Andy Vasquez, John Nicoletti, Roger Abe

NOES: None ABSENT: None ABSTAIN: None

C. Approve minutes of the meeting of April 22, 2014, and January 27, 2015.

MOTION: Move to approve MOVED: John Nicoletti SECOND: Mary Jane Griego

AYES: John Nicoletti, Mary Jane Griego, Andy Vasquez, Roger Abe, Randy Fletcher

NOES: None ABSENT: None ABSTAIN: None

D. ADJOURN: 9:58 a.m.

\_\_\_\_\_  
Roger Abe, President

ATTEST:  
SECRETARY OF THE COUNTY OF YUBA  
PUBLIC FACILITIES CORPORATION

\_\_\_\_\_  
Mary Jane Griego

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

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# The County of Yuba

## HEALTH & HUMAN SERVICES DEPARTMENT

**Jennifer Vasquez, Director**

5730 Packard Ave., Suite 100, P.O. Box 2320, Marysville, California 95901  
Phone: (530) 749-6311 FAX: (530) 749-6281



(171-0416) Autho... - 1 of 36

**Nichole Quick, MD, MPH**  
Health Officer  
Phone: (530) 749-6366

**TO:** Board of Supervisors  
Yuba County

**FROM:** Jennifer Vasquez, Director  
Homer Rice, Health Administrator  
Health & Human Services Department

**DATE:** April 26, 2016

**SUBJECT:** Board of Supervisors Authorization to Solicit Proposals for Individuals and/or Organizations to Complete a Community Health Assessment (CHA) and Community Health Improvement Plan (CHIP)

**RECOMMENDATION:** It is recommended that the Board of Supervisors authorize the Health and Human Services Department (HHSD), Public Health Division, to solicit proposals to conduct a baseline comprehensive Community Health Assessment (CHA) and to develop a Community Health Improvement Plan (CHIP).

**BACKGROUND:** The Public Health Division is pursuing public health department accreditation through the Public Health Accreditation Board. Initial requirements of accreditation include the development of a CHA and a CHIP. HHSD will be soliciting proposals from qualified individuals and/or organizations to conduct a baseline county-wide community based health assessment and thereafter to develop a community health improvement plan.

**DISCUSSION:** The selected bidder will use the National Association of County and City Health Officials' (NACCHO's) Mobilizing for Action through Planning and Partnerships (MAPP) model. Using this model the selected bidder will manage the implementation of this process and development of these documents while working closely with Yuba County Public Health. The primary goal of this process is to incorporate community feedback into the County's CHA and CHIP, prerequisite documents in applying for Public Health Department Accreditation.

**COMMITTEE:** The Human Services Committee recommended approval on April 19, 2016.

**FISCAL IMPACT:** Approval of this authorization will not impact County General Funds.

COUNTY OF YUBA  
HEALTH AND HUMAN SERVICES DEPARTMENT  
REQUEST FOR PROPOSAL

COMPREHENSIVE COMMUNITY HEALTH ASSESSMENT AND  
COMMUNITY HEALTH IMPROVEMENT PLAN  
CONSULTANT – MAPP PROJECT



**PROPOSAL CLOSING DATE:**

**Friday, May 27, 2016  
at 4:00pm (PST)**

**NOTE:** It is the applicant's responsibility to check the County solicitation Website, see address below, or to contact the RFP point-of-contact identified in the RFP for any addenda issued to this RFP. The County shall not be responsible for any incomplete proposal submitted as a result of missing addenda, attachments, or other information regarding the RFP.

<http://www.co.yuba.ca.us/departments/admin%20services/purchasing%20solicitations.aspx>.

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## RFP APPLICATION SUBMISSION CHECKLIST

**All items are required. This checklist is provided to assist you in ensuring you submit a complete proposal (Item Numbers 1- 9 below). A bidder may be disqualified and the proposal rejected for incomplete information or missing documents.**

### **Proposal Response Item Numbers**

1. \_\_\_\_\_ Signature Page
2. \_\_\_\_\_ Table of Contents
3. \_\_\_\_\_ Executive Summary
4. \_\_\_\_\_ Statement of Experience
5. \_\_\_\_\_ Bidder's Qualifications and Project Narrative
6. \_\_\_\_\_ Itemized Budget
7. \_\_\_\_\_ Financial Information
8. \_\_\_\_\_ Proof of Insurance Coverage (Section III.5. j – Qualifications)
9. \_\_\_\_\_ Board Resolution (if applicable) (Section III.5.k – Qualifications)

Submit all bid-documents to **Cyndi Journagan**, 5730 Packard Avenue, Suite 100, Marysville, CA 95901, **no later than 4:00 p.m. on Friday, May 27, 2016**



## **INTRODUCTION**

The Yuba County Health and Human Services Department, Public Health Division is soliciting proposals to conduct a baseline comprehensive Community Health Assessment (CHA) and to develop a Community Health Improvement Plan (CHIP). The selected bidder will use the National Association of County and City Health Officials' (NACCHO's) Mobilizing for Action through Planning and Partnerships (MAPP) model. Using this model the selected bidder will manage the implementation of this process and development of these documents while working closely with Yuba County Public Health.

The primary goal of this process is to incorporate community feedback into the County's CHA and CHIP, prerequisite documents in applying for Public Health Department Accreditation.

This RFP outlines the scope of services, information necessary to understand the competitive selection process, and the required documentation necessary for the submission of proposals. Please review the document carefully to ensure you are familiar with the County's requirements.

We are seeking a proposal to conduct a county-wide community based assessment and planning process that includes:

1. Vision Sessions
2. Four assessments combined into a comprehensive CHA (for details see Attachment 2):
  - a. Community Strengths and Themes
  - b. Community Health Status
  - c. Local Public Health System
  - d. Forces of Change
3. Identifying Strategic Issues
4. Formulating Goals and Strategies
5. CHIP – a community driven strategic plan (for details see Attachment 3)
6. Meeting requirements for Public Health Accreditation – CHA & CHIP as delineated by the Public Health Accreditation Board
7. Maintaining adequate files and data

MAPP is a method to help communities prioritize public health issues, identify resources for addressing them, and take action. Our goal is to create a report containing the details of each step of the MAPP process and to provide a comprehensive CHA and CHIP.

## **BACKGROUND INFORMATION**

### **Yuba County**

Yuba County is located in the Northern Sacramento Valley, approximately 40 miles north of the State Capitol, Sacramento. The boundaries stretch from the farms and orchards of the valley to the timberlands of the Sierras. Yuba County Public Health serves residents living in the two incorporated cities of Marysville and Wheatland, 12 unincorporated communities, and on the Air Force Base housed within the county.

With an estimated population of 73,966, Yuba County has a diverse population that includes 50.8% male and 49.2% female with a racial composition of 79.4% White, 7.3% Asian, 4% Black, 3% American Indian, and 0.5% Native Hawaiian and other Pacific Islander. The County Public Health serves as the local health jurisdiction providing essential programs and services to help protect and improve the health of the county's five districts. Yuba County has unique health needs, related to its population demographics, including high rates of poverty and low educational attainment.

Statement of Commitment — we are dedicated to providing responsive, innovative and sustainable services that enhance the quality of life and uphold the public trust and interest.

### **Public Health Accreditation**

Yuba County Public Health Division is pursuing public health department accreditation through the Public Health Accreditation Board (PHAB). Accreditation includes internal and external processes that enhance Public Health's ability to identify community health issues, identify vulnerable populations, and prioritize health priorities. Initial requirements of accreditation include the development of a Community Health Assessment and a Community Health Improvement Plan. The accreditation process provides a means for public health departments to identify performance management opportunities, enhance management, develop leadership, and strengthen relationships with members of the community. Accreditation through PHAB consists of adoption of a set of standards, a process to measure health department performance against those standards, and recognition for those departments that meet the standards.

For more information related to PHAB, visit their website at <http://www.phaboard.org/>

CHA and CHIP definitions, as provided by PHAB are as follows:

### **Community Health Assessment (CHA)**

- Purpose is to learn about the health status of the population the health entity serves.
- Describes the health status of the population, identifies areas for improvement, determines factors that contribute to health issues, and identifies assets and resources that can be mobilized to address population health improvement.
- Is developed through a participatory, collaborative process with various sectors of the community (See Attachment 2 for a CHA detailed requirements list)

### **Community Health Improvement Plan (CHIP)**

- Purpose is to describe how the health department and the community will work together to improve the health of the population that it serves.
- Based on the CHA.
- Community-driven with participation of public health system partners and process to set priorities.
- More comprehensive than roles and responsibilities of health department alone; includes community partners' roles and responsibilities. (See Attachment 3 for a CHIP detailed requirements list)

## I. SCOPE OF WORK

In order to accomplish the stated objectives, the selected bidder will be expected to complete several activities, outlined below:

1. Meeting Planning
  - A. Plan community meetings and develop materials in conjunction with Public Health Department Staff. Community meetings will:
    - i. Be at geographically variant locations (the five supervisorial districts)
    - ii. Vary in number of participants.
  - B. Make logistical arrangements (locations, times, food, participation incentives, etc.)
    - i. Arrangements include attaining resources to offer translation services at all community meetings in Spanish and Hmong at a minimum
2. Facilitation of Community Meetings
  - A. Presentation of pre-identified health or environmental concerns
    - i. Creation of infographic materials in formats that include but are not limited to:
      1. Handouts
      2. Posters
      3. Electronic
  - B. Facilitate health issue prioritization process
    - i. Assist community members in identifying most important health issues amongst presented health concerns
    - ii. Follow MAPP general guidelines available here: <http://www.naccho.org/topics/infrastructure/mapp/>, or similar community engagement guidelines
    - iii. Flexible facilitation method to stimulate community engagement
  - C. Provide short surveys to be completed by participants at the meetings
3. Community Engagement/Marketing
  - A. Advertise community meetings to encourage robust participation
    - i. Creation of marketing materials and organizing participation incentives, when applicable
  - B. Marketing materials available in formats used for:
    - i. Soliciting information from community members during existing community events (e.g. fairs, farmer's markets)
    - ii. Engaging people in passing

- iii. Accommodating different languages through translation, Spanish and Hmong at a minimum.
- 4. Reporting
  - A. Create detailed timelines for MAPP process and delivery of CHA and CHIP outcomes
  - B. Summary of prioritization process and ranked list of health/ environment outcomes
    - i. Summary is well-defined and transparent
  - C. Delivery of final report summarizing:
    - i. Facilitation process used
    - ii. Brief summaries of meetings
    - iii. Priorities identified at each meeting
    - iv. Any regional or demographic differences in identified priorities
- 5. Deliverables include:
  - A. Overall coordination and project management of the MAPP process including monitoring timelines and providing direction to the MAPP Committee. (See Attachment 4 for a draft anticipated timeline for the MAPP process.)
  - B. Facilitation of focus groups and committees for: visioning sessions; assessments; strategic issues; and goals and strategies.
  - C. Identify reliable existing data sources, development of quality primary data, data collection and conduct data analysis, and Public Health System partner identification and engagement in alignment with all Public Health Accreditation Board (PHAB) Domain 1, Standards 1.1 through 1.4 and Domain 5, Standard 5.2, Measure 5.2.1 through 5.2.4.
  - D. An Executive Summary report outlining the health issues and priorities identified for Yuba County through the MAPP process that can be distributed to key stakeholders and decision makers.
  - E. A one-page overview that can be distributed for educational purposes.
  - F. A detailed report of how the MAPP process was implemented and progressed in Yuba County.
  - G. A comprehensive written report on the results of the four assessments (CHA).
  - H. A written Community Health Improvement Plan (CHIP).
  - I. Identify strategic issues; formulate goals and strategies as a foundation for a Department Strategic Plan (DSP) in a short summary.
  - J. Electronic copies of all written reports and all original data shall be submitted in PDF format.
  - K. An electronic copy of the CHA & CHIP in a reusable document format.
  - L. Copy of all the original data, agendas, and meeting notes/summaries.

## II. RFP TIMELINE

The following timeline represents the County's best estimate of the schedule that will be followed. Unless otherwise specified, the time of day for the following events will be between **8:00 a.m. and 4:00 p.m., Pacific Standard Time (PST)**.

EVENT	TIME	DATE	DAY
RFP Issued		April 27, 2016	Wednesday
Written Questions/Comments Due	4:00 p.m.	<b>May 6, 2016</b>	<b>Friday</b>
Addenda Issued/Posted		<b>May 13, 2016</b>	<b>Friday</b>
<b>Response Submission Deadline</b>	4:00 p.m.	<b><u>May 27, 2016</u></b>	<b>Friday</b>
<i>No response will be accepted after this date and time.</i>			
Evaluation Process begins		May 31, 2016	Tuesday
Notice of Intent to Award Protest/Appeal period begins		June 6, 2016	Monday
<b>Deadline to submit Protest/Appeal letters</b>	4:00 p.m.	<b>June 13, 2016</b>	<b>Monday</b>
Board of Supervisor's approval and authorization to award contract(s) is tentatively scheduled for the June 28, 2016, Board of Supervisor's agenda			

### 1. **SUBMISSION OF PROPOSAL**

It is the bidder's responsibility to check the County solicitation Website (see address below) or to contact the RFP point-of-contact identified in the RFP for any addenda issued to this RFP. The County shall not be responsible for any incomplete proposal submitted as a result of missing addenda, attachments or other information regarding the RFP.

The County's website will be the official notification posting place of all Amendments and Addenda's to the RFP. Go to:

<http://www.co.yuba.ca.us/departments/admin%20services/purchasing%20solicitations.aspx>.

One (1) original signature page (Attachment 1), wet-signed in blue ink and five (5) complete copies of the bid packet must be received and date stamped by County no later than **4:00 p.m. (PST) on May 27, 2016**. Faxed proposals will not be accepted.

Proposals must be in sealed envelopes and clearly labeled: **Comprehensive CHA & CHIP – MAPP Project** on the outside and delivered to the Main reception area at:

Yuba County Health and Human Services Department  
Attn: **Cyndi Journagan** Finance & Administrative Supervisor  
5730 Packard Avenue, Suite 100  
Marysville, California

It is the bidder's responsibility to assure that its proposal is delivered and received at the location specified herein, on or before the date and hour set. **Proposals received after the specified date and time will NOT be considered.**

### III. PROPOSAL RESPONSE

Proposals must include the information that is specifically requested herein as well as additional information the Applicant deems relevant to the process. Additional information may be provided but should be succinct and relevant to the goals of this RFP. Proposals must be developed in accordance with the described format.

**FORMAT:** All documents must be submitted in PDF format, and meet the following formatting requirements:

8.5" x 11" paper, 1" margins, 12 pt. font, double-spaced. Submit narratives as indicated below identifying each segment by corresponding number in addressing the following components. (The number of pages noted does not include requested attachments, i.e., Application, Attachments, Proof of Insurance, Board Resolution, Letters of Support, licenses/certificates, etc.) Proposals that deviate from this format *will not* be considered.

The proposal should include components in the order described below. Use forms where provided. A proposal lacking any of the following information may be deemed non-responsive:

#### 1. **Signature Page**

Bidder must complete and return the enclosed Signature Page (**Attachment 1** – "SIGNATURE PAGE"). The Signature Page must be signed in blue ink by the officer or officers legally authorized to submit the proposal and thereby commit the agency to the obligations contained in the RFP response. Further, the signing and submission of a response shall indicate the intention of the Applicant to adhere to the provisions described in this RFP and a commitment to enter into a binding contract.

#### 2. **Table of Contents**

The Table of Contents must be a comprehensive listing of the contents included in your proposal. This section must include a clear definition of the material, exhibits, and supplemental information identified by sequential page numbers and by section reference number.

#### 3. **Executive Summary (no longer than 1 page)**

The Executive Summary shall condense and highlight the contents of the bidder's Business Proposal to provide the Evaluation Committee with a broad understanding of the bidder's overall approach, qualification, years in business, experience, anticipated outcomes, deliverables and staffing.

#### 4. **Statement of Experience (no longer than 1 page)**

Provide a summary of your experience in providing services described in the Scope of Work. Include the number of years of experience providing equivalent or related services. (Elaborate on these services provided under Section III.6)



## 5. Bidder's Qualifications and Project Narrative

The County seeks an agency that can demonstrate the following skills, abilities, and qualifications:

- a. Documented ability to perform strategic planning and conduct collaborative Community Health Assessments (CHAs) and develop Community Health Improvement Plans (CHIPs)
- b. Sample of previous work
- c. Experience in applying objective methods of public health priority setting
- d. Demonstrated competency and ability to facilitate meetings of varying sizes, involving participants from a wide variety of backgrounds, cultures, languages and disciplines, oral, and written communication
- e. Ability to design and deliver presentations and to deliver curricula with sensitivity to learner characteristics
- f. Methodology – how will you accomplish this task?
- g. Timeline to meet targeted goals (see **Attachment 4** for a draft anticipated timeline). A demonstrated ability to meet both internal and external deadlines.
- h. Scope of Work
- i. Anticipated challenges and how to address them
- j. Proof of Insurance Coverage: Provide proof of required insurance
- k. Board Resolution (*if applicable*): For 501(c)3 agency's, a copy of the applicant's governing Board Resolution authorizing the submission of the proposal with evidence of 501(c) (3), including Employer ID Number, must be submitted as an attachment. If the Resolution is not available, a letter stating the date it will be available must be attached.

**6. Itemized Budget (no longer than 2 pages)**

The budget should assign costs to objectives using a quarterly timeline. Provide a brief budget narrative detailing all expense components that make up total operating expenses. In the budget narrative, describe all administrative costs and efforts to minimize use of projects funds for administrative and overhead expenses. No project funds shall be used for administrative and/or overhead costs not directly attributed to the project.

Proposed budget should reflect a reasonable approach to funding proposed deliverables. Furthermore, the proposed budget should be prepared in a manner to best demonstrate cost effectiveness.

The County reserves the right to change funding for contracts if the funding allocations change from estimated levels.

**7. Financial Information**

The bidder shall provide copies of its three most recent and comparable contracts, the total bid amounts proposed, and final budgets for each of those contracts. Financial information will be kept confidential if so stamped on each page.

The County may request additional information the County determines is necessary for an accurate determination of the applicant's qualifications to perform services.

#### IV. EVALUATION CRITERIA

The contract, if awarded, will be awarded to the Applicant(s) whose proposal is considered the *best value* to the County as interpreted by the County. Proposals that fail to meet all requirements will be deemed incomplete and will not be considered. Incomplete proposals include those that fail to submit all outlined required documents and attachments and those that fail to meet the format requirements. Best value will be determined based on the following evaluation criteria and point value:

- 1. Project Qualifications (65 points total)**
  - a. Experience and qualifications of bidder
    1. Objective methods for health priority setting **15 points**
    2. Bidder demonstrated ability to conduct CHA/CHIP **15 points**
    3. Sample of previous work **5 points**
  - b. Meeting design and implementation
    1. Logistical ability **10 points**
    2. Marketing ability **10 points**
    3. Presentation design **10 points**
- 2. Project Narrative (25 points total)**
  - a. Proposed process methodology and scope of work **15 points**
  - b. Timeline **5 points**
  - c. Plan to overcome potential barriers **5 points**
- 3. Budget (10 points total)**
  - a. Itemized budget **5 points**
  - b. Budget narrative **5 points**

## V. THE RFP SELECTION PROCESS

Following the bid opening and after the total bid amounts have been recorded:

- Proposals will be reviewed by an Accreditation Documentation Specialist for completeness and adherence to RFP instructions. The proposals that meet the submission requests will be evaluated and scored by an Evaluation/Review Committee. The Committee may require interviews during scoring to discuss proposals.
- Submissions which are deemed incomplete may be eliminated as not being responsive. Responsiveness means an Applicant has submitted a proposal that conforms to the solicitation documents in all material aspects.

A "Responsible Contractor/Applicant" shall mean an Applicant who has the capability, in all respects, to fully perform the contract requirements and the moral and business integrity and reliability that will assure good faith performance. Qualifications, interview, experience, and financial stability may all be taken into consideration.

- The County reserves the right to award a contract to the applicant(s) that present(s) the best qualifications and whose proposal best accomplishes the desired results.
- Upon recommendation by the evaluation/review committee and approval by the Board of Supervisors, qualified Applicant(s) will be selected to provide services to Yuba County upon contract commencement date through June 30, 2017. At the County's discretion, the contracts may be renewed for additional terms based on the availability of funding and contractor's performance.

Applicant(s) shall agree to and sign a contract with the County; final terms of the contract will be negotiated with the selected Applicant(s) and incorporated in the contract. Contracts awarded will contain at least, but shall not be limited to, the provisions outlined in the Agreement for Comprehensive CHA & CHIP Consultant – MAPP Project. A sample contract can be viewed at:

<http://www.co.yuba.ca.us/departments/admin%20services/purchasing%20solicitations.aspx>

- The County will notify all bidders whether or not they are selected for the subject services.
- It is the County's preference to promote employment and business opportunities for local residents and firms on all contracts and give preference to local residents, workers, businesses, and consultants to the extent consistent with the law and interests of the public.

## VI. COUNTY NOTICES

### 1. **County Contact**

Any questions related to this RFP should be directed to the County contact person by email: [HHSD\\_RFPquestions@co.yuba.ca.us](mailto:HHSD_RFPquestions@co.yuba.ca.us)

All communications during this process should be directed to the appropriate County contact listed above. Any applicant that makes any effort to communicate with any elected or appointed officials of Yuba County, either directly or indirectly, during this process will be EXCLUDED from consideration.

### 2. **Subcontracting**

Any bidder using a subcontractor(s) must clearly explain the use of the subcontractor(s) and list the name(s) of the subcontractor(s) providing work under this proposal. The selected bidder will be fully responsible for all work performed under this proposal and will be considered as the "Prime Contractor." Any subcontracting, or other legal arrangements made by the bidder are the sole responsibility of the bidder. Any contract that is entered into between the selected bidder and the subcontractor(s) shall contain provisions for federal and state access to the books, documents, records, and inspection of work. Bidder awarded any contract as a result of this proposal shall obtain County written approval of subcontractors identified in bidder submittal prior to execution of contract.

### 3. **Joint Ventures**

In the event a proposal is submitted jointly by more than one organization, one legal entity must be designated as the "Prime Contractor." All other participants shall be designated as subcontractors.

### 4. **Conflict of Interest**

Any agency or person considering doing business with Yuba County Government must disclose the agency or person's affiliation or relationship that might cause a "Conflict of Interest" with County Government entity. Any attempt to intentionally or unintentionally conceal or obfuscate a conflict of interest may automatically result in the disqualification of the bidder's submittal.

### 5. **General Notices**

All applicants responding to this RFP should note the following:

- a. Yuba County reserves the right to:
  - Reject any or all submittals
  - Request clarification of any submitted information
  - Waive any informalities or irregularities in any qualification statement
  - Not enter into any agreement
  - Not to select any applicant
  - Cancel this process at any time
  - Amend this process at any time
  - Interview applicants prior to award and request additional information

- Enter into negotiations with one or more applicants
  - Award more than one agreement if it is in the best interest of the county
  - Issue similar RFPs or RFQs in the future
- b. Addenda posting and notifications must be done at least 72 hours before the RFP closing. All addenda information can be found at:  
<http://www.co.yuba.ca.us/departments/admin%20services/purchasing%20solicitations.aspx>
- c. Any and all costs arising from this RFP process incurred by any applicant shall be borne by the applicant without reimbursement by Yuba County.
- d. Acceptance by Yuba County, of any proposal submitted pursuant to this RFP, shall not be deemed to constitute intent, implied or otherwise, to enter into an Agreement for Services.
- e. County will verify applicant, its principal and any named subcontractors are not on the Federal debarred, suspended or otherwise excluded list of vendors located at [www.sam.gov](http://www.sam.gov).

## VII. PROTESTS AND/OR APPEALS

Protests or Appeals, with respect to the solicitation or award of the Contract, will be required to follow current requirements of the California State Contracting Manual regarding purchase of service as well as the Yuba County Purchasing and Contract Policy Manual which states in part:

### 10.0 Protest and Appeals

*Any actual or prospective bidder, offer or contractor who is aggrieved in connection with the solicitation or award of a contract may protest to the Director of Administrative Services. The protest shall be submitted in writing within five (5) working days after such aggrieved person or company knows or should have known of the facts giving rise thereto.*

### 10.1 Director of Administrative Services

*The Director of Administrative Services shall issue a written decision within ten (10) working days after receipt of the protest. The decision shall:*

- (a) State the reason for the action taken;*
- (b) Inform the protestant(s) that a request for further administrative appeal of an adverse decision must be submitted in writing to the Clerk of the Board of Supervisors within seven (7) working days after mailing of the decision by the Director of Administrative Services.*

The written protest must be delivered no later than **June 13, 2016**, to:

**Doug McCoy, Director**  
 Administrative Services  
 915 8<sup>th</sup> St. Suite 119  
 Marysville, California 95901

**RFP Attachment 1 – Signature Page**

**Yuba County Health and Human Services  
Comprehensive Community Health Assessment & Community Health Improvement  
Plan Consultant - MAPP PROJECT**

**SIGNATURE PAGE**

(BIDDER TO COMPLETE AND PLACE IN FRONT OF PROPOSAL)

**Individual/Company****Date:****Mailing Address:****Contact Person:****Title:****Telephone:****Fax:****E-Mail Address:**

**Authorization to Submit this Proposal:** Non-profit agencies must submit a Board Resolution authorizing submission of this proposal with evidence of 501(c)(3) status, including EIN number as attachments. If the Resolution is not available, a letter stating the date it will be available must be attached.

**Certification:** The undersigned hereby certifies that he/she is a duly authorized official of the organization and has the authority to sign on behalf of the organization and assures that all statements made in the proposal are true, agrees to furnish the item(s) and/or service(s) stipulated in this Request for Proposal at the price stated herein, and will comply with all terms and conditions set forth, unless otherwise stipulated.

\_\_\_\_\_  
Authorized Representative - Name Title

\_\_\_\_\_  
Signature Date

Business License No.: (Yuba County) \_\_\_\_\_

Professional License No.: \_\_\_\_\_

Taxpayer Identification No.: \_\_\_\_\_

*(County Use Only)*

**RFP Application #:** \_\_\_\_\_ **Date & Time received:** \_\_\_\_\_ / \_\_\_\_\_



**RFP Attachment 2 – CHA Requirements List**

**YUBA COUNTY PUBLIC HEALTH - ACCREDITATION**  
**Standard 1.1 Community Health Assessment (CHA) Requirements List**

**STANDARD 1.1:** Participate in or lead a collaborative process resulting in a comprehensive Community Health Assessment (CHA)

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**Measure 1.1.1**

1. *The Health Department must document that the process for the development of a CHA includes participation of partners outside of the Health Department that represent Tribal/community populations and health challenges. Examples:*
  - Local government (elected officials law enforcement, correctional agencies, housing and community development economic development, parks and recreation, planning and zoning, school boards)
  - For profits (business, industries, major employers in the community)
  - Not-for-profits (Chamber of Commerce, civic groups, hospitals and other health care providers, local Childhood and Women's Death Review organizations, public health institutions, environmental public health groups that represent minority health, etc.)
  - Community foundations and philanthropists
  - Voluntary organizations
  - Health care providers (including hospitals)
  - Academia
  - The State Health Department and Tribal Health Departments located in YCPH's jurisdiction
  - Military installations in YCPH's jurisdiction
  - Representation of two or more populations that are at higher health risk or have poorer health outcomes (documentation could be, for example, a membership list and meeting attendance records.)
2. *The Health Department must document that the partnership meets and communicates on a regular basis to consider new data sources, review newly collected data, consider assets and resources that are changing, and conduct additional data analysis.*

The frequency of meetings/communications is determined by the partnership and may change, depending on the stage of the process.

Meetings and communications may be:

- In-person
- Via conference calls
- List-serves
- Other digital communication methods

Documentation could be (for example):

- Meeting agenda
- Meeting minutes
- Copies of emails
- Reports or other documents that show meeting frequency

3. *The Health Department must document the collaborative process used to identify and collect data and information, identify health issues, and identify existing Tribal or local assets and resources to address health issues.*

The process used may be an accepted national model; state-based model a model from the public, private, or business sector; or other participatory process model. When a specific model is not used, the key steps undertaken that outline the process used should be described.

National models include, for example,

- Mobilization for Action through Planning and Partnerships (MAPP)
- Association for Community Health Improvement (ACHI) Assessment Toolkit
- Assessing and Addressing Community Health Needs (Catholic Hospital Association of the US) ([http://www.chausa.org/docs/default-source/general-files/cb\\_assessingaddressing-pdf.pdf?sfvrsn=4](http://www.chausa.org/docs/default-source/general-files/cb_assessingaddressing-pdf.pdf?sfvrsn=4))
- University of Kansas Community Toolbox (<http://ctb.ku.edu/en/note/9>)

Examples of tools or resources that can be adapted or used throughout, or as part of, the community health assessment process include:

- NACCHO's Resource Center for Community Health Assessments and Community Health Improvement Plans
- Community Indicators process project
- Asset Based Community Development model
- Tribal Accreditation Readiness Guidebook and Roadmap
- Inter-Tribal Council of Arizona's Tribal CHA Toolkit
- National Public Health Performance Standards Program (NPHPSP)
- Assessment Protocol for Excellence in Public Health (APEX/PH)
- Guide to Community Preventive Services
- Healthy People 2020
- RWJ County Health Rankings and Roadmaps: Assess  
(<http://www.countyhealthrankings.org/roadmaps/action-center/assess-needs-resources>)

### Measure 1.1.2

1. *The Health Department must document the identification and description of the Tribe's or community's health and areas for health improvement, the factors that contribute to the health challenges, and the existing community resources that can be mobilized to address them.*

The health assessment must include all of the following:

- a. Evidence that a comprehensive, broad-based data and information from a variety of sources were used to create the health assessment.

- Qualitative data as well as quantitative data must be utilized.

Qualitative data may address, for example:

- The community's perception of health
- factors that contribute to higher health risks and poorer health outcomes
- attitudes about health promotion and health improvement

- Data collection methods include, for example:
  - Surveys
  - Asset mapping

- ♦ Focus groups
- ♦ Town forums
- ♦ Community listening sessions

Quantitative data may, for example, include:

- ♦ Vital statistics
- ♦ Graduation rates
- ♦ Morbidity and mortality numbers and rates
- ♦ Rates of behavioral risks, such as tobacco use

- The assessment must also include both primary data and secondary data.

Examples of sources of secondary data include:

- ♦ Federal / Tribal / State and Local data
- ♦ Hospitals and health care providers
- ♦ Local schools
- ♦ Academic institutions
- ♦ Other departments of government (i.e. recreation, public safety, etc.)
- ♦ Community not-for-profits

Data sources also include, for example:

- ♦ County Health Rankings
- ♦ Community Health Needs Assessment (CHNA) Toolkit
- ♦ CDC Community Health Status Indicators
- ♦ County Health Rankings
- ♦ CDC Disability and Health Data System
- ♦ US Census American Factfinder
- ♦ Dartmouth Atlas of Health Care
- ♦ National Health Indicators Warehouse
- ♦ CDC Wonder
- ♦ Tribal Epidemiology Centers

Non-traditional and non-narrative data collection techniques are encouraged, for example:

- ♦ Photographs taken by members of the Tribe or community in an organized assessment process to identify environmental (including the build environment) health challenges

Examples of primary data include:

- ♦ Local surveys (for example, of high school students, and/or parents)
- ♦ Focus groups (for example, to discuss community health issues)
- ♦ Other data that the Health Department collects to better understand contributing factors or elements of secondary data sets

- b. A description of the demographics of the population of the jurisdiction served by the Tribal/ local health department, for example:

- Gender
- Race
- Age
- Socioeconomic factors
- Income

- Disabilities
  - Mobility (travel time to work or to health care)
  - Educational attainment
  - Home ownership
  - Employment status
  - Immigration status
  - Sexual orientation
- c. A description of the health issues of the population and their distribution, based on the analysis of data listed in a) above. The description must address the existence and extent of health disparities between and among specific populations in the community or areas in the community: populations within inequitable share of poorer health outcomes must be identified.
- d. A discussion of the contributing causes of health challenges for example:
- Behavioral risk factors
  - Environmental factors (including the built environment)
  - Socioeconomic factors
  - Policies (e.g., zoning, taxation education, transportation, insurance status, etc.)
  - Injury
  - Maternal and child health issues
  - Infectious and chronic disease
  - Resource distribution (e.g., grocery stores)
  - Unique characteristics of the community that impact on health status

Multiple determinants of health, especially social determinants, must be included. Health disparities and high health-risk populations must be addressed. Community factors that contribute to higher health risks and poorer health outcomes of specific populations must be considered.

- e. A listing or description of the assets and resources that can be mobilized and employed to address health issues. These must include other sectors. For example:
- A local park or recreation center can encourage physical activity
  - Local farmers' markets can be vehicles to promote healthful eating
  - A school district can partner with the Health Department to provide health education
2. *The Health Department must document that the preliminary findings of the assessment were distributed to the community at large and that the community's input was sought.*  
Examples of methods to seek community input include:
- Publication of a summary of the findings in the tribal/local press with feedback or comment forms
  - Publication on the Health Department's website and website comment form
  - Community/town forums
  - Listening sessions
  - Newsletters
  - Presentations and discussions at other organizations' local meetings
3. *The Health Department must document the gathering of information, collection of data, conduct of community dialogues, and/or identification of community assets specific to populations*

*and/or geographic areas in the community where health inequities and poorer health indicators were identified in the community health assessment.*

Additional data analysis is expected to be neighborhood/community specific in order to understand health inequities and the factors that create them. Geographic information analysis of socioeconomic conditions would be appropriate information to include in an annual update or supplement.

A complete revision or overhaul of the community health assessment, is not required, but for a continuous effort to better understand the health of the population through the collection of information and data

Examples of community dialogue include:

- Organizing town meetings
- Conducting focus groups
- Participating in other local organizations' community meetings:
  - ♦ Church community meetings
  - ♦ School public meetings
  - ♦ Community association meetings or assemblies, etc.)
- Conducting open forums
- Conducting group discussions with specific populations:
  - ♦ Teenagers
  - ♦ Young mothers
  - ♦ Residents of a specific neighborhood

Documentation could be, for example:

- Reports of data and their analysis
- Findings from a focus group
- Meeting minutes where health issues or needs were discussed
- Reports of open forms

Documentation of attendance at a meeting is not sufficient; documentation of the information gathered and analyzed is required.

### **Measure 1.1.3**

1. *Health departments must document how it informs partners, stakeholders, other agencies, associations, and organizations of the availability of the community health assessment.*

Documentation could be, for example:

- Emails to partners and stakeholders providing information of how to access the assessment
- Announcements in department newsletters
- Articles in newspapers
- Digital media / Health department tweet or Facebook
- Public service announcements
- Local news announcements

2. *Health Departments must document how it communicates the community health assessment findings to the public.*

Documentation could be, for example:

- Evidence of distribution of the assessment to libraries or the publication of the community health assessment on the department's website

Summaries of the findings could be, for example:

- Published in newspapers
- Outlined in the department's newsletter
- Linked to from the department's Facebook page
- Published on the department's website

**RFP Attachment 3 – CHIP Requirements List**

**YUBA COUNTY PUBLIC HEALTH - ACCREDITATION**  
**Standard 5.2 Community Health Improvement Plan (CHIP) Requirements List**

**STANDARD 5.2:** Conduct a comprehensive planning process resulting in a Tribal/State/Community Health Improvement Plan (CHIP)

**Measure 5.2.1**

1. *The Local Health Department must document the collaborative community health improvement planning process.*

The process used may be an accepted national model; state-based model; a model from the public, private, or business sector; or other participatory process model. When a specific model is not used, the key steps undertaken that outline the process used should be described.

National models include, for example:

- Mobilizing for Action through Planning and Partnerships (MAPP)
- Association for Community Health Improvement (ACHI) Assessment Toolkit
- Assessing and Addressing Community Health Needs (Catholic Hospital Association of the US) [https://www.chausa.org/docs/default-source/general-files/cb\\_assessingaddressing-pdf.pdf?sfvrsn=4](https://www.chausa.org/docs/default-source/general-files/cb_assessingaddressing-pdf.pdf?sfvrsn=4)
- University of Kansas Community Toolbox (<http://ctb.ku.edu/en/node/9>)

Examples of tools or resources that can be adapted or used include:

- NACCHO's Resource Center for Community Health Assessments and Community Improvement Plans
- Community Indicators process project
- Asset Based Community Development model
- National Public Health Performance Standards Program (NPHPSP)
- Assessment Protocol for Excellence in Public Health (APEX/PH)
- Guide to Community Preventive Services
- Healthy People 2020

The local health department must document that the community health improvement planning process included all of the following:

- a. Participation by a wide range of community partners representing various sectors of the community. Community partners could include, as appropriate for the specific community:
  - hospitals and health care providers
  - the faith community
  - veterinarians
  - military installations
  - academic institutions
  - local schools
  - other departments of government (e.g., parks and recreation, planning and zoning, housing and community development, etc.)economic development
  - community not-for-profits
  - civic groups

- elected officials
- the chamber of commerce and local businesses
- police
- housing
- foundations and philanthropists
- planning organizations
- the state health department

Members of this group may or may not be the same as members of the community health assessment partnership.

Documentation could be, for example:

- participant lists
- attendance rosters
- minutes or membership lists ~ for work groups or subcommittees

- Data and information from the community health assessment provided to participants in the community health improvement planning process for their use in their deliberations. This may include a list of data sets or evidence that participants used the community health assessment.
- Evidence that community and stakeholder discussions were held and that they identified issues and themes. Community members' definition of health and of a healthy community must be included. The list of issues identified by the community and stakeholders must be provided as documentation.
- Community assets and resources identified and considered in the community health improvement process. Community assets and resources could be anything in the community that could be utilized to improve the health of the community. Community assets and resources could include, for example:
  - skills of residents
  - the power of local associations (e.g., service associations, professional associations)
  - local institutions (e.g., faith based organizations, local foundations, institutions of higher learning) ~ as well as other community factors for example:
    - parks
    - social capital
    - community resilience
    - strong business community, etc.

Community assets and resources can be documented in a list, chart, narrative description, etc.

- A description of the process used by participants to develop a set of priority state health issues.



**Measure 5.2.2**

1. *The local health department must provide a community health improvement plan that includes all of the following:*
  - a. The desired measurable outcomes or indicators of the health improvement effort and priorities for action, from the perspective of community members. The plan must include:
    - community health priorities, measurable objectives improvement strategies and activities with time-framed targets that were determined in the community planning process.

In establishing priorities, the plan must include:

- consideration of addressing social determinants of health, causes of higher health risks and poorer health outcomes of specific populations, and health inequities.

Measurable and time-framed targets may be contained in another document, such as an *annual work plan*. If this is the case, the *companion document* must be provided with the health improvement plan for this measure.

Strategies may be evidence-based, practice-based, or promising practices or may be innovative to meet the needs of the community. National state-of-the-art guidance for example:

- The National Prevention Strategy
  - Guide to Community Preventive Services
  - Healthy People 2020 ~ should be referenced, as appropriate.
- b. Policy changes needed to accomplish the identified health objectives must be included in the plan. Policy changes must include those that are adopted to alleviate the identified causes of health inequity. Policy changes may address, for example:
    - Social and economic conditions that influence health equity including:
      - housing
      - Transportation
      - Education
      - Job availability
      - Neighborhood safety
      - Access to recreational opportunities
      - zoning
  - c. Designation of individuals and organizations that have accepted responsibility for implementing strategies outlined in the community health improvement plan. This may include:
    - assignments to staff
 or agreements between:
    - planning participants
    - stakeholders
    - health care providers (community benefit)
    - other local government agencies
    - other community organizations

For this measure, agreements do not need to be formal, such as an MOA/MOU.

- d. Local health departments must demonstrate that they considered both national and state health improvement priorities where they have been established. National priority alignment could include the National Prevention Strategy and Healthy People 2020.

### **Measure 5.2.3**

1. *The health department must provide a tracking process of actions taken toward the implementation of the community health improvement plan.*

The tracking process must specify:

- Strategies being used
- Responsible partners involved
- Status of the effort or results of the actions taken

Documentation could be, for example:

- A narrative
- Table
- Spreadsheet ~ or a combination. This may look like a work plan that included the status of the implementation of the work plan.

2. *The health department must document areas of the plan that were implemented by the health department and/or its partners.*

Examples must identify a specific achievement and describe how it was accomplished.

### **Measure 5.2.4**

1. *The health department must provide an annual report on the progress made in implementing strategies in the community health improvement plan.*

The report will consider the feasibility and effectiveness of the strategies and/or changing priorities, resources, or community assets.

If the plan was adopted within the year, a report of a previous plan may be provided or detailed plans for assessment and reporting may be submitted.

2. *The health department must document that the health improvement plan has been reviewed and revised as necessary based on the report required in 1 above.*

The revisions may be in the:

- Improvement strategies
- Planned activities
- Time-frames
- Targets
- Assigned responsibilities listed in the plan

Revisions may be based on, for example:

- Achieved activities
- Implemented strategies
- Changing health status indicators
- Newly developing or identified health issues
- Changing level of resources

If the plan was adopted less than a year before it was uploaded to PHAB, the health department may provide:

- (1) Revisions of an earlier plan  
or
- (2) Detailed plans for a revision process

# **RFP Attachment 4 - Anticipated Timeline for YUBA COUNTY MAPP Process**

<b>Action Steps:</b>	<b>Start</b>	<b>End</b>
<b>Visioning</b>	<b>7/2016</b>	<b>8/2016</b>
Prepare for and design visioning process	7/2016	7/2016
Hold visioning sessions	8/2016	8/2016
Celebrate success and achievements to date	8/2016	8/2016
<b>4 Assessments</b>	<b>9/2016</b>	<b>2/2017</b>
<b>Community themes and strengths assessment</b>	<b>9/2016</b>	<b>2/2017</b>
Identify subcommittees, approaches, resources	9/2016	9/2016
Hold community dialogs and focus groups	10/2016	12/2016
Develop/disseminate/collect community survey	10/2016	10/2016
Conduct interviews with residents/key leaders	11/2016	1/2017
Compile results/identify challenges, opportunities	1/2017	2/2017
<b>Local public health system assessment</b>	<b>10/2016</b>	<b>1/2017</b>
Establish subcommittee, prepare for the assessment	10/2016	10/2016
Discuss Essential Services/identify orgs & activities	11/2016	11/2016
Respond to performance measures instrument	11/2016	12/2016
Discuss results/identify challenges & opportunities	1/2017	1/2017
<b>Community health status assessment</b>	<b>9/2016</b>	<b>2/2017</b>
Conduct data collection core indicators	12/2015	9/2016
Select and collect additional indicators	10/2016	11/2016
Analyze data/create health profile	10/2016	12/2016
Establish system to monitor over time	2/2017	2/2017
Identify challenges and opportunities	2/2017	2/2017
<b>Forces of change assessment</b>	<b>11/2016</b>	<b>12/2016</b>
Prepare, design process	11/2016	11/2016
Brainstorming session with MAPP committee	12/2016	12/2016
Simply list/identify threats & opportunities	12/2016	12/2016
<b>Community CHIP development</b>	<b>3/2017</b>	<b>5/2017</b>
<b>Strategic issue identification</b>	<b>3/2017</b>	<b>5/2017</b>
Celebrate successes and completed assignments	3/2017	3/2017
Identify potential strategic issues	3/2017	4/2017
Discuss strategic issues and urgencies	4/2017	4/2017
<b>Action Steps:</b>	<b>Start</b>	<b>End</b>
Consolidate strategic issues	5/2017	5/2017
Arrange issues in priority order	5/2017	5/2017
<b>Formulate Goals and Strategies</b>	<b>6/2017</b>	<b>7/2017</b>
Develop goal statements	6/2017	6/2017
Develop strategy alternatives and barriers	6/2017	6/2017
Explore implementation details	6/2017	6/2017
Select and adopt strategies	7/2017	7/2017
Draft planning report	7/2017	7/2017
Celebrate successes and recognize achievements	7/2017	7/2017

<b>Begin Action Cycle</b>	<b>8/2017</b>	<b>10/2017</b>
Organize for action	8/2017	8/2017
Develop objectives and agree on accountability	8/2017	8/2017
Develop action plans	8/2017	8/2017
Coordinate action plans and implement	9/2017	10/2017
Prepare for evaluation/determine methodology	8/2017	8/2017
Gather evidence and justify conclusions	9/2017	10/2017
Share results	10/2017	10/2017

**RFP Attachment 5 – Definitions of Terms****DEFINITIONS**

**Bidder** - A person, partnership, firm, corporation, or joint venture submitting a bid proposal for the purpose of obtaining a County Contract.

**Bonds** -

**Fidelity Bond** - Also referred to as a Dishonesty Bond. A fidelity bond is a form of protection that covers the County for losses as a result of fraudulent acts by the Contractor.

**Proposal Security Bond** – Also referred to as Bid Security. A bond that is submitted with bidder's proposal to compensate the County for damages it might suffer if successful bidder refuses to execute the contract that may be derived from their proposal. Generally, it is 10% of the amount of bidder's bid as bid security.

**Performance Bond** – A bond to ensure completion of the project as requested under the "Scope of Work". The Performance Bond is backed by a surety who guarantees the project will be completed in accordance with the specifications of the proposal.

**Payment Bond** – This bond is to protect sub-contractors and suppliers. It ensures that the surety backing the bond will pay the sub-contractors and suppliers if the general contractor does not.

**Closing Date/Time** - The day and time the Request for Proposal must be received in the office of the Department of Administrative Services-Purchasing Division for acceptance.

**Consultant** - The bidder awarded the Contract derived from this RFP.

**Contract** - Comprises the Request for Proposal (RFP), any addenda thereto, the bid proposal, and the purchase order if appropriate. The Contract constitutes the entire agreement between the County and the awarded bidder.

**Contractor** - The bidder or vendor awarded the Contract derived from this Bid or RFP.

**County** - The County of Yuba, a political subdivision of the State of California.

**Deliverable** - The physical evidence such as documentation, certification of completion, hardware/software delivery, etc. which shows that a specific work has been completed as specified in the Scope of Work.

**Discount** - A percentage amount allowed off invoices for prompt payment.

**Evaluation Committee** - A committee established to review and evaluate proposals to

determine the Contract award. The committee includes representatives of the department seeking the goods or services and staff from the Department of Administrative Services-Purchasing Division.

**Formal Date of Award** - Effective date the Board of Supervisors take formal action to award the subject RFP to the most responsive bidder.

**Goals/Tasks** - A discrete unit of work to be performed.

**Joint Ventures** - Two or more corporations or entities that form a temporary union for the purpose of the RFP.

**May** - Indicates something that is not mandatory but permissible.

**Must/Shall** - Indicates a mandatory requirement. A proposal that fails to meet a mandatory requirement will be deemed non-responsive and not be considered for award.

**Notice of Intent to Award** - Letter sent by County to all participating bidders advising them of the date the County Board of Supervisors will hear and possibly take action in awarding the Contract to the apparent successful bidder as recommended by the Evaluation Committee.

**Objectives/Sub-Tasks** - Detailed activities that comprise the actual performance of the Goal/Task. The total of all Goals/Tasks and Objectives/Sub-Tasks makes up the "Scope of Work".

**Prime Contractor** - The bidder who is awarded the Contract and designated as the legal entity. The Prime Contractor will hereafter also be known as the Contractor. Any subcontracting, Joint Ventures, or other legal arrangements made by the Contractor during this project are the sole responsibility of the Contractor.

**Proposal Deadline** - The closing date associated with this proposal.

**Proprietary** - The information provided that is considered exempt from public disclosure defined as Trade Secrets under Civil Code Section 3426.1, pursuant to Public Records Act.

**Scope of Work** - The mutually agreed to document which describe tasks, dependencies, the sequence and timing of events, deliverables, and responsible parties associated with the various phases of the proposal.

**Subcontractors** - Any person, entity or organization, to which Contractor or County has delegated any of its obligations hereunder.

**Tasks** – A discrete unit of work to be done

**Vendor** - A person, partnership, firm, corporation, or joint venture submitting a bid or

proposal for the purpose of obtaining a County Contract.

**Work Plan** - The mutually agreed to document, which describes task, dependencies, the sequence and timing of events, deliverables, and responsible parties, associated with the various phases of the proposal



# The County of Yuba

(172-0416) Adopt... - 1 of 4

## HEALTH & HUMAN SERVICES DEPARTMENT

**Jennifer Vasquez, Director**

5730 Packard Ave., Suite 100, P.O. Box 2320, Marysville, California 95901  
Phone: (530) 749-6311 FAX: (530) 749-6281



172-0416

**Nichole Quick, MD, MPH**  
**Health Officer**  
Phone: (530) 749-6366

**TO:** Board of Supervisors  
Yuba County

**FROM:** Jennifer Vasquez, Director  
Homer Rice, MPH, PhD, Health Administrator  
Health & Human Services Department

**DATE:** April 26, 2016

**SUBJECT:** Resolution of the Board Authorizing the Chair to accept and appropriate funds and authorizing the Director of the Health and Human Services Department to Enter into Agreement with First 5 Yuba for Grant Funds

**RECOMMENDATION:** It is recommended that the Board of Supervisors approve the Resolution of the Board authorizing the Chair accept and appropriate grant funds from First 5 Yuba for sponsorship of the May 7, 2016, Community Baby Fair and further authorizing the Director of the Health and Human Services Department to enter into and execute the agreement and other related documents.

**BACKGROUND:** First 5 Yuba has made grant funds available through their Community Education and Outreach Sponsorship Activity Program to provide health and safety education to parents of young children in Yuba County. The Health and Human Services Department, through its Public Health Division, has been awarded grant funds for the sponsorship of a Community Baby Fair to be held on May 7, 2016.

**DISCUSSION:** This Resolution of the Board would allow the Health and Human Services Department to enter into Agreement with First 5 Yuba for \$750.00 in grant funds to help defer the cost of providing activities at the Community Baby Fair.

**COMMITTEE:** Due to time constraints this item was not presented to the Human Services Committee.

**FISCAL IMPACT:** Approval of this Resolution of the Board will not impact County General Funds.

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

**RESOLUTION AUTHORIZING THE  
CHAIR OF THE BOARD TO ACCEPT  
AND APPROPRIATE GRANT FUNDS  
FROM FIRST 5 YUBA AND  
AUTHORIZE THE DIRECTOR OF  
HEALTH AND HUMAN SERVICES  
DEPARTMENT TO EXECUTE THE  
RELATED AGREEMENTS AND  
OTHER PERTINENT DOCUMENTS**

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

**WHEREAS**, First 5 Yuba has made funds available under their Community Education and Outreach Sponsorship Activity Program; and

**WHEREAS**, Yuba County Health and Human Services Department, through its Public Health Division (YCHHSD), has been awarded sponsorship funds in the amount of Seven Hundred Fifty Dollars (\$750.00) to help defer the cost of providing health and safety education activities to parents of young children in Yuba County at the May 7, 2016, Community Baby Fair; and

**WHEREAS**, the funds from First 5 Yuba Commission will be used to: 1) purchase developmentally age appropriate toys to give away as raffle prizes to promote play and encourage parents to interact with their infants; and 2) contract with a local photographer to provide keepsake photos from the photo booth to expectant mothers and families with infants.

**NOW, THEREFORE, BE IT RESOLVED** by the Yuba County Board of Supervisors that the Chair of the Board is hereby authorized to accept and appropriate Seven Hundred Fifty Dollars (\$750.00) for the May 7, 2016, Community Baby Fair, and any subsequent funds awarded for the stated event; and

///

///

///

**BE IT FURTHER RESOLVED** by the Yuba County Board of Supervisors that the YCHHSD Director is hereby authorized to enter into and execute, upon review and approval of County Counsel, the agreement for First 5 Yuba Commission funding and other related documents as required for the stated event; amend agreements for additional or lesser funding; and execute amendments, agreements and/or memorandums of understanding developed under this sponsorship grant. A copy of the said contract(s) or any amendment(s) thereto shall be filed in the office of the Clerk of the Board, County of Yuba.

**PASSED AND ADOPTED** at a regular meeting of the Board of Supervisors of the County of Yuba, State of California, on the \_\_\_\_\_ day of \_\_\_\_\_, 2016, by the following vote:

AYES:

NOES:

ABSENT:


ABSTAIN:

\_\_\_\_\_  
Chair

ATTEST: DONNA STOTTLEMEYER  
Clerk of the Board of Supervisors

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

APPROVED AS TO FORM

  
\_\_\_\_\_  
Angil P. Morris-Jones,  
Yuba County Counsel



# **COUNTY OF YUBA**

## **OFFICE OF EMERGENCY SERVICES**

170-0416  
**ROBERT BENDORF**  
COUNTY ADMINISTRATOR  
DIRECTOR OF EMERGENCY SERVICES

**SCOTT BRYAN**  
EMERGENCY OPERATIONS MANAGER

**BRIANA SCHUETTE**  
EMERGENCY OPERATIONS PLANNER

### **Board Memo**

To: Board of Supervisors

Fr: Scott Bryan, Emergency Operations Manager

Re: Proclaim the existence of a local emergency in the County of Yuba

Date: April 26, 2016

#### **Recommendation:**

The Board of Supervisors adopts a resolution proclaiming the continuation of a local emergency due to the ongoing drought conditions.

#### **Background:**

On January 17, 2014 Governor Edmund G. Brown Jr. declared a Statewide Drought Emergency due to the impacts on the State of California as a result of four continuous years of drought. On February 18, 2014 the Director of Emergency Services proclaimed a local emergency due to the effects the drought has had within the County of Yuba. Your Board ratified said proclamation on February 25, 2014 and extended on April 5, 2016.

#### **Discussion:**

With an on-going water shortage affecting the County of Yuba, the final duration of the emergency has not yet been determined. The recent rainstorms are seasonally expected and are consistent with the average rainfall during this time of year. The National Weather Service continues to designate the County of Yuba as being in an exceptional drought, the highest drought designation. Therefore it is recommended that your Board extend the current proclamation of a local emergency until the end of the incident period per (Govt. Code Section 8630 (c)). This proclamation of emergency will be reviewed and renewed no less than once every thirty days. Per Govt. Code Section 8630(d), this proclamation of emergency shall be terminated as soon as reasonably possible.

#### **Committee Action:**

No committee action was taken due to time constraints.

#### **Fiscal Impact:**

There is an unknown impact to the general fund as of this date.

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

**RESOLUTION:**

**THE BOARD OF SUPERVISORS  
ADOPT A RESOLUTION  
PROCLAIMING THE EXISTENCE OF  
AN ONGOING LOCAL DROUGHT  
EMERGENCY IN THE COUNTY OF  
YUBA.**

)  
)  
)  
)  
)  
)

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

**WHEREAS**, the Yuba County Director of Emergency Services did hereby proclaim a local emergency in the County of Yuba on February 18, 2014 per Ordinance Code section 4.20; and

**WHEREAS**, conditions of peril to public health and safety remain in the County of Yuba due to the statewide drought; and

**WHEREAS**, the County of Yuba Board of Supervisors does hereby find that the aforesaid conditions of peril do warrant and necessitate a proclamation of the existence of a local emergency due to a statewide drought; and

**NOW, THEREFORE, IT IS HEREBY PROCLAIMED**, that a local emergency continues to exist in the County of Yuba and the Board of Supervisors Proclamations through this resolution of the continuance of a Local Emergency in the County of Yuba.

**PASSED AND ADOPTED** at a regular meeting of the Board of Supervisors of the County of Yuba, State of California on the \_\_\_\_\_ day of \_\_\_\_\_ 2016.

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Chair

ATTEST:       DONNA STOTTLEMEYER  
CLERK OF THE BOARD OF SUPERVISORS

\_\_\_\_\_

APPROVE AS TO FORM:  
COUNTY COUNSEL

\_\_\_\_\_  




# The County of Yuba

## HUMAN RESOURCES and ORGANIZATIONAL SERVICES

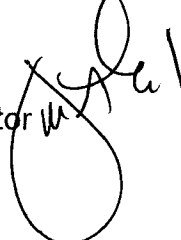
JILL ABEL, DIRECTOR



173-0416  
915 8<sup>TH</sup> STREET, STE 113  
MARYSVILLE, CA 95901

(530) 749-7860 • PHONE  
(530) 749-7864 • FAX

**TO:** Board of Supervisors

**FROM:** Jill Abel, Human Resources Director 

**DATE:** April 26, 2016

**SUBJECT:** Approve the resolution of intention to amend CalPERS contract

### RECOMMENDATION

Approve the attached resolution of intention to amend our CalPERS contract to include a cost sharing provision for miscellaneous members in YCEA and Non-Represented units, and classic members in the DDAA unit, as provided in Government Code Section 20516, and authorize the Clerk of the Board of Supervisors to complete the required Certifications of Compliance with Government Code Section 7507 and Governing Body's Action.

### DISCUSSION

In September 2014, your Board approved the negotiated contract between the County of Yuba (County) and the Yuba County Employee's Association (YCEA), and in October 2014, your Board approved the policy between the County and miscellaneous Non-Represented units which included the provision for employees to share in the employer cost of ongoing retirement contributions. Additionally, the Board approved the negotiated contract between the County and the Deputy District Attorney Association (DDAA), on July 28, 2015, which includes similar provisions.

At this time, the County received the CalPERS rates for the 2016/2017 fiscal year clarifying the cost sharing percentage increase for YCEA, DDAA and Non-Represented employees for the 2016/2017 fiscal year. Although your Board has already approved the YCEA contract and Non-Represented policy, the attached Resolutions and Certifications are necessary for CalPERS to begin the contract amendment process and allow the County to implement the negotiated cost sharing benefit. Following this action, additional administrative actions (e.g. employee election) will be required.

### COMMITTEE

None- Administrative only.

### FISCAL IMPACT

None- Administrative only.

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

**IN RE:**

RESOLUTION OF INTENTION TO  
APPROVE AN AMENDMENT TO  
CONTRACT BETWEEN THE BOARD  
OF ADMINISTRATION OF THE  
PUBLIC EMPLOYEES' RETIREMENT  
SYSTEM AND THE BOARD OF  
SUPERVISORS OF THE  
COUNTY OF YUBA

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

WHEREAS, the Public Employees' Retirement Law permits the participation of public agencies and their employees in the Public Employees' Retirement System by the execution of a contract, and sets forth the procedure by which said public agencies may elect to subject themselves and their employees to amendments to said Law; and

WHEREAS, one of the steps in the procedures to amend this contract is the adoption by the governing body of the public agency of a resolution giving notice of its intention to approve an amendment to said contract, which resolution shall contain a summary of the change proposed in said contract; and

WHEREAS, the following are statements of the proposed change:

Section 20516 (Employees Sharing Additional Cost of .37% for local miscellaneous members in the Yuba County Employees' Association and the Non-Represented Groups.

Section 20516 (Employees Sharing Additional Cost of 1% for local miscellaneous classic members in the Deputy District Attorney Association Group.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the above agency does hereby give notice of intention to approve an amendment to the contract between said public agency and the Board of Administration of the Public Employees' Retirement System, a copy of said amendment being attached hereto, as an "Exhibit" and by this reference made a part hereof.

PASSED AND ADOPTED by the Board of Supervisor of the County of Yuba, State of California, on the day of \_\_\_\_\_, 2016 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:  \_\_\_\_\_

**RESOLUTION OF INTENTION  
TO APPROVE AN AMENDMENT TO CONTRACT  
BETWEEN THE  
BOARD OF ADMINISTRATION  
CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM  
AND THE  
BOARD OF SUPERVISORS  
COUNTY OF YUBA**

WHEREAS, the Public Employees' Retirement Law permits the participation of public agencies and their employees in the Public Employees' Retirement System by the execution of a contract, and sets forth the procedure by which said public agencies may elect to subject themselves and their employees to amendments to said Law; and

WHEREAS, one of the steps in the procedures to amend this contract is the adoption by the governing body of the public agency of a resolution giving notice of its intention to approve an amendment to said contract, which resolution shall contain a summary of the change proposed in said contract; and

WHEREAS, the following is a statement of the proposed change:


To provide Section 20516 (Employees Sharing Additional Cost) of an additional .37% for local miscellaneous members in the Yuba County Employees' Association and the Non-Represented Group; and 1% for classic local miscellaneous members in the Deputy District Attorney Association.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the above agency does hereby give notice of intention to approve an amendment to the contract between said public agency and the Board of Administration of the Public Employees' Retirement System, a copy of said amendment being attached hereto, as an "Exhibit" and by this reference made a part hereof.

By: \_\_\_\_\_  
Presiding Officer

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date adopted and approved

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



## EXHIBIT

California  
Public Employees' Retirement System

---

# AMENDMENT TO CONTRACT

Between the  
Board of Administration  
California Public Employees' Retirement System  
and the  
Board of Supervisors  
County of Yuba

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The Board of Administration, California Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of the above public agency, hereinafter referred to as Public Agency, having entered into a contract effective February 1, 1960, and witnessed December 30, 1959, and as amended effective March 1, 1964, November 1, 1973, October 1, 1977, October 1, 1979, January 1, 1982, July 6, 1989, June 30, 1992, July 1, 1993, June 24, 1999, August 15, 2003, April 1, 2007, July 1, 2007, September 1, 2014 and July 1, 2015 which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

Pursuant to Government Code sections 20460.1, 20469.1, subdivision (b), and 71624, this contract is hereby amended to add the Trial Court of Yuba County, hereinafter referred to as Trial Court, as a contracting party. Trial Court shall participate in the Public Employees' Retirement System from and after the implementation date of the Trial Court Employment Protection and Governance Act pursuant to the terms and conditions of this contract, making its employees members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for in this contract and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.

PLEASE DO NOT SIGN "EXHIBIT ONLY"

A. Paragraphs 1 through 14 are hereby stricken from said contract as executed effective July 1, 2015, and hereby replaced by the following paragraphs numbered 1 through 16 inclusive:

1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 55 for classic local miscellaneous members, age 62 for new local miscellaneous members, age 50 for classic local safety members and age 57 for new local safety members.
2. Public Agency shall participate in the Public Employees' Retirement System from and after February 1, 1960 making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.
3. Public Agency agrees to indemnify, defend and hold harmless the California Public Employees' Retirement System (CalPERS) and its trustees, agents and employees, the CalPERS Board of Administration, and the California Public Employees' Retirement Fund from any claims, demands, actions, losses, liabilities, damages, judgments, expenses and costs, including but not limited to interest, penalties and attorney fees that may arise as a result of any of the following:
  - (a) Public Agency's election to provide retirement benefits, provisions or formulas under this Contract that are different than the retirement benefits, provisions or formulas provided under the Public Agency's prior non-CalPERS retirement program.
  - (b) Any dispute, disagreement, claim, or proceeding (including without limitation arbitration, administrative hearing, or litigation) between Public Agency and its employees (or their representatives) which relates to Public Agency's election to amend this Contract to provide retirement benefits, provisions or formulas that are different than such employees' existing retirement benefits, provisions or formulas.
  - (c) Public Agency's agreement with a third party other than CalPERS to provide retirement benefits, provisions, or formulas that are different than the retirement benefits, provisions or formulas provided under this Contract and provided for under the California Public Employees' Retirement Law.

PLEASE DO NOT SIGN "EXHIBIT ONLY"

4. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:
  - a. County Peace Officers (included as local safety members);
  - b. Employees other than local safety members (herein referred to as local miscellaneous members).
5. In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:
  - a. **FIREFIGHTERS.**
6. As of November 1, 1972 and prior to January 1, 1975, those members who were hired by Public Agency on a temporary and/or seasonal basis not to exceed 6 months were excluded from PERS membership by contract. Government Code Section 20336 superseded this contract provision by providing that any such temporary and/or seasonal employees are excluded from PERS membership subsequent to January 1, 1975. Legislation repealed and replaced said Section with Government Code Section 20305 effective July 1, 1994.
7. The percentage of final compensation to be provided for each year of credited prior and current service for classic local miscellaneous members shall be determined in accordance with Section 21354 of said Retirement Law, subject to the reduction provided therein for service prior to September 30, 1977, termination of Social Security, for members whose service has been included in Federal Social Security (2% at age 55 Full and Modified).
8. The percentage of final compensation to be provided for each year of credited prior and current service as a new local miscellaneous member shall be determined in accordance with Section 7522.20 of said Retirement Law (2% at age 62 Full).
9. The percentage of final compensation to be provided for each year of credited prior and current service as a classic local safety member shall be determined in accordance with Section 21362 of said Retirement Law (2% at age 50 Full).
10. The percentage of final compensation to be provided for each year of credited prior and current service as a new local safety member shall be determined in accordance with Section 7522.25(d) of said Retirement Law (2.7% at age 57 Full).

PLEASE DO NOT SIGN "EXHIBIT ONLY"

11. Public Agency elected and elects to be subject to the following optional provisions:

- a. Section 20042 (One-Year Final Compensation) for classic members only.
- b. Section 21573 (Third Level of 1959 Survivor Benefits).
- c. Section 20965 (Credit for Unused Sick Leave).
- d. Section 21024 (Military Service Credit as Public Service).
- e. Section 21548 (Pre-Retirement Option 2W Death Benefit) for local miscellaneous members and for service credit accumulated on and after September 1, 2014 for local safety members.
- f. Section 20438 ("County Peace Officer" shall include probation officers, deputy and assistant probation officers, juvenile hall employees, and persons employed as peace officers pursuant to Section 830.5 of the Penal Code as described in Government Code Section 20438).
- g. Section 20516 (Employees Sharing Additional Cost):

From and after July 1, 2015 and until the effective date of this amendment to contract, .824% for local miscellaneous members in the Yuba County Employees' Association and the Non-Represented Group.

From and after the effective date of this amendment to contract, 1.194% for local miscellaneous members in the Yuba County Employees' Association and the Non-Represented Group.

From and after the effective date of this amendment to contract, 1% for classic local miscellaneous members in the Deputy District Attorney Association.

The portion of the employer's contribution that the member agrees to contribute from his or her compensation, over and above the member's normal contribution ("Cost Sharing Percentage"), shall not exceed the Employer Normal Cost Rate, as that rate is defined in the CalPERS Actuarial Valuation for the relevant fiscal year. If the Cost Sharing Percentage will exceed the relevant Employer Normal Cost Rate, the Cost Sharing Percentage shall automatically be reduced to an amount equal to, and not to exceed, the Employer Normal Cost Rate for the relevant fiscal year.



PLEASE DO NOT SIGN "EXHIBIT ONLY"

12. Public Agency, in accordance with Government Code Section 20790, ceased to be an "employer" for purposes of Section 20834 effective on October 1, 1977. Accumulated contributions of Public Agency shall be fixed and determined as provided in Government Code Section 20834, and accumulated contributions thereafter shall be held by the Board as provided in Government Code Section 20834.
13. Public Agency shall contribute to said Retirement System the contributions determined by actuarial valuations of prior and future service liability with respect to local miscellaneous members and local safety members of said Retirement System.
14. Public Agency shall also contribute to said Retirement System as follows:
  - a. Contributions required per covered member on account of the 1959 Survivor Benefits provided under Section 21573 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local miscellaneous members and local safety members.
  - b. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.
  - c. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.
15. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.

PLEASE DO NOT SIGN "EXHIBIT ONLY"

16. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within fifteen days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances. Adjustments on account of errors in contributions required of any employee may be made by direct payments between the employee and the Board.

B. This amendment shall be effective on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BOARD OF SUPERVISORS  
COUNTY OF YUBA

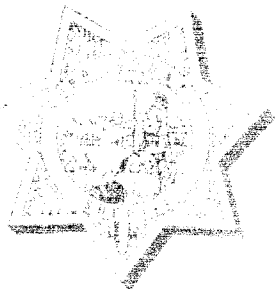
BY \_\_\_\_\_  
RENEE OSTRANDER, CHIEF  
EMPLOYER ACCOUNT MANAGEMENT DIVISION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY \_\_\_\_\_  
PRESIDING OFFICER

Witness Date \_\_\_\_\_

Attest:

Clerk \_\_\_\_\_



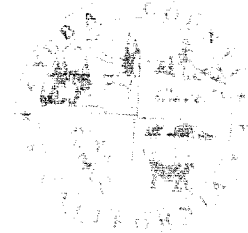
174-0416

# Yuba County Sheriff's Department

*Steven L. Durfor, Sheriff-Coroner*

215 5th Street, Suite 150, Marysville, CA 95901

Ph: 530-749-7777 • Fax: 530-741-6445



April 26, 2016

TO: YUBA COUNTY BOARD OF SUPERVISORS

FR: STEVEN L. DURFOR, SHERIFF-CORONER

RE: AGREEMENT WITH DEPARTMENT OF AGRICULTURE, TAHOE NATIONAL FOREST

**RECOMMENDATION:**

Approve and sign the cooperative agreements with the U.S. Forest Service to provide campground patrols on U.S. forestland.

**BACKGROUND:**

This is an annual agreement, which has been in effect for many years, and requires Board of Supervisor's approval to provide law enforcement services on a reimbursable basis. The Sheriff's Department provides campground patrols in areas of both the Tahoe and Plumas National Forests. The agreements will provide reimbursement in the amount of \$5,000 for campground patrols.

**DISCUSSION:**

The Sheriff will provide reimbursable law enforcement services to the Tahoe National Forests in accordance with the attached agreements. The Sheriff has adequate resources to provide the services in the same manner as provided in past years.

**FISCAL IMPACT:**

None. The agreements provide reimbursement from the U.S. Forest Service for law enforcement services rendered, creating additional revenue for the Sheriff's Department.

**COMMITTEE ACTION:**

Due to the routine nature of the request, this item was placed directly on the Board of Supervisor's agenda.

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FS Agreement No. 12-LE-11051360-003  
Modification No. Mod 011  
Cooperator Agreement No. \_\_\_\_\_

**EXHIBIT A****COOPERATIVE LAW ENFORCEMENT ANNUAL PATROL OPERATIONS PLAN &  
FINANCIAL PLAN**

**Between The  
YUBA COUNTY SHERIFF'S DEPARTMENT  
And the  
USDA, FOREST SERVICE  
TAHOE AND PLUMAS NATIONAL FORESTS**

**2016 ANNUAL OPERATING AND FINANCIAL PLAN**

This Annual Financial and Operating Plan (Annual Operating Plan), is hereby made and entered into by and between the Yuba County Sheriff's Department, hereinafter referred to as "the Cooperator," and the USDA, Forest Service, Tahoe and Plumas National Forests, hereinafter referred to as the "U.S. Forest Service," under the provisions of Cooperative Law Enforcement Agreement #12-LE-1105-1360-003 executed on October 5, 2011. This Annual Operating Plan is made and agreed to as of the last date signed below and is for the estimated period beginning October 1, 2015 and ending September 30, 2016.

**FY2016 Total Annual Operating Plan: \$5,000.00**

**I. GENERAL:**

- A. The following individuals shall be the designated and alternate representative(s) of each party, so designated to make or receive requests for special enforcement activities.

**Principal Cooperator Contacts:**

<b>Cooperator Program Contact</b>	<b>Cooperator Administrative Contact</b>
Steve Durfor Sheriff, Yuba County Yuba County Sheriff's Office 215 5 <sup>th</sup> Street – Suite 150 Marysville, CA, 95901 Telephone: 530.749.7779	Beckie Howard Yuba County Sheriff's Office 215 5 <sup>th</sup> Street – Suite 150 Marysville, CA, 95901 Telephone: 530.749.7731 Email: <a href="mailto:bhoward@co.yuba.ca.us">bhoward@co.yuba.ca.us</a>



Ron Johnson  
Patrol Captain  
Yuba County Sheriff's Office  
215 5<sup>th</sup> Street  
Marysville, CA, 95901  
Telephone: 530.741.6331

**Principal U.S. Forest Service Contacts:**

<b>U.S. Forest Service Program Manager Contact</b>	<b>U.S. Forest Service Administrative Contact</b>
Joseph M. Cook, Patrol Captain 631 Coyote Street Nevada City, CA 95959 Telephone: 530-478-6148 FAX: 530-478-6179 Email: jcook02@fs.fed.us	Melissa Ewing 631 Coyote Street Nevada City, CA 95959 Telephone: 530-478-6166 FAX: 530-478-6179 Email: <a href="mailto:melissaewing@fs.fed.us">melissaewing@fs.fed.us</a>
	Geraldine C. Bordash (Gerri), Grants Management Specialist 1323 Club Drive Vallejo, CA 94592-1110 Telephone: 707-562-8782 FAX: 707-562-9144 Email: <a href="mailto:gbordash@fs.fed.us">gbordash@fs.fed.us</a>

- B. Reimbursement for all types of enforcement activities shall be at the following rates unless specifically stated otherwise. The following rates include wages, fringe benefits, and equipment:

Salary (base)	\$35.00 per hour, \$45.00/with mileage
Salary (overtime)	\$52.50 per hour, \$62.50/with mileage
Per diem costs	\$39.00/m&ie + \$65.00/lodging,

**II. PATROL ACTIVITIES:**

- A. Time schedules for patrols will be flexible to allow for emergencies, other priorities, and day-to-day needs of both the Cooperator and the U.S. Forest Service. Ample time will be spent in each area to make residents and visitors aware that law enforcement officers are in the vicinity. The emphasis for patrols should be focused on periods of higher visitor use, typically Fridays, Saturdays and Sundays. Actual work schedules may be negotiated between the designated representatives

1. Patrol in the following campgrounds, developed sites, or dispersed areas:



Cooperator agrees to make patrols through the campgrounds and areas of concentrated use, including but not limited to the high use areas of Hornswoggle, Schoolhouse, Dark Day, and Oregon Creek. Patrols shall be conducted on a call when needed basis or as scheduled by the designated representative.

When requested by the Forest Service designated representative, and as resources are available, the Cooperator will assist the Forest Service in conducting support activities related to the enforcement and investigation of violations of criminal law as they pertain to the mission of the Forest Service.

**Total reimbursement for this category shall not exceed the amount of: \$5,000.00**

- B. Cooperator personnel assigned to duties in Section II must be regular employees of the Yuba County Sheriff's Office with at least POST certification to operate in a solo-officer capacity. The Cooperator's assigned personnel will utilize the County's standard equipment and vehicle, or perform foot patrol, and will be in standard uniform at all times, unless otherwise requested by the Forest Service.

The assigned Deputy will possess a Forest Service radio and maintain communications with Grass Valley ECC Dispatch, including going in and out of service, at all times during the patrols.

Duties for that day or time period will be entirely U.S. Forest Service oriented and patrol the areas at the request of the Forest Service designated representative. The assigned Deputy should not generally be available for routine calls for service other than those at the request of the U.S. Forest Service. Since the billable period is an hour, any calls off National Forest land that result in absence for an hour or more, will be documented and will not be billable. Patrols should be conducted with a designated Forest Officer accompanying the Deputy, as available.

For each patrol shift, the Deputy will complete and turn in a Daily Field Activity Report (DFAR, FS 5300-26, attached). The Sheriff's Deputy will complete the report after each activity and give to the Forest Service designated representative bi weekly.

The Cooperator will complete and submit to the U.S. Forest Service the U.S. Forest Service Cooperative Law Enforcement Activity Report (FS 5300-5, attached) identifying the number of crimes occurring on NFS lands. The report shall follow the FBI Uniform Crime Reporting groupings, Part I and Part II offenses. Offenses and arrest information shall be combined and reported for each crime. This report shall separate the crimes handled under this agreement from those handled by the cooperator during regular duties. Both report forms are attached to this Exhibit and/or the Cooperative Agreement. Each U.S. Forest Service designated representative will also provide the forms as needed.



The Cooperator may not be reimbursed for the services of personnel who are employed by the U.S. Forest Service in a law enforcement capacity and are also Reserve Officers of the Cooperator.

### III. EQUIPMENT AND SUPPLIES:

*See Cooperative Law Enforcement Agreement Provision IV-K for additional information.*

The U.S. Forest Service will loan those surplus items that will further the cooperative effort. These items are property, but in most cases will be expendable. The items will be tracked and accounted for by the Tahoe National Forest Patrol Captain. Items will be returned to the U.S. Forest Service when no longer needed and will report the damage or destruction of such property when applicable or no longer serviceable.

If any of these surplus items have original high value, serial numbers, sensitivity in storage, security or use, they will be loaned and accounted for on an amendment to this operating plan.

If the equipment is abused or neglected, as determined by the U.S. Forest Service, the Cooperator may be billed for the repairs or replacement of like equipment.

### IV. SPECIAL ENFORCEMENT SITUATIONS:

A. Special Enforcement Situations include but are not limited to: Fire Emergencies, Drug Enforcement, and certain Group Gatherings.

B. Funds available for special enforcement situations vary greatly from year to year and must be specifically requested and approved prior to any reimbursement being authorized. Requests for funds should be made to the U.S. Forest Service designated representative listed in Item I-A of this Annual Operating Plan. The designated representative will then notify the Cooperator whether funds will be authorized for reimbursement. If funds are authorized, the parties will then jointly prepare a revised Annual Operating Plan.

1. Drug Enforcement: This will be handled on a case by case basis. The request will normally come from the patrol Captain; however, it may come from the Special Agent in Charge or their designated representative. Reimbursement shall be made at the rates specified in Section I-B. Deputies assigned to the incident will coordinate all of their activities with the designated officer in charge of the incident.
2. Fire Emergency: During emergency fire suppression situations and upon request by the Forest Service pursuant to an incident resource order, the Cooperator agrees to provide special services beyond those provided under Section II-A, within the Cooperator's resource capabilities, for the enforcement of State and local laws related to the protection of persons and their property. The Cooperator will be compensated at the rate specified in Section I-B; the U.S. Forest Service will





specify times and schedules. Upon concurrence of the local patrol Captain or their designated representative, an official from the Incident Management Team managing the incident, Cooperator personnel assigned to an incident where meals are provided will be entitled to such meals.

3. Group Gatherings: This includes but is not limited to situations which are normally unanticipated or which typically include very short notices, large group gatherings such as rock concerts, demonstrations, and organization rendezvous. Upon authorization by a U.S. Forest Service representative listed in Section I-A for requested services of this nature, reimbursement shall be made at the rates specified in Section I-B. Deputies assigned to this type of incident will normally coordinate their activities with the designated officer in charge of the incident.

This includes but is not limited to situations which are normally unanticipated or which typically include very short notice, large group gatherings such as rock concerts, demonstrations, and organizational rendezvous.

#### **V. BILLING FREQUENCY:**

*See Cooperative Law Enforcement Agreement Provisions II-H and III-B for additional information.*

For services requested in items I, II and agreed to under II and IV, reimbursement will be based upon itemized bills furnished monthly, along with certification that the services have been performed. Final billings for reimbursement must be received by the U.S. Forest Service before October 31, 2016.

- a. Mail copies of itemized billing statements and patrol logs to:

Melissa Ewing  
Law Enforcement & Investigations  
631 Coyote Street  
Nevada City, CA 95959

- b. The Albuquerque Service Center (ASC) is the payment center for all payments. Do not send backup documents to the ASC. Send only the hard copy invoice & Law Enforcement Billing Summary to the ASC via any of the following three options:

1. US Forest Service  
Albuquerque Service Center  
Payment – Grants and Agreements  
1001 B Sun Ave NE  
Albuquerque, NM 87109

2. Or FAX to : 877.687.4894 – Attn: Payments, Grants and Agreements



3. Or e-mail scanned invoice to: [asc\\_g&a@fs.fed.us](mailto:asc_g&a@fs.fed.us)

**NOTE: Annually update the Central Contractors Registration (CCR) of the County Sheriff's DUNS# on the CCR website at [www.ccr.gov](http://www.ccr.gov) for the verification of the Electronic Funds Transfer (EFT) banking information.**

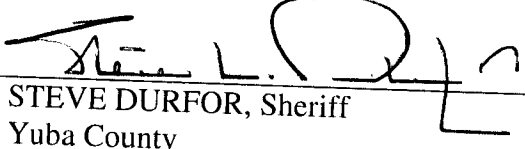
- A. The following is a breakdown of the total estimated costs associated with this Annual Operating Plan.

Category	Estimated Costs	Not to Exceed by %
Patrol Activities	\$5,000.00	
Training	\$0.00	
Equipment and Supplies	\$0.00	
Dispatch	\$0.00	
Special Enforcement Situations	\$0.00	
<b>Total</b>	<b>\$5,000.00</b>	

- B. Any remaining funding in this Annual Operating Plan may be carried forward to the next fiscal year and will be available to spend through the term of the Cooperative Law Enforcement Agreement, or deobligated at the request of the U.S. Forest Service. *See Cooperative Law Enforcement Agreement Provision IV-D.*



In witness whereof, the parties hereto have executed this Annual Operating Plan as of the last date written below.

  
STEVE DURFOR, Sheriff  
Yuba County

Date

03/31/16

APPROVED AS TO FORM

ANGIL P. MORRIS-JONES

COUNTY COUNSEL

BY: 

Date

~~JOHN NICOLETTI~~, Chairman Roger Abe  
Yuba County Board of Supervisor

TOM QUINN, Forest Supervisor  
U.S. Forest Service, Tahoe National Forest

Date

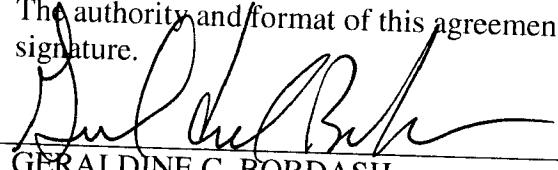
EARL W. FORD, Forest Supervisor  
U.S. Forest Service, Plumas National Forest

Date

DON HOANG, Special Agent in Charge  
U.S. Forest Service, Pacific Southwest Region

Date

The authority and format of this agreement have been reviewed and approved for signature.

  
GERALDINE C. BORDASH,  
Grants Management Specialist  
U.S. Forest Service, Pacific Southwest Region

Date

02/18/2016

## Burden Statement

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0217. The time required to complete this information collection is estimated to average 3 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance. (Not all prohibited bases apply to all programs.) 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).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call toll free (866) 632-9992 (voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice). USDA is an equal opportunity provider and employer.



USDA Forest Service

OMB 0596-0217  
FS-1500-19**MODIFICATION OF GRANT OR AGREEMENT**

PAGE OF PAGES

1

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1. U.S. FOREST SERVICE GRANT/AGREEMENT NUMBER:  
12-LE-11051360-0072. RECIPIENT/COOPERATOR GRANT or  
AGREEMENT NUMBER, IF ANY:3. MODIFICATION NUMBER:  
074. NAME/ADDRESS OF U.S. FOREST SERVICE UNIT ADMINISTERING  
GRANT/AGREEMENT (unit name, street, city, state, and zip + 4):  
Constance Zipperer, Grant Mangement Specialist  
Pacific Southwest Region, USDA, Forest Service  
1323 Club Drive  
Vallejo, CA 945925. NAME/ADDRESS OF U.S. FOREST SERVICE UNIT ADMINISTERING  
PROJECT/ACTIVITY (unit name, street, city, state, and zip + 4):  
Law Enforcement  
Pacific Southwest Region, USDA, Forest Service,  
1323 Club Drive  
Vallejo, CA 945926. NAME/ADDRESS OF RECIPIENT/COOPERATOR (street, city, state, and zip +  
4, county):  
Sierra County Sheriff's Office  
P.O. Box 66  
Downieville, CA, 95936-00667. RECIPIENT/COOPERATOR'S HHS SUB ACCOUNT NUMBER (For HHS  
payment use only):**8. PURPOSE OF MODIFICATION**CHECK ALL  
THAT APPLY:This modification is issued pursuant to the modification provision in the grant/agreement  
referenced in item no. 1, above.

CHANGE IN PERFORMANCE PERIOD:



CHANGE IN FUNDING:



ADMINISTRATIVE CHANGES:



OTHER (Specify type of modification): See Section 9.

**Except as provided herein, all terms and conditions of the Grant/Agreement referenced in 1, above, remain unchanged and in full  
force and effect.**

9. ADDITIONAL SPACE FOR DESCRIPTION OF MODIFICATION (add additional pages as needed):

The purpose of this modification is to add to the Master Cooperative Law Enforcement Agreement the newly required Minimum Wage  
Requirement provison (Attachment A)**10. ATTACHED DOCUMENTATION (Check all that apply):**

Revised Scope of Work



Revised Financial Plan



Other: Minimum Wage Requirement (Attachment A)

**11. SIGNATURES****AUTHORIZED REPRESENTATIVE:** BY SIGNATURE BELOW, THE SIGNING PARTIES CERTIFY THAT THEY ARE THE OFFICIAL REPRESENTATIVES OF  
THEIR RESPECTIVE PARTIES AND AUTHORIZED TO ACT IN THEIR RESPECTIVE AREAS FOR MATTERS RELATED TO THE ABOVE-REFERENCED  
GRANT/AGREEMENT.

11.A. SIERRA COUNTY. SIGNATURE

11.B. DATE  
SIGNED

11.C. U.S. FOREST SERVICE SIGNATURE

11.D. DATE  
SIGNED

(Signature of Signatory Official)

(Signature of Signatory Official)

11.E. NAME (type or print): TIM STANDLEY

11.F. NAME (type or print): DON HOANG

11.G. TITLE (type or print): Sheriff, Sierra County

11.H. TITLE (type or print): Special Agent in Charge

**12. G&A REVIEW**

12.A. The authority and format of this modification have been reviewed and approved for signature by:

12.B. DATE  
SIGNED

02/19/2016

GERALDINE C. BORDASH

U.S. Forest Service Grants &amp; Agreements Specialist



USDA Forest Service

OMB 0596-0217  
FS-1500-19

#### Burden Statement

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The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance. (Not all prohibited bases apply to all programs.) 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).

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## MINIMUM WAGE REQUIREMENT.

(a) Executive Order 13658. This contract-like instrument (for purposes of this clause only, contract) is subject to Executive Order 13658, the regulations issued by the Secretary of Labor in 29 CFR part 10 pursuant to the Executive Order, and the following provisions.

(b) Minimum Wages.

(1) Each worker (as defined in 29 CFR 10.2) engaged in the performance of this contract by the prime contractor or any subcontractor, regardless of any contractual relationship which may be alleged to exist between the contractor and worker, shall be paid not less than the applicable minimum wage under Executive Order 13658.

(2) The minimum wage required to be paid to each worker performing work on or in connection with this contract between January 1, 2015, and December 31, 2015, must be \$10.10 per hour. The minimum wage must be adjusted each time the Secretary of Labor's annual determination of the applicable minimum wage under section 2(a)(ii) of Executive Order 13658 results in a higher minimum wage. Adjustments to the Executive Order minimum wage under section 2(a)(ii) of Executive Order 13658 will be effective for all workers subject to the Executive Order beginning January 1 of the following year. If appropriate, the Contracting Officer, or other Agency official overseeing this contract shall ensure the contractor is compensated only for the increase in labor costs resulting from the annual inflation increases in the Executive Order 13658 minimum wage beginning on January 1, 2016. The Secretary of Labor will publish annual determinations in the Federal Register no later than 90 days before such new wage is to take effect. The Secretary will also publish the applicable minimum wage on [www.wdol.gov](http://www.wdol.gov) (or any successor website). The applicable published minimum wage is incorporated by reference into this contract.

(3) The contractor shall pay unconditionally to each worker all wages due free and clear and without subsequent deduction (except as otherwise provided by 29 CFR 10.23), rebate, or kickback on any account. Such payments must be made no later than one pay period following the end of the regular pay period in which such wages were earned or accrued. A pay period under this Executive Order may not be of any duration longer than semi-monthly.

(4) The prime contractor and any upper-tier subcontractor shall be responsible for the compliance by any subcontractor or lower-tier subcontractor with the Executive Order minimum wage requirements. In the event of any violation of the minimum wage obligation of this clause, the contractor and any subcontractor(s) responsible, therefore, shall be liable for the unpaid wages.

(5) If the commensurate wage rate paid to a worker on a covered contract whose wages are calculated pursuant to a special certificate issued under 29 U.S.C.

Attachment D

214(c), whether hourly or piece rate, is less than the Executive Order minimum wage, the contractor shall pay the Executive Order minimum wage rate to achieve compliance with the Order. If the commensurate wage due under the certificate is greater than the Executive Order minimum wage, the contractor shall pay the 14(c) worker the greater commensurate wage.

(c) Withholding. The Agency head shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld from the prime contractor under this or any other Federal contract with the same prime contractor, so much of the accrued payments or advances as may be considered necessary to pay workers the full amount of wages required by Executive Order 13658.

(d) Contract Suspension/Contract Termination/Contractor Debarment. In the event of a failure to pay any worker all or part of the wages due under Executive Order 13658 or 29 CFR part 10, or a failure to comply with any other term or condition of Executive Order 13658 or 29 CFR part 10, the contracting agency may on its own action or after authorization or by direction of the Department of Labor and written notification to the contractor, take action to cause suspension of any further payment, advance, or guarantee of funds until such violations have ceased. Additionally, any failure to comply with the requirements of this clause may be grounds for termination of the right to proceed with the contract work. In such event, the Government may enter into other contracts or arrangements for completion of the work, charging the contractor in default with any additional cost. A breach of the contract clause may be grounds for debarment as a contractor and subcontractor as provided in 29 CFR 10.52.

(e) The contractor may not discharge any part of its minimum wage obligation under Executive Order 13658 by furnishing fringe benefits or, with respect to workers whose wages are governed by the Service Contract Act, the cash equivalent thereof.

(f) Nothing herein must relieve the contractor of any other obligation under Federal, State or local law, or under contract, for the payment of a higher wage to any worker, nor must a lower prevailing wage under any such Federal, State, or local law, or under contract, entitle a contractor to pay less than \$10.10 (or the minimum wage as established each January thereafter) to any worker.

(g) Payroll Records.

(1) The contractor shall make and maintain for 3 years the records containing the information specified in paragraphs (g)(1) (i) through (vi) of this section for each worker and shall make the records available for inspection and transcription by the authorized representatives of the Wage and Hour Division of the U.S. Department of Labor:

- (i) Name, address, and social security number,
- (ii) The worker's occupation(s) or classification(s),
- (iii) The rate or rates of wages paid,

Attachment D

- (iv) The number of daily and weekly hours worked by each worker,
  - (v) Any deductions made; and
  - (vi) Total wages paid.
- (2) The contractor shall also make available a copy of the contract, as applicable, for inspection or transcription by authorized representatives of the Wage and Hour Division.
- (3) Failure to make and maintain or to make available such records for inspection and transcription shall be a violation of 29 CFR part 10 and this contract, and in the case of failure to produce such records, the Contracting Officer, upon direction of an authorized representative of the Department of Labor, or under its own action, shall take such action as may be necessary to cause suspension of any further payment or advance of funds until such time as the violations are discontinued.
- (4) The contractor shall permit authorized representatives of the Wage and Hour Division to conduct investigations, including interviewing workers at the worksite during normal working hours.
- (5) Nothing in this clause limits or otherwise modifies the contractor's payroll and recordkeeping obligations, if any, under the Davis-Bacon Act, as amended, and its implementing regulations; the Service Contract Act, as amended, and its implementing regulations; the Fair Labor Standards Act, as amended, and its implementing regulations; or any other applicable law.
- (h) The contractor (as defined in 29 CFR 10.2) shall insert this clause in all of its covered subcontracts and shall require its subcontractors to include this clause in any covered lower-tier subcontracts. The prime contractor and any upper-tier subcontractor shall be responsible for the compliance by any subcontractor or lower-tier subcontractor with this contract clause.
- (i) Certification of Eligibility.
- (1) By entering into this contract, the contractor (and officials thereof) certifies that neither it (nor he or she) nor any person or firm who has an interest in the contractor's firm is a person or firm ineligible to be awarded Government contracts by virtue of the sanctions imposed pursuant to section 5 of the Service Contract Act, section 3(a) of the Davis-Bacon Act, or 29 CFR 5.12(a)(1).
- (2) No part of this contract shall be subcontracted to any person or firm whose name appears on the list of persons or firms ineligible to receive Federal contracts.
- (3) The penalty for making false statements is prescribed in the U.S. Criminal Code, 18 U.S.C. 1001.



Attachment D

(j) Tipped employees. In paying wages to a tipped employee as defined in section 3(t) of the Fair Labor Standards Act, 29 U.S.C. 203(t), the contractor may take a partial credit against the wage payment obligation (tip credit) to the extent permitted under section 3(a) of Executive Order 13658. In order to take such a tip credit, the employee shall receive an amount of tips at least equal to the amount of the credit taken; where the tipped employee does not receive sufficient tips to equal the amount of the tip credit, the contractor shall increase the cash wage paid for the workweek so that the amount of cash wage paid and the tips received by the employee equal the applicable minimum wage under Executive Order 13658. To utilize this proviso:

- (1) The employer shall inform the tipped employee in advance of the use of the tip credit;
- (2) The employer shall inform the tipped employee of the amount of cash wage that will be paid and the additional amount by which the employee's wages will be considered increased on account of the tip credit;
- (3) The employees shall be allowed to retain all tips (individually or through a pooling arrangement and regardless of whether the employer elects to take a credit for tips received); and
- (4) The employer shall be able to show by records that the tipped employee receives at least the applicable Executive Order minimum wage through the combination of direct wages and tip credit.

(k) Antiretaliation. It shall be unlawful for any person to discharge or in any other manner discriminate against any worker because such worker has filed any complaint or instituted or caused to be instituted any proceeding under or related to Executive Order 13658 or 29 CFR part 10, or has testified or is about to testify in any such proceeding.

(l) Disputes concerning labor standards. Disputes related to the application of Executive Order 13658 to this contract must not be subject to the general disputes clause of the contract. Such disputes must be resolved in accordance with the procedures of the Department of Labor set forth in 29 CFR Part 10. Disputes within the meaning of this contract clause include disputes between the contractor (or any of its subcontractors) and the contracting agency, the U.S. Department of Labor, or the workers or their representatives.

(m) Notice. The contractor shall notify all workers performing work on or in connection with a covered contract of the applicable minimum wage rate under the Executive Order. With respect to service employees on contracts covered by the Service Contract Act and laborers and mechanics on contracts covered by the Davis-Bacon Act, the contractor may meet this requirement by posting, in a prominent and accessible place at the worksite, the applicable wage determination under those statutes. With respect to workers performing work on or in connection with a

#### Attachment D

covered contract whose wages are governed by the FLSA, the contractor shall post a notice provided by the Department of Labor in a prominent and accessible place at the worksite so it may be readily seen by workers. Contractors that customarily post notices to workers electronically may post the notice electronically provided such electronic posting is displayed prominently on any website that is maintained by the contractor, whether external or internal, and customarily used for notices to workers about terms and conditions of employment.

# The County of Yuba



## Office of the County Administrator

Robert Bendorf, County Administrator  
Grace M. Mull, Deputy County Administrator  
Russ Brown, Communications & Legislative Affairs Coordinator  
Keirsten Spies, 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](mailto:rbendorf@co.yuba.ca.us)  
[gmull@co.yuba.ca.us](mailto:gmull@co.yuba.ca.us)  
[rbrown@co.yuba.ca.us](mailto:rbrown@co.yuba.ca.us)  
[kspies@co.yuba.ca.us](mailto:kspies@co.yuba.ca.us)

Date: April 19, 2016  
To: Board of Supervisors  
From: Robert Bendorf, County Administrator  
By: Grace Mull, Deputy County Administrator  
Re: FY 2016-2017 Consolidated Fee Ordinance

A handwritten signature in black ink, appearing to read "RB/BM", is written over the "From" and "By" lines of the memo.

### Recommendation

Consider revisions to the Consolidated Fee Ordinance for fiscal year 2016-17.

### Background

Departments are tasked to review their fees annually to ensure that fees charged reflect true cost of services. The review process includes adding new fees, deleting obsolete fees, and revising fee titles to accurately describe the fee.

### Discussion

The purpose of the Consolidated Fee Ordinance is to allow the public and those doing business with the County to easily access fees associated with various departmental services. The annual revision process provides the Board and the public an opportunity to review and comment on the County's fee structure.

The attached summary displays which fees are proposed to be changed, the amount requested under the new fee, and the reasons for the fee revisions. Fee increases reflect the department's full amount of time and costs associated with providing these services, and are meant to be cost covering.

### Committee

The Finance & Administration Committee reviewed this item on April 5, 2016 and recommended approval.

### Fiscal Impact

The proposed revisions to the Consolidated Fee Ordinance and associated fee schedules represent each department's estimate of the cost to provide services, or are set by state law. Consequently, fee adjustments, either up or down, are meant to eliminate a subsidy or to ensure there is no revenue in excess of the cost of the services provided from the fees being charged to perform the services.

# FY 16/17 Master Fee Schedule - Summary of Changes

Code Section & Department		Name of Fee	Old Fee	New Fee	Reason for Change
13.00.030 Admin Services	1.1	Group 1 - Hangars #1-24	\$122.00/Month \$1,464.00/Annual	\$125.00/Month \$1,500.00/Annual	Fee increase based on annual CPI per hangar agreement.
	1.2	Group 2 - Hangars #25-27 and #29-30	\$222.00/Month \$2,664.00/Annual	\$228.00/Month \$2,736.00/Annual	Fee increase based on annual CPI per hangar agreement.
	1.3	Group 3 - Hangars #32-36 and #38-42	\$176.00/Month \$2,112.00/Annual	\$180.00/Month \$2,160.00/Annual	Fee increase based on annual CPI per hangar agreement.
	1.4	Group 4 - Hangars #44-52 and #60-67	\$256.00/Month \$3,072.00/Annual	\$262.00/Month \$3,144.00/Annual	Fee increase based on annual CPI per hangar agreement.
	1.5	Group 5 - Hangars #53, #54, and #57	\$284.00/Month \$3,408.00/Annual	\$291.00/Month \$3,492.00/Annual	Fee increase based on annual CPI per hangar agreement.
	1.6	Storage Hangar #28	\$113.00/Month \$1,356.00/Annual	\$116.00/Month \$1,392.00/Annual	Fee increase based on annual CPI per hangar agreement.
	1.7	Storage Hangar #37	\$88.00/Month \$1,056.00/Annual	\$90.00/Month \$1,080.00/Annual	Fee increase based on annual CPI per hangar agreement.
	1.8	Storage Hangar #43	\$85.00/Month \$1,020.00/Annual	\$87.00/Month \$1,044.00/Annual	Fee increase based on annual CPI per hangar agreement.
	1.9	Storage Hangar #58	\$130.00/Month \$1,560.00/Annual	\$133.00/Month \$1,596.00/Annual	Fee increase based on annual CPI per hangar agreement.
	1.10	Storage Hangar #59	\$122.00/Month \$1,464.00/Annual	\$125.00/Month \$1,500.00/Annual	Fee increase based on annual CPI per hangar agreement.
	1.11	Storage Hangar #68	\$84.00/Month \$1,008.00/Annual	\$86.00/Month \$1,032.00/Annual	Fee increase based on annual CPI per hangar agreement.
	1.12	Uniformed Security Hourly Charge - with 48 hrs or more advanced notice	\$13.89/Hour	\$14.75/Hour	Fee increase based on current contractual rate.
	1.13	Uniformed Security Hourly Charge - with 24 hrs (but >8)	\$15.50/Hour	\$16.28/Hour	Fee increase based on current contractual rate.
	1.14	Buildings & Grounds Hourly Charge	\$41.60/Hour	\$42.40/Hour	Fee increase to include increases to salaries.
	1.15	Custodial Services Hourly Charge	\$34.15/Hour	\$34.80/Hour	Fee increase to include increases to salaries.
	1.16	Admin Services Office Hourly Rate	\$34.00/Hour	\$34.60/Hour	Fee increase to include increases to salaries.

FY 16/17 Master Fee Schedule - Summary of Changes

Code Section &  
Department

Code Section & Department		Name of Fee	Old Fee	New Fee	Reason for Change
13.00.034 Animal Care Services	2.1	Code Title Name Change: Change from Animal Control to Animal Care Services	N/A	N/A	Name change to reflect current name of department.
	2.2	Adoption Fees - Four (4) months of age and older - Dogs + optional microchip		\$58.00	New fee to include optional microchip.
	2.3	Adoption Fees - Four (4) months of age and older - Cats + optional microchip		\$58.00	New fee to include optional microchip.
	2.4	Adoption Fees - Under four (4) months of age - Puppies + optional microchip		\$25.00	New fee to include optional microchip.
	2.5	Adoption Fees - Under four (4) months of age - Kittens + optional microchip		\$23.00	New fee to include optional microchip.
13.00.042 Clerk Recorder	3.1	Certified Copy of Voter Registration	\$3.00	\$1.50	Fee reduction to comply with Elections Code.
	3.2	Surety Power of Attorney Filings - 1st name	\$12.00	\$12.00	Moved location of fee from Election Fees to Recorder Fees.
	3.3	Surety Power of Attorney Filings - each additional name	\$6.00	\$6.00	Moved location of fee from Election Fees to Recorder Fees.
	3.4	Humane Officer Filing	\$5.00	\$5.00	Moved location of fee from Election Fees to Recorder Fees.
13.00.044 District Attorney	4.1	Discovery Fee - Audio Tape Reproduction	\$15.00 includes tape	Delete	Delete fee and revised with new fees that correctly describe current media uses.
	4.2	Discovery Fee - Video Reproduction	\$15.00 includes tape	Delete	Delete fee and revised with new fees that correctly describe current media uses.
	4.3	Discovery Fee - CD Photo Reproduction	\$15.00 includes CD	Delete	Delete fee and revised with new fees that correctly describe current media uses.
	4.4	Discovery Fee - DVD Video Reproduction	\$15.00 includes DVD	Delete	Delete fee and revised with new fees that correctly describe current media uses.
	4.5	Discovery Fee - Digital Media Reproduction to CD/DVD		\$15.00 includes CD/DVD	New fee to revise media description to reflect current uses.
	4.6	Discovery Fee - Digital Media Reproduction to Secure Flashdrive		\$27.00 includes Flashdrive	New fee to revise media description to reflect current uses.
13.00.058 Public Guardian	5.1	LPS Conservatorship Fee (1 Year Accounting)	10% of Estate Bal	10% of Estate Balance or Hourly Rate whichever is greater	Revised fee description to include hourly rate where necessary.
	5.2	Probate Conservatorship Fee (2 Year Accounting)	15% of Estate Bal	15% of Estate Balance or Hourly Rate whichever is greater	Revised fee description to include hourly rate where necessary.

**FY 16/17 Master Fee Schedule - Summary of Changes**

Code Section & Department		Name of Fee		Old Fee	New Fee	Reason for Change
13.20.400 Environmental Health	6.1	Special Events - Large more than 3 vendors attendance 500+		\$441.00	Delete	Delete fee as it is now obsolete.
	6.2	OLD: Special Events - + billed hourly rate for time spent over base Special Events - + billed hourly rate	NEW:	\$147.00/Hour	\$147.00/Hour	Name change only. Deleted "for time spent over base"
	6.3	OLD: Special Events - Small 3 or less vendors, attendance -500 Special Events - 3 or less vendors + \$50 per vendor over 3	NEW:	\$147.00	\$294.00	Name change and fee structure change. Fee increase accounts for average of 2 Hours it takes to perform task. \$50 additional vendor charge after 3 vendors.
	6.4	Individual Experimental Systems (Monitoring for 1st year)		\$588.00	Delete	Delete fee as it is cost to monitor 1st year is comparable to following years.
	6.5	Individual Experimental Systems		\$220.50	\$147.00	Fee reduced to reflect time it takes to perform task (currently 1 Hour).

ORDINANCE NO. \_\_\_\_\_

**ORDINANCE REPEALING AND RE-ENACTING CHAPTERS 13.00.030,  
13.00.034, 13.00.042, 13.00.044, 13.00.058 AND 13.20.400 OF THE YUBA COUNTY  
CONSOLIDATED FEE ORDINANCE CODE**

The following ordinances consisting of three (3) sections, was duly and regularly passed and adopted by the Board of Supervisors of the County of Yuba, State of California, at a regular meeting of the Board of Supervisors held on \_\_\_\_\_ day of \_\_\_\_\_, 2016, by the following vote:

AYES:

NOES:

ABSENT:

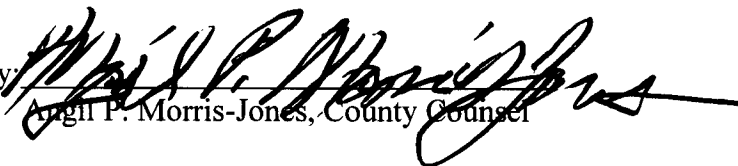
ABSTAIN:

\_\_\_\_\_  
Roger Abe, Chairman of the Board of  
Supervisors of the County of Yuba,  
State of California

ATTEST: DONNA STOTTLEMEYER  
Clerk of the Board of Supervisors

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

APPROVED AS TO FORM:

By:   
Argh P. Morris-Jones, County Counsel

**THE BOARD OF SUPERVISORS OF THE COUNTY OF YUBA, STATE OF CALIFORNIA DOES ORDAIN AS FOLLOWS:**

Section 1. This ordinance shall take effect Sixty (60) days after its passage, and shall become operative and in full force on July 1, 2016. Before the expiration of Thirty (30) days after its passage a summary shall be published with the names of the members voting for and against the same, once in a local newspaper of general circulation in the County of Yuba, State of California.

Section 2. Sections 13.00.030, 13.00.034, 13.00.042, 13.00.044, 13.00.058 and 13.20.400 of the Yuba County Consolidated Fee Ordinance Code are hereby repealed and re-enacted in its entirety to read as reflected in Attachment "A", hereto and by this reference is incorporated herein as though set forth in full.

Section 3. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.



**Administrative Services - Code Section 13.00.030**

<b>NAME OF FEE</b>	<b>FEE FY 16/17</b>
<b>Information Technology</b>	
Services for Data Sets, Programming, Maps, Reports,	\$65.00/hour
Services for Information Security Officer	\$76.00/hour
Copies of Electronic Files, Training, Support	(1 hour minimum)
<b>Airport</b>	
<b>Hanger Rates</b>	Month/Annual
Group 1 - Hangars #1-24	\$125.00 / \$1,500.00
Group 2 - Hangars #25-27 and #29-30	\$228.00 / \$2,736.00
Group 3 - Hangars #32-36 and #38-42	\$180.00 / \$2,160.00
Group 4 - Hangars #44-52 and #60-67	\$262.00 / \$3,144.00
Group 5 - Hangars #53, #54, and #57	\$291.00 / \$3,492.00
<b>Storage Unit Rates</b>	Month/Annual
Storage Hangar #28	\$116.00 / \$1,392.00
Storage Hangar #37	\$90.00 / \$1,080.00
Storage Hangar #43	\$87.00 / \$1,044.00
Storage Hangar #58	\$133.00 / \$1,596.00
Storage Hangar #59	\$125.00 / \$1,500.00
Storage Hangar #68	\$86.00 / \$1,032.00
<b>Tie-Down Rates</b>	Day/Month
Single Engine Tie-Down Fees	\$5.00/\$40.00
Light Twin Tie-Down Fees (up to 6,000 lbs)	\$6.00/\$45.00
Multi-Engine Tie-Down Fees (6,000 to 12,000)	\$8.00/\$50.00
Multi-Engine Tie-Down Fees (over 12,000 lbs)	\$10.00/\$55.00
<b>Airport Use Permit/Off Airport Access Permit</b>	Month/Annual
Commercial Use/Off-Field Access Permit	\$125.00/\$1,500.00
Non-Commercial Use/Off-Field Access Permit	\$65.00/\$780.00
<b>T-Hangar Waiting List Application Fee</b>	\$15.00/month
<b>Late Fee(T-Hangar/Tie Downs/Building/Ground Leases)</b>	
Unless otherwise noted in agreement, a late charge of \$25.00	\$39.00 each occur
per occurrence, plus 1.5% interest on the unpaid balance	
<b>Non-Sufficient Fund Check Fee</b>	\$35.00
<b>Administrative Services</b>	
<b>Admin Services issued Security Cards</b>	
Security Access Card (New)	\$30.00/each
Security Access Card (Renewal)	\$30.00/each
Security Access Card Lost/Stolen (Replacement)	\$30.00/each

**Administrative Services - Code Section 13.00.030**

NAME OF FEE	FEE FY 16/17
<b>Meeting Room charge for non-County users</b>	
- evenings and weekend use (\$200.00 max per day)	\$50.00/hour
- after hours / emergency call in; 2 hour min based on hourly rates noted below	
<b>Uniformed Security hourly charge</b>	Charge at actual cost
- with 48 hours or more advance notice	\$14.75 / hour
- with 24 hours notice (but > 8)	\$16.28 / hour
<b>Buildings &amp; Grounds hourly charge</b>	\$42.40 / hour
- blended rate for chargeback when appropriate	
- after hours / emergency call in; 2 hour minimum	
<b>Custodial Services hourly charge</b>	\$34.80 / hour
- blended rate for chargeback when appropriate	
- after hours / emergency call in; 2 hour minimum	
<b>Admin Services office hourly rate</b>	\$34.60 / hour
- blended rate for chargeback when appropriate	

**Animal Care Services - Code Section 13.00.034**

NAME OF FEE	FEE FY 16/17
<b>Impound/Redemption Fees*</b>	
Impound Fee - Dog	\$45.00
Daily Board Fee - Dog	\$10.00
Second Impound within One Year - Dog	\$75.00
Third Impound within One Year - Dog	\$110.00
Impound Fee - Vaccinated Cat	\$20.00
Daily Board Fee - Cat	\$8.00
Second Impound within One Year - Cat	\$60.00
Third Impound within One Year - Cat	\$90.00
Impound Fee - Horses, Mules, Bulls, Cows, Oxen or Calves	\$75.00
Impound Fee - Sheep, Lambs, Goats, or Hogs	\$45.00
Impound Fee - Chickens, Rabbits, or Ducks	\$20.00
Daily Board Fee - Livestock	\$15.00
Hauling Fee - Livestock	Hauler's Fee
Impound Fee - Exotic Animals	\$35.00
Daily Board - Exotic Animals	\$10.00
<i>* The above fees are in addition to any state imposed fees.</i>	
<b>Owners Animal-Euthanasia Surrender Fees</b>	
Surrender deceased dog/cat for disposal - Resident	\$10.00
Surrender deceased dog/cat for disposal - Non-Resident	\$20.00
Euthanasia Surrender Fee - Dogs/Cats - Resident	\$35.00
Euthanasia Surrender Fee - Dogs/Cats - Non-Resident	\$50.00
<b>Dog License Fees</b>	
Dog License Fees - Spayed or Neutered - One Year	\$10.00
Dog License Fees - Spayed or Neutered - Two Year	\$16.00
Dog License Fees - Spayed or Neutered - Three Year	\$24.00
Dog License Fees - Not Spayed or Neutered - One Year	\$24.00
Dog License Fees - Not Spayed or Neutered - Two Year	\$48.00
Dog License Fees - Not Spayed or Neutered - Three Year	\$72.00
Senior Citizen 65 yrs old +, 1 dog per household	No Fee
Guide Dogs/Law Enforcement Dogs	No Fee
Penalty for failure to register dog within time period	\$18.00
Replacement Tag/Transfer of Ownership	\$6.00
<b>Adoption Fees</b>	
Four (4) months of age and older - Dogs	\$43.00
Four (4) months of age and older - Dogs + optional microchip	\$58.00
Four (4) months of age and older - Cats	\$43.00
Four (4) months of age and older - Cats + optional microchip	\$58.00
<i>Adoption fees are in addition to any required rabies vaccination fees or fees associated with the spaying or neutering of an animal.</i>	
Under four (4) months of age - Puppies	\$10.00
Under four (4) months of age - Puppies + optional microchip	\$25.00

**Animal Care Services - Code Section 13.00.034**

NAME OF FEE	FEE FY 16/17
Under four (4) months of age Spay/Neuter Deposit- Puppies	\$40.00
Under four (4) months of age - Kittens	\$8.00
Under four (4) months of age - Kittens + optional microchip	\$23.00
Under four (4) months of age Spay/Neuter Deposit- Kittens	\$40.00
Other animals	Fair Market Value
<b>Hourly Rate</b>	
<i>The County may charge an hourly rate for time spent on</i>	\$25.00/hour
<i>incidents beyond the scope of duties or services normally</i>	
<i>provided.</i>	

**Clerk-Recorder - Code Section 13.00.042**

NAME OF FEE	FEE FY 16/17
<b>Recording Fees</b>	
Recording Fee 1st page - 8.5 x11	\$14.00
Each additional page - 8.5 x 11	\$3.00
Combined documents - each title	\$14.00
Recording Penalty - Any page not 8.5 x 11 all pages of document additional	\$3.00
Print Size Penalty	\$1.00
Additional indexing - each additional reference	\$1.00
Additional indexing - more than ten names	\$1.00
Release of lien recorded in error by Gov't Agency (except Federal Gov't)	No Fee
Involuntary Lien Notice (in addition to standard recording fee) - each debtor at different address	\$7.00
Recording full releases of Gov't Agency Liens (State, County & City except Federal Gov't)	\$12.00
Military Discharge	No Fee
Recording Financing Statements (1-2 pgs) - State Sets Fee	\$10.00
Recording Financing Statements (3 or more pgs) - State Sets Fee	\$20.00
Filing & Indexing paper not required by law to be recorded	\$6.00
Survey Monument Fund Fee	\$10.00
Documentary Transfer Tax	.55/per \$500.00
Preliminary 20 Day Notice	\$35.00
Preliminary 20 Day Notice each additional parcel or address	\$20.00
Preliminary Change of Ownership Report not filed at time of recording	\$20.00
Annual Internet Access Fee - Public Records	\$6,000.00
<b>Vital Records Fees</b>	
Certified Copy of Birth Certificate/Certificate of No Record/Info. Copy of Birth = State Sets Fee	Fee Set by State
Certified Copy of Birth Certificate - Public Agency Applicant - State Sets Fee	Fee Set by State
Certified Copy of Certificate of Marriage/Certificate of No Record of Marriage - State Sets Fee	Fee Set by State
Certified Copy of Certificate of Marriage - Pub Agency Appl - State Sets Fee	Fee Set by State
Certified Copy of Death Record/Certificate of No Record/Info. Copy of Death - State Sets Fee	Fee Set by State
<b>Map Fees</b>	
Recording Map Fee - 1st page	\$9.00
Recording Map Fee each additional page	\$2.00
<b>Marriage Fees</b>	
Issuance of Public Marriage License	\$65.00
Issuance of Confidential Marriage License	\$70.00
Issuance of Duplicate Marriage License	\$25.00
Amendment of Confidential Marriage Record after 1 year	\$23.00
Issuance of Declaration of Marriage	\$60.00
Civil Marriage by Commissioner	\$40.00
Credible Witness Affidavit (each)	\$5.00
Office Witness Fee for Marriage Ceremony	\$20.00

**Clerk-Recorder - Code Section 13.00.042**

NAME OF FEE	FEE FY 16/17
After Hours Marriage License (Request for license after 4:45 p.m.)	\$25.00
<b>Fictitious Business Name Filing Fees</b>	
Fictitious Business Name Statement - 1 Business Name/Registrant	\$30.00
Each additional Fictitious Business at same location	\$5.00
Each additional Registrant operating under same name	\$5.00
Abandonment Statement	\$30.00
Withdrawal from Partnership Statement	\$30.00
Copy of Fictitious Business filings per month	\$10.00
Certified Copy of any statement on file re: fictitious business	\$3.00
<b>Copy &amp; Certification Fees</b>	
Photographic Copy of public record	\$2.00
Each additional page	\$0.50
Photographic map copy - 1st page - 11x17 inches	\$2.50
Each additional map page - 11x17	\$1.00
Photographic map copy - 1st page - 18x26 inches	\$3.00
Each additional map page - 18x26	\$2.00
Certificate under Seal	\$2.50
Certified Copy of Service Discharge	No Fee
Conformed Copy - each (Limit 2)	\$1.00
Map Image CD or Flash Drive	\$20.00 up to 100 images
Archival Map Images Hard Drive	\$500.00
CD Recorded Images per month	\$400.00
Federal Lien Search Certificate - 1968 forward	\$10.00
Fax Charge Per Page	\$1.00
<b>Miscellaneous Filing Fees</b>	
Bond Filing (doesn't include recording fee)	\$13.00
Process Server Registration (Includes Bond Filing)	\$117.00
Professional Photocopier Registration (Includes Bond Filing)	\$182.00
(Includes Bond Filing)	\$107.00
(Includes Bond Filing)	\$182.00
Additional Process Server ID Card	\$10.00
Certification of Notary Signature	\$10.00
Certification of Official Capacity or Signature Authorization	\$10.00
Administrative Filing Fee - Environmental - Fee Set by State	Fee Set by State
Environmental Impact Report - Fee Set by State	Fee Set by State
Negative Declaration - Fee Set by State	Fee Set by State
Surety Power of Attorney Filings - 1st name	\$12.00
Surety Power of Attorney Filings - each additional name	\$6.00
Humane Officer Filing	\$5.00
<b>Election Fees</b>	
Registration of Voter	No Fee
Certified Copy of Voter Registration	\$1.50
Copy of Voter Index, per thousand names	\$2.00+\$5.00setup
Copy of Reports or Strmts, Political Reform Act per page	\$0.10

**Clerk-Recorder - Code Section 13.00.042**

NAME OF FEE	FEE FY 16/17
Preparing copies of any record per page	\$0.25
Certifying Fee	\$2.50
Searching record or files, per year (Clerk Research)	\$20 hr-1/2 hr min
Copy of voter index on disc/tape	\$100.00
Additional Reports added to Voter Index CD	\$5.00 each
Labels	.05 ea+\$5.00 setup
Absentee Chase - Fax (Includes initial mailing on CD)	\$150.00
Absentee Chase - CD	\$50.00 per CD
Initiative - Notice of Intent to Circulate Petition - Filing Fee (EC 9103)	\$200.00
Candidate Statement	Actual Cost
Election Related Custom Reports	\$15.00 per report

[illegible]





**Environmental Health - Code Section 13.20.400**

NAME OF FEE	FEE FY 16/17
<b>Food Program</b> (annual permit unless noted)	
Restaurants - Bar Only (no food prep)	\$294.00
Restaurants - 1-49 seats	\$441.00
Restaurants - 50-149 seats	\$588.00
Restaurants - 150 or more	\$882.00
Added to restaurant base - With Bar or Market	\$147.00
Added to restaurant base - With Bar and Market	\$220.50
Added to restaurant base - With Catering Services	\$147.00
Added to restaurant base - With Satellite Facility	\$147.00
Caterer	\$441.00
Retail Markets - No food preps, only prepackaged goods	\$294.00
Retail Markets - Less than 2000 square feet	\$441.00
Retail Markets - 2000-5999 square feet	\$588.00
Retail Markets - 6000 or more square feet	\$735.00
Add each unit to retail market-butcher shop, deli, bakery, etc.	\$147/per unit
Bakery	\$441.00
Commissary Facility	\$441.00
Commissary - Verification per vehicle	\$36.75
Vehicles - Vending Vehicle (no prep)	\$294.00
Vehicles - Mobile Food Prep Unit	\$441.00
Vehicles - Produce Truck (no prep)	\$147.00
Vending Machines - Company	\$294.00
Vending Machines - Per Food Dispenser	\$14.70
Roadside Stand	\$294.00
Schools - Kitchen	\$441.00
Schools - Satellite Distribution Facility	\$294.00
Food Warehouse	\$515.50
Food Salvager	\$661.50
Food Demonstrator	\$73.50
Farmers Market	\$588.00
Bed & Breakfast	\$367.50
Temporary Food Facility	\$294.00
Ice Plant	\$294.00
Special Events - + billed hourly rate	\$147/hour
Special Events - 3 or less vendors + \$50 per vendor over 3	\$294.00
Incidental Food Sales from Non-Mobile Businesses	\$147.00
Amphitheatre - Food - Bar - Catering	\$3,675.00
Plan Review Food Establishment - New	\$882.00
Plan Review Food Establishment - Remodel	\$735.00
Seasonal Snack Bar	\$294.00
Small Community Farmers Market (no food prep)	\$147.00
Certified Farmers Market / Temporary Food Facility	\$588.00

**Environmental Health - Code Section 13.20.400**

NAME OF FEE	FEE FY 16/17
<b>Public Recreation</b>	
Public Swimming Pool/Spa/Beach (annual permit)	\$514.50
Organized Camp (annual permit)	\$514.50
Plan Review Public Swimming Pools (construction)	\$1,176.00
Plan Review Organized Camp (construction)	\$808.50
<b>Public Water System</b>	
Annual Surveillance Fee - 15-24 service connections	\$514.50
Annual Surveillance Fee - 25-99 service connections	\$661.50
Annual Surveillance Fee - 100-199 service connections	\$808.50
Non-Community Water System - Non Transient	\$661.50
Non-Community Water System - Transient	\$441.00
New Permit Fee - Community Water System	\$1,249.50
New Permit Fee - Non-Community Water System	\$955.50
Amended Permit Fee (all system types)	\$441.00
Ownership Change (all system types)	\$294.00
Annual Permit Fee Small System - 5-14 service connects	\$441.00
CURFFL Systems	\$220.50
All other services	\$147.00/hour
Request for Variance/Exemption/Waiver	\$147.00/hour
Enforcement Action	\$147.00/hour
Plan Review Public & Local Small Water Systems	\$147.00/hour
<b>Solid Waste</b>	
Solid Waster Hauler (per vehicle or trailer)	\$73.50
Full Solid Waste Facility - Class II Site	\$5,292.00
Full Solid Waste Facility - Class III Site	\$5,292.00
Standardized Solid Waste Facility	\$3,528.00
Registration Tier	\$3,528.00
Notification Tier #1	\$294.00
Notification Tier #2	\$1,176.00
Notification Tier #3	\$1,764.00
Construction/Demo Debris	\$661.50
Recycling/Process Facility	\$3,528.00
Transfer Station	\$3,528.00
Abandoned/Closed Sites	\$1,176.00
Agricultural Waste Disposal Sites	\$294.00
SWF Permit Exemption	\$882.00
Ash Applications - Initial Permit Exemptions	\$735.00
Ash Applications - Annual Exemption Renewal	\$220.50
Facility Inspection not covered by permit fees	\$147.00/hour
Periodic Site Review	\$147.00/hour
Preliminary Closure/Post Closure	\$147.00/hour

**Environmental Health - Code Section 13.20.400**

NAME OF FEE	FEE FY 16/17
Final Closure/Post Closure maintenance plan review	\$147.00/hour
Joint Technical Document Review	\$147.00/hour
5 year permit review	\$147.00/hour
Permit revision/modification	\$147.00/hour
Tipping Fee	\$4.40 per ton
<b>Sewage Disposal</b>	
Sewage Tank Cleaning Vehicle	\$294.00
Chemical Toilet Supplier - 50 Units or less	\$294.00
Chemical Toilet Supplier - 51 Units or more	\$441.00
New or Replacement Conventional System	\$588.00
New Pressure Dosed or Engineered Systems	\$1,029.00
Minor Repair not involving leachfield	\$294.00
Major Repair of Failed System/Add to Existing Non-Failed System	\$588.00
Holding Tank (Vault System) 1st Year	\$735.00
Holding Tank (Vault System) (after 1st year) Annual Permit	\$294.00
Operating Permit Central Wastewater-Cluster 2-5 connects	\$1,617.00
Operating Permit Central Wastewater-Small 6-99 connects	\$2,205.00
Operating Permit Central Wastewater-Large > 99 connects	\$3,087.00
Individual Experimental Systems	\$147.00
Septic Tank Destruction	\$147.00
<b>Medical Waste</b>	
General Acute Care Hospital - 1-99 beds	\$1,176.00
General Acute Care Hospital - 100-199 beds	\$1,617.00
General Acute Care Hospital - 200-250 beds	\$2,058.00
General Acute Care Hospital - 250+ beds	\$2,646.00
Specialty Clinic Providing Surgical, Dialysis, Rehab Services	\$661.50
Skilled Nursing Facility - 1-99 beds	\$514.50
Skilled Nursing Facility - 100-199 beds	\$661.50
Skilled Nursing Facility - 200+ beds	\$808.50
Acute Psychiatric Hospital	\$367.50
Intermediate Care Facility	\$588.00
Primary Care Clinic	\$661.50
Licensed Clinical Lab	\$294.00
Health Care Service Plan Facility	\$661.50
Veterinary Clinic or Hospital	\$367.50
Large Quantity Generator Medical Office	\$367.50
Small Quantity Generator Using On-Site Treatment	\$514.50
Small Quantity Generator Administrative Review	\$147.00/hour
Initial Permit Review	\$111.00/2 yr
Common Storage Facility - 1-10 generators	\$220.50
Common Storage Facility - 11-50 generators	\$514.50
Common Storage Facility - 50+ generators	\$955.50

**Environmental Health - Code Section 13.20.400**

NAME OF FEE	FEE FY 16/17
On-Site, Large Quantity Treatment Facility	\$4,704.00/5 yrs
Limited Quantity Hauling	\$147.00/2 yrs
<b>Wells &amp; Soils Borings</b>	
Water Well, Monitoring Well, Cathodic Well - New	\$441.00
Water Well, Monitor Well, Cathodic Well - Recondition/Deep (w/o new seal)	\$147.00
Water Well, Monitor Well, Cathodic Well - Destruction	\$367.50
Monitor Well, Additional	\$73.50/per well
Soil Boring or Excavation	
<4" diameter or <50' depth (each additional 0.5 hour)	\$184.00
>4" diameter or 50' to 75' depth (each additional 0.5 hour)	\$367.50
>4" diameter or >75' depth (each additional 1 hour)	\$441.00
Private Water Sample Review	\$73.50
<b>Other Permits</b>	
Ambulance (per vehicle)	\$147.00
Kennel/Pet Shops	\$294.00
Massage Parlor	\$294.00
Hotel/Motel	\$514.50
Plan Review Kennels & Pet Shops (construction)	\$441.00
Detention Facility	\$588.00
Hotel/Motel with Incidental Food	\$661.50
<b>Tattooing, Permanent Cosmetics, Body Piercing</b>	
Ear piercing Facility/ one-time registration	\$73.50
Body Art practitioner/artist	\$147.00
Body Art Facility (permanent)	\$294.00
Body Art Facility (Temporary)	\$147.00
Body Art Event Coordinator Small 3 or Less practitioners	\$147.00
Body Art Event Coordinator Large more than 3 practitioners	\$441.00
Mobile Body Art Facility	\$147.00
Body Art Facility Plan Review Fee (new)	\$367.50
Body Art Facility Plan Review Fee (Major remodel)	\$294.00
Body Art Facility Plan Review Fee (Minor remodel)	\$147.00
Mobile Body Art Facility Plan Review Fee	\$147.00
<b>Land Use (Land Use fees are initial + hourly over base)</b>	
Land Division Septic/Well - up to 4 lots (\$147 per lot Soil Mantel)	\$441.00
Land Division Septic/Well - 5 or more lots (+\$147 per lot Soil Mantel )	\$735.00
Building Department Route Slip Clearance (primary structure)	\$73.50
Building Department Route Slip Clearance (accessory structure)	\$36.75
Lot Line Adjustment	\$147.00
Conditional Use Permit	\$294.00
Other Land Division Sewage/Water (connecting to community system)	\$294.00

**Environmental Health - Code Section 13.20.400**

NAME OF FEE	FEE FY 16/17
Tentative Subdivision Tract Map(connecting to community system)	\$294.00
Soil Mantle Observation	\$441.00
Temporary Use Permit & Miscellaneous Review/Services	\$147.00/hour
Plan Review/Site Review/Pre-application review fees	\$147.00/hour
<b>Other Services &amp; Fees</b>	
Field Sample	Lab cost+\$220.50
Bring-In Water Sample	Lab cost + \$36.75
Plan Review/Site Review	\$147.00/hour
Administrative, Permit Suspension, Revocation Hearings	\$441.00
Administrative time for enforcement activities	\$147.00/hour
All Reinspections	\$147.00/hour
Verified Complaint	\$147.00/hour
Variance/Exemption/Deviation - per hour (1/2 hr min)	\$147.00/hour
Consultations (per hour)	\$147.00/hour
Permit Transfers not Prohibited by State Law	\$147.00/hour
EIR Review/CEQA Document (per hour)	\$147.00/hour
All other document reviews, site reviews or any other service	\$147.00/hour
Release of Recorded Documents (Hourly plus document fee)	\$147.00/hour
<b>Hazardous Materials</b>	
Farm Category I	\$220.50
Farm Category II	\$294.00
Farm Category III	\$367.50
Farm Category IV	\$514.50
Business Category I	\$220.50
Business Category II	\$294.00
Business Category III	\$367.50
Business Category IV	\$514.50
Business Category V	\$294.00
Business Category VI	\$110.78
CESQG - Not in BP	\$220.50
Hazardous Waste - Small Quantity Generator	\$220.50
Hazardous Waste - Large Quantity Generator	\$294.00
Tiered Permit - CA PBR	\$220.50
Tiered Permit - CESW, CESQT, CEL	\$220.50
Permit to Operate (issuance only) includes one tank	\$514.50
Permit to Operate (each additional tank)	\$73.50
Plan Check Install UST	\$1,764.00
Tank Removal - Three Tanks	\$1,102.50
Tank Removal each additional over 3 tanks	\$147.00
Minor Tank Repair	\$294.00
Modify Tank Repair - Small Project	\$808.50
Modify Tank Repair - Large Project	\$1,396.50

**Environmental Health - Code Section 13.20.400**

NAME OF FEE	FEE FY 16/17
Tank Closure in Place	\$1,102.50
Temporary Tank Closure	\$441.00
RMP Cal ARP (initial review)	\$1,764.00
RMP Cal ARP (annual review)	\$367.50
Facility List	\$36.75
Building Inspector Route Slip Clear Project	\$36.75
Haz Mat Response per hour	\$147.00
Reinspection (per hour, over base fee)	\$147.00
Consultation per hour	\$147.00
Compliance/Follow Up (per hour)	\$147.00
Business Plan - Initial Application	\$441.00
UST (First Tank)	\$367.50
UST (Each Additional Tank)	\$73.50
Transfer UST Permit	\$514.50
Amend UST Permit	\$220.50
APSA Conditionally Exempt	\$73.50
APSA Qualified Facility	\$294.00
APSA Non-Qualified - Category I	\$441.00
APSA Non-Qualified - Category II	\$588.00
APSA Non-Qualified - Category III	\$1,029.00
* Except as otherwise specified, all services in this Section	
which are charged at an hourly rate are 1 hour minimum and	
charged in half hour increments thereafter.	
<b>Environmental Health Division: General Fees</b>	
Hourly Rate	\$147.00/hour

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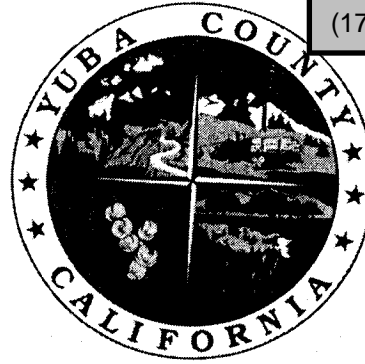
# The County of Yuba

## 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 91401

[www.co.yuba.ca.us](http://www.co.yuba.ca.us)



(175-0416) Publi... - 1 of 6

749-5440 • Fax 749-5616

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


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

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

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

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

**TO:** BOARD OF SUPERVISORS

**FROM:** Michael G. Lee, Director of Public Works 

**SUBJECT:** Public Hearing to Consider New Assessments for CSA No. 14

**DATE:** April 26, 2016

### *Recommendation*

That the Board hold a public hearing to consider a proposed change to assessments for County Service Area No. 14, and absent a majority protest, adopt a resolution establishing the assessments which would take effect on July 1, 2016.

### *Background*

The Yuba County Local Agency Formation Commission approved formation of CSA No. 14 by Resolution No. 1979-68. The CSA No. 14 provides funding for public services including, but not limited to, maintenance of roadways and drainage. Current revenues of \$30,000 annually are insufficient to provide maintenance of the 8.5 miles of gravel and chip sealed roadways and drainage in CSA 14. The proposed assessments will increase the annual budget to \$75,000.

The proposed assessments are as shown in Table 1:

Table 1: Proposed Assessment		
Parcel Class:	Current Assessment (per parcel)	Proposed Assessment (per parcel)
Undeveloped Parcel:	\$100	\$250
Developed Parcel:	\$200	\$500

It is anticipated that the proposed assessments will help offset anticipated annual operating expenses for CSA No. 14.

*Discussion*

Under Proposition 218, a proposed adjustment to assessments requires a public hearing, and the change can only occur if approved by a majority vote of the property owners. One completed ballot may be submitted per parcel, filed by the owner of the parcel. Ballots are weighted in proportion to the amount of the financial obligation of the affected property. The proposed assessment may be imposed only if there is no majority protest opposing the proposed assessment.

Should the ballots support the proposed assessments, the new assessments would go into effect on July 1, 2016.

*Fiscal Impact:*

Should the proposed assessment be imposed, the revenues generated will support operational expenses associated with roadway maintenance for CSA No. 14. The engineers estimate to fully maintain the CSAs roadways is \$200,000 annually. The proposed assessment increase still falls short of adequate funding levels, but will allow for a higher level of critical maintenance activities than what is currently provided for CSA 14.

**BEFORE THE BOARD OF SUPERVISORS  
OF THE COUNTY OF YUBA ON BEHALF OF  
COUNTY SERVICE AREA NO. 14**

RESOLUTION ADOPTING AN ASSESSMENT )  
STRUCTURE FOR MAINTENANCE OF ROADS )  
AND DRAINAGE FOR RESIDENTS )  
IN COUNTY SERVICE AREA NO. 14 )

**RESOLUTION NO:**

WHEREAS, the County is currently responsible for certain operations of the County Service Area No. 14 relating to maintenance of roads and drainage; and

WHEREAS, a new assessment structure would help to offset anticipated operations and maintenance expenses associated with the provision of road and drainage maintenance services to the residents in County Service Area No. 14; and

WHEREAS, the new assessments are subject to adjustments based on increases or decreases in the Consumer Price Index; and

WHEREAS, notice has been provided to all property owners who currently own property within CSA No. 14 regarding the proposed assessment change; and

WHEREAS, the affected property owners support the proposed assessment change;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors on behalf of the County Service Area No. 14 adopts the following new assessment structure for the County Service Area:

Undeveloped parcel assessment = \$250 per year per parcel

Developed parcel assessment = \$500 per year per parcel

The new assessments for County Service Area No. 14 shall go into effect on July 1, 2016.

**PASSED AND ADOPTED** by the Board of Supervisors of the County of Yuba, this \_\_\_\_ day of \_\_\_\_\_, 2016, by the following vote:

AYES:

NOES:


ABSENT:

\_\_\_\_\_  
Chairman, Board of Supervisors

ATTEST:

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

APPROVED AS TO FORM:  
ANGIL MORRIS-JONES  
COUNTY COUNSEL

  
\_\_\_\_\_

RECEIVED

(175-0416) Publi... - 5 of 6

Clerk/Board of Supervisors

RECEIVED BY EACH  
BOARD MEMBER

April 4, 2016

To: Yuba County Board of Supervisors  
Clerk of the Board  
915 Eighth Street Suite 109  
Marysville, CA 95901

From: Richard and Jane Paskowitz  
3482 Hoka Lane  
Wheatland, CA 95692

Re: Proposition 218—Maintenance of CSA 14

**We have been paying the road assessment fee for 24 years. We have gotten little if any, and sporadic, repair of the roads, and only after repeated unanswered complaints. Barbara Back has particularly been frustrated by the unresponsiveness of the county to her calls.**

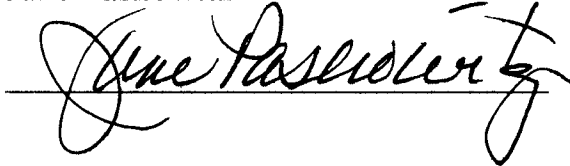
**The County has a poor track record of doing their job, and now they want to double the assessment! What assurance will be given to us that the County will not take the money and run and proceed like they have done in the past, ....do little or nothing.**

Parcels # 015- 370- 028- 000 & # 015- 370- 027- 000

Richard Paskowitz



Jane Paskowitz



APR 13 2016

Clerk/Board of Supervisors

County of Yuba

Clerk of the Board Suite 109

915 Eighth Street

Marysville, CA 95901

Re:

Property Address: 4302 KAPAKA LANE Wheatland

Property APN: 015-810-001-000

I hereby protest and disapprove the proposed assessment change for residents in County Service Area No. 14.

The current service has not been as promised or adequate. Occupancy and usage of these roads has increased while service has declined. It is unreasonable to think that gravel and chip is adequate in any capacity.

Signature of Property Owner:



Printed Name of Property Owner:

Alvin Wayne Hamilton

DATE:

4/10/2016

**RECEIVED**

APR 19 2016

Clerk/Board of Supervisors

**THREE RIVERS LEVEE  
IMPROVEMENT AUTHORITY**

**FINANCIAL STATEMENTS**

**JUNE 30, 2015**

**MICHAEL L. HINZ, CPA, INC**

**CERTIFIED PUBLIC ACCOUNTANT**

**INDEPENDENT AUDITOR'S REPORT**

476 Century Park Drive, Ste. A  
Yuba City, California 95991

TEL: (530) 673-9500  
FAX: (530) 673-2535

**Board of Directors  
Three Rivers Levee Improvement Authority  
Marysville, California**

I have audited the accompanying statement of the governmental activities of Three Rivers Levee Improvement Authority as of and for the year ended June 30, 2015, and the related notes to the financial statements, which collectively comprise the Authority's basic financial statements.

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

My responsibility is to express opinions on these financial statements based on my audit. I conducted my audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that I plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.


An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the district's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in circumstances, but not for the purpose of expressing an opinion on the effectiveness of the district's internal control. Accordingly, I express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinions.

In my opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities of Three Rivers Levee Improvement Authority as of June 30, 2015, and the respective changes in financial position and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.



Accounting principles generally accepted in the United States of America require that the management's discussion and analysis be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. I have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to my inquiries, the basic financial statements, and other knowledge I obtained during my audit of the basic financial statements. I do not express an opinion or provide any assurance on the information because the limited procedures do not provide me with sufficient evidence to express an opinion or provide any assurance.



**December 22, 2015**

**THREE RIVERS LEVEE IMPROVEMENT AUTHORITY**  
**STATEMENTS OF FINANCIAL POSITION**  
**JUNE 30, 2015**

(176-0416) Finan... - 4 of 18

**ASSETS**

	<u>General Fund</u>	<u>Levee Assessment Fund</u>
Current Assets:		
Cash in County Treasury (Note)	2,600,682	134,084
Cash with Fiscal Agent (Note)	2,797,012	
Accounts Receivable	3,405,009	
Interest Receivable	<u>3,647</u>	<u>1,079</u>
Total Current Assets	<u>8,806,350</u>	<u>135,163</u>
Other Assets:		
Total Other Assets	<u>-0-</u>	<u>-0-</u>
Total Assets	<u>8,806,350</u>	<u>135,163</u>

**LIABILITIES AND NET ASSETS**

Current Liabilities:		
Accounts Payable - Accrued Expenses	<u>311,926</u>	<u>-0-</u>
Total Current Liabilities	<u>311,926</u>	<u>-0-</u>
Net Assets		
Restricted	2,797,012	-0-
Unrestricted	<u>5,697,412</u>	<u>135,163</u>
Total Net Assets	<u>8,494,424</u>	<u>135,163</u>
Total Liabilities and Net Assets	<u>8,806,350</u>	<u>135,163</u>

See accompanying notes to financial statements

(176-0416) Finan... - 5 of 18

**THREE RIVERS LEVEE IMPROVEMENT AUTHORITY**  
**STATEMENT OF ACTIVITIES AND CHANGES IN NET ASSETS**  
**JUNE 30, 2015**

	<u>General Fund</u>	<u>Levee Assessment</u>
<b>Revenue:</b>		
Proposition 1E Funding	2,440,613	
Property Assessments and Fees	-0-	908,599
Interest	21,053	2,013
Landowner Funding	640,724	38,478
Other Income (Note)	<u>65,231</u>	<u>-0-</u>
<b>Total Revenue</b>	<u><b>3,167,621</b></u>	<u><b>949,090</b></u>
<b>Expenditures:</b>		
Special Projects		
Levee Improvement Costs (Schedule)	3,083,389	
Maintenance Reimbursements		886,238
Administrative Expenses:		
Yuba County Reimbursements		
Salaries and Benefits	364,885	
Interdepartmental Costs	36,345	
Utilities	20,815	
Insurance	300,334	
Directors Fees	2,300	
Rent	32,606	
Office and Miscellaneous	4,008	
Travel	6,651	
Memberships	<u>13,760</u>	
<b>Total Expenditures</b>	<u><b>3,865,093</b></u>	<u><b>886,238</b></u>
<b>Excess of Revenues over Expenditures</b>	(697,472)	62,852
<b>Net Assets, Unrestricted – Beginning of Year</b>	6,394,884	72,311
<b>Net Assets, Unrestricted – End of Year</b>	<u><b>5,697,412</b></u>	<u><b>135,163</b></u>

See accompanying notes to financial statements

**THREE RIVERS LEVEE IMPROVEMENT AUTHORITY**  
**STATEMENT OF CASH FLOWS**  
**JUNE 30, 2015**

(176-0416) Finan... - 6 of 18

Cash Flows From Operating Activities:

Cash Received from Operating Activities	2,693,541
Cash Disbursed for Operating Activities	<u>( 3,878,973)</u>

Net Cash Flows Used in Operation Activities:	<u>( 1,185,432)</u>
--	---------------------

Cash Flows From Investing Activities:

Interest Income	<u>20,754</u>
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Net Cash Flows From Investing Activities	<u>20,754</u>
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Cash Flows From Financing Activities	<u>-0-</u>
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Net Decrease in Cash	( 1,164,678)
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Cash at Beginning of Year	<u>3,765,360</u>
---------------------------	------------------

Cash at End of Year	<u><u>2,600,682</u></u>
---------------------	-------------------------

**See accompanying notes to financial statements**

**THREE RIVERS LEVEE IMPROVEMENT AUTHORITY  
SCHEDULE OF LEVEE IMPROVEMENT COSTS  
FOR THE YEAR ENDED JUNE 30, 2015**

Phase 4 – Yuba:		
Design	3,810	
Permit	9,170	
Environmental Mitigation	15,136	
Construction Management	693	
Right of Way	<u>201,406</u>	
		230,215
Phase 4 - Yuba - Element 1A		
Permitting	2,200	
Construction Management	1,235	
Right of Way	<u>5,848</u>	
		9,286
Phase 4 – Feather:		
Segment 1:		
Design	53,697	
Construction	173,159	
Right of Way Support	5,604	
Segment 2:		
Design	85,476	
Right of Way Support	117,401	
Segment 3:		
Design & Permitting	36,852	
Construction	75,538	
Right of Way	41,953	
TAC License Costs	<u>26,175</u>	
		615,855
WPIC 200 Year Compliance		
Permitting	601,009	
Right of Way	446,793	
Construction	<u>83,893</u>	
		1,131,695
200 Year Compliance - Non EIP		122,764
FESSRO Feather River Project		112,339
Goldfield Evaluation (Prop 13 work)		538,749
Goldfield 200 Year Project		15,063
Environmental Mitigation Costs		181,854
Interim Operating Costs		<u>125,569</u>
Total		<u><u>3,083,389</u></u>

**THREE RIVERS LEVEE IMPROVEMENT AUTHORITY  
COMMUNITY FACILITIES DISTRICT SPECIAL REVENUE FUNDS  
STATEMENT OF NET ASSETS  
JUNE 30, 2015**

**ASSETS**

	<u>CFD 2006-1</u>	<u>CFD 2006-2</u>
Cash in Treasury	<u>237,803</u>	<u>52,924</u>
Total Assets	<u>237,803</u>	<u>52,924</u>

**LIABILITIES AND NET ASSETS**

Liabilities	-0-	-0-
Net Assets	<u>237,803</u>	<u>52,924</u>
Total Liabilities and Net Assets	<u>237,803</u>	<u>52,924</u>

See accompanying notes to financial statements

(176-0416) Finan... - 9 of 18

**THREE RIVERS LEVEE IMPROVEMENT AUTHORITY  
COMMUNITY FACILITIES DISTRICT SPECIAL REVENUE FUNDS  
STATEMENT OF ACTIVITIES  
JUNE 30, 2015**

	<u>CFD 2006-1</u>	<u>CFD 2006-2</u>
Revenue:		
Current Secured Taxes	<u>477,416</u>	<u>103,584</u>
Total Taxes	477,416	103,584
Interest	<u>4,821</u>	<u>744</u>
Total Revenue	<u>482,237</u>	<u>104,328</u>
Expenditures:		
Levee Fee Credit Disbursements	1,146,045	139,816
Fiduciary Fees	25,082	15,065
Redemption of CFD Bonds	<u>-0-</u>	<u>35,621</u>
Total Expenditures	<u>1,171,127</u>	<u>190,502</u>
Excess Revenues over Expenditures	( 688,890)	( 86,174)
Beginning Net Assets	<u>926,693</u>	<u>139,098</u>
Ending Net Assets	<u>237,803</u>	<u>52,924</u>

See accompanying notes to financial statements

**THREE RIVERS LEVEE IMPROVEMENT AUTHORITY**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2015**

(176-0416) Finan... - 10 of 18

**History and Organization**

The Three Rivers Levee Improvement Authority (TRLIA) was formed in April 2004 as a Joint Powers Authority (JPA) between Yuba County and Reclamation District No. 784. Section 2.01 from the JPA agreement describes TRLIA's purpose.

This Agreement is made pursuant to the Act providing for the joint exercise of powers common to the County and the District, and for other purposes as permitted under the Act, the Bond Law and as agreed by the parties hereto. The primary purpose of this Agreement is to provide for flood control improvements located in the County, including improvements to the levee system and related drainage improvements. The Authority may undertake any activities necessary or desirable to achieve its primary purpose including, but not limited to (a) the power to study, plan for, design, develop, acquire, and construct and repair improvements, (b) the acquisition and holding of title to land, including the acquisition of land by eminent domain proceedings, as necessary for levee system improvements, related drainage improvements and/or habitat mitigation incident to any such improvements, and (c) the provision of financing for improvements and related activities, including financing by means of the creation of one or more community facilities districts, assessment districts or other financing districts, the entering into of lease and/or installment sale obligations, the issuance of revenue or other notes, bonds or evidences of indebtedness, and the imposition of appropriate impact or other fee obligations. The Authority may conduct activities alone, or in cooperation with any Member, any Associate Member, the State of California or any agency or political subdivision thereof, the United States or any department or agency thereof, or other entities. TRILA has, for now, assumed flood control responsibilities for the 100 year flood control features that were recently completed by TRILA within the Goldfields. No other district has flood control responsibilities within the Goldfields.

Four work phases have been identified with the goal of achieving 200-year flood protection. The first construction work was initiated September 2004. The final phase was scheduled to be completed by the end of 2011 with the completion of the Upper Yuba Levee Improvement Project with a cost estimated to be \$405 million for 29 miles of levees and funded mostly by local sources and State funding. Additional Phase 4 work has been identified in the Goldfields area that is anticipated to last for at least several more years. The future cost of the work in the Goldfields is anticipated to exceed \$50,000,000. The Goldfields work is within Yuba County, but is not within the current jurisdiction of RD784.



## Significant Accounting Policies

### Fund Accounting

The Organization operates as an Enterprise Fund. The Enterprise Fund is used to account for operations that are financed and operated in a manner similar to private business enterprises where the costs (expenses, including depreciation) of providing services to the general public on a continuing basis are financed primarily through landowner charges.

### Basis of Accounting

The Organization uses the accrual basis of accounting for financial reporting purposes. Accrual accounting attempts to record the financial effects on an enterprise of transactions and other events and circumstances that have cash consequences for an enterprise in the periods in which those transactions, events and circumstances occur rather than only in the periods in which cash is received or paid by the enterprise. Accrual accounting is concerned with the process by which cash expended on resources and activities is returned as more (or perhaps less) cash to the enterprise, not just with the beginning and end of that process.

### Property and Equipment

The Organization was formed to perform flood control repairs, improvements and property acquisitions within the County of Yuba. The organization has purchased land as a right of way to enable the improvements to the existing levee system.

Construction work for the improvement of the levee system within the Organizations boundaries in Yuba County is reflected on its books as an operating expense. Upon completion of projects environmental mitigation properties will be retained by TRLIA. Property and the completed improvements to the levee system will be transferred to the existing owner, primarily the State of California, and maintenance responsibility will be assumed by Reclamation District No. 784 and/or other entities established to perform this function. The value to be transferred will be the fair market value of levee improvements. The total costs of the levee improvements to date are as follows:

Fiscal Year Ended	
June 30, 2004	701,774
June 30, 2005	5,603,384
June 30, 2006	50,572,148
June 30, 2007	74,257,632
June 30, 2008	24,376,482
June 30, 2009	82,916,631
June 30, 2010	54,496,111
June 30, 2011	14,111,717
June 30, 2012	13,487,570
June 30, 2013	6,185,931
June 30, 2014	4,561,799
June 30, 2015	<u>3,083,389</u>

334,354,568

Cash and Reserves

Funds of the Organization are on deposit with the Yuba County Treasurer. These funds consist of a diversified portfolio pool and do not require a category of risk in accordance with GASB #3. The risk of material loss with regard to these funds is not considered to be material.

Use of Estimates

The preparation of the general purpose financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosures of contingent assets and liabilities at the date of the general purpose financial statements and the reported amount of revenue and expenditures or expenses during the reporting period. Actual results could differ from those estimates.

Other Income

A detail of Other Income for the year ended June 30, 2015 is as follows:

Administration Fees	<u>65,231</u>
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Cash in County Treasury

Cash in County Treasury as of June 30, 2015 consisted of the following accounts with the Yuba County Treasurer:

General Account	2,000,096
Feather River Funding	211,829
Upper Yuba River Funding	<u>388,757</u>
	<u>2,600,682</u>

Funds are held in trust for the long term care endowments for mitigation areas created within the Bear River and Feather River set-back areas by the Authority. These funds are dedicated to the long term care and maintenance of the areas in perpetuity as a condition of certain permits obtained by the Authority. The cash is held in trust by US Bank pursuant to an escrow agreement. The cash held by the trustee as of June 30, 2015 consisted of the following amounts:

Feather River Endowment	651,434
Bear River Endowment	<u>2,145,578</u>
	<u>2,797,012</u>

#### Community Facilities Districts - Special Revenue Funds

Special Taxes collected from TRLIA Communities Facilities Districts 2006-1 & 2006-2 are utilized pursuant to the adopted Three Rivers Levee Impact Fee Advance Funding Credit & Reimbursement Policies and Procedures memorialized within development agreements covering properties within the aforementioned CFD's. The first use of Special Taxes is to satisfy any remaining Three Rivers Levee Impact Fee obligations of the development from which the special taxes are collected. Once all fee obligations are satisfied, special taxes are then utilized to redeem outstanding bonds issued as obligations of the districts. The Net assets of the CFD Revenue Funds are consequently reserved for those purposes.

#### Community Facilities Districts - Capital Improvement Bonds

Three Rivers Levee Improvement Authority issued Capital Improvement Bonds on April 18, 2007 to finance the repayment of proceeds received in accordance with the advance funding agreements with local developers. These are special tax bonds and are issued on specific parcels of landowners within Community Facilities Districts 2006-1 & 2006-2. These bonds are repaid solely from annual special taxes on the parcels within the Districts. These bonds are not an obligation of Three Rivers Levee Improvement Authority. They are an obligation of the respective Three Rivers Levee Improvement Community Facilities Districts, and are payable solely from the proceeds of refunding bonds or special taxes, therefore, they are not reflected as a general liability of the Authority. A summary of the bonds is as follows:

	Community Facilities District of 2006-1	Community Facilities District of 2006-2
Name of Bond Issue	Special Tax 2007 Series A	Special Tax 2007 Series B
Date of Issue	4-18-2007	4-18-2007
Original Issue Value	14,930,382	8,663,901
Accreted Value, Net of Redemptions - 6/30/15	25,321,632	15,482,680
District Assessed Value	134,672,779	43,237,747

Local Funding – Yuba Levee Financing Authority

The Yuba Levee Financing Authority has authorized the matching funds for the Levee Improvement Program as follows:

Authorizations:

October 2008	13,080,000
November 2008	7,376,000
May 2010	14,200,000
January 2010	7,000,000
November 2010 Adjustment	( 2,079,469)
Total Authorized	39,576,531
Amount Funded to June 30, 2010	<u>39,576,531</u>
Authorization Remaining	<u><u>-0-</u></u>

Levee Assessment Fund

The Levee Assessment Fund was established to collect funds for the purpose of providing levee maintenance within the operating and maintenance assessment district. Collections of direct property assessments are used to fund both the administrative costs of the district and the authorized services approved as part of the formation of the district. For Fiscal Year 14/15, from the total collections of \$908,599, \$22,361 was used to reimburse Three Rivers Levee Improvement Authority for the administrative costs of the district and \$886,238 was transferred to Reclamation District 784 to fund the costs of levee maintenance activities. The annual assessment levy is determined based upon a projected budget for levee maintenance as provided by Reclamation District 784 and approved by the Three Rivers Levee Improvement Authority Board, subject to the maximum allowable levy based upon the Engineer's Report and the Proposition 218 process used to approve and form the district.

Subsequent Events

The District has prepared its financial statements for the fiscal year ended June 30, 2015. The date of issuance of these financial statements is December 22, 2015. All events taking place after June 30, 2015 but before December 22, 2015 are deemed to be subsequent events. There have been no significant subsequent events required to be disclosed as a part of this financial statement.

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**MICHAEL L. HINZ, CPA, INC**  
CERTIFIED PUBLIC ACCOUNTANT

(176-0416) Finan... - 15 of 18

476 Century Park Drive, Ste. A  
Yuba City, California 95991

TEL: (530) 673-9500  
FAX: (530) 673-2535

**INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL  
STRUCTURE BASED ON AN AUDIT OF GENERAL PURPOSE  
FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE  
WITH GOVERNMENT AUDITING STANDARDS**

**The Board of Directors  
Three Rivers Levee Improvement Authority  
Marysville, California**

I have audited the general purpose financial statements of Three Rivers Levee Improvement Authority as of and for the year ended June 30, 2015, and have issued my report thereon dated December 22, 2015.

I conducted my audit in accordance with generally accepted auditing standards and Government Auditing Standards, issued by the Comptroller General of the United States. Those standards require that I plan and perform the audit to obtain reasonable assurance about whether the general purpose financial statements are free of material misstatements.

The management of Three Rivers Levee Improvement Authority is responsible for establishing and maintaining an internal control structure. In fulfilling this responsibility, estimates and judgments by management are required to assess the expected benefits and related costs of internal control structure policies and procedures. The objectives of an internal control structure are to provide management with reasonable, but not absolute, assurance that assets are safeguarded against loss from unauthorized use or disposition, and that transactions are executed in accordance with management's authorization and recorded properly to permit the preparation of general purpose financial statements in accordance with generally accepted accounting principles. Because of inherent limitations in any internal control structure, errors or irregularities may nevertheless occur and not be detected. Also, projection of any evaluation of the structure to future periods is subject to the risk that procedures may become inadequate because of changes in conditions or that the effectiveness of the design and operation of policies and procedures may deteriorate.

In planning and performing my audit of the general purpose financial statements of Three Rivers Levee Improvement Authority for the year ended June 30, 2015, I obtained an understanding of the internal control structure. With respect to the internal control structure, I obtained an understanding of the design of relevant policies and procedures and whether they have been placed in operation, and I assessed control risk in order to determine my auditing procedures for the purpose of expressing my opinion on the general purpose financial statements and not to provide an opinion on the internal control structure. Accordingly, I do not express such an opinion.

My consideration of the internal control structure would not necessarily disclose all matters in the internal control structure that might be material weaknesses under standards established by the American Institute of Certified Public Accountants. A material weakness is a condition in which the design or operation of one or more of the internal control structure elements does not reduce to a relatively low level the risk that errors and irregularities in amounts that would be material in relation to the general purpose financial statements being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. I noted no matters involving the internal control structure and its operation that I consider to be material weaknesses as defined above.

This report is intended for the information of the management and granting agencies. However, this report is a matter of public record and its distribution is not limited.



**December 22, 2015**

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**MICHAEL L. HINZ, CPA, INC**  
CERTIFIED PUBLIC ACCOUNTANT

(176-0416) Finan... - 17 of 18

476 Century Park Drive, Ste. A  
Yuba City, California 95991

TEL: (530) 673-9500  
FAX: (530) 673-2535

**INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE**  
**BASED ON AN AUDIT OF GENERAL PURPOSE**  
**FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH**  
**GOVERNMENT AUDITING STANDARDS**

**Board of Directors**  
**Three Rivers Levee Improvement Authority**  
**Marysville, California**

I have audited the general purpose financial statements of Three Rivers Levee Improvement Authority as of and for the year ended June 30, 2015, and have issued my report thereon dated December 22, 2015.

I conducted my audit in accordance with generally accepted auditing standards and Government Auditing Standards, issued by the Comptroller General of the United States. Those standards require that I plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement.

Compliance with laws, regulations, contracts, and grants applicable to Three Rivers Levee Improvement Authority is the responsibility of Three Rivers Levee Improvement Authority's management. As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, I performed tests of Three Rivers Levee Improvement Authority's compliance with certain provisions of laws, regulations, contracts, and grants. However, the objective of my audit of the general purpose financial statements was not to provide an opinion on overall compliance with such provisions. Accordingly, I do not express such an opinion.

The results of my tests disclosed no instances of noncompliance that are required to be reported under Government Auditing Standards.

This report is intended for the information of the management and granting agencies. However, this report is a matter of public record and its distribution is not limited.



**December 22, 2015**

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# 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



(149-0416) Hold ... - 1 of 14

**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

**DATE:** April 12, 2016  
**TO:** Yuba County Board of Supervisors  
**FROM:** Community Development & Services Agency, Code Enforcement Division  
Jeremy Strang, Division Manager  
**SUBJECT:** Cost Accounting Hearing to Determine Costs of Abatement and Penalties to be Assessed Against Property Located at 6482 Marysville Road, Browns Valley, CA and to Authorize a Special Tax Assessment and Abatement Lien

**RECOMMENDATION:** I hereby request that the Yuba County Board of Supervisors:

1. Find that the enforcement costs and penalties as exhibited in the attached Cost Accounting are accurate and reasonable;
2. Order that the costs exhibited in the attached Cost Accounting be placed as a special tax assessment on the property tax roll and collected along with normal property taxes; and
3. Order that an Abatement Lien be recorded with the County Recorder

**BACKGROUND:** On September 25, 2015, pursuant to a Civil Inspection Warrant, authorized and signed by the Honorable Judge Benjamin Wirschafter, an inspection of the subject property exposed the illegal cultivation of marijuana by Dustin Parsons. A Notice and Order to Abate Public Nuisance [Order] was issued on the subject property to the property owner, Dustin Parsons. The Order required the immediate removal of marijuana plants, and alleged violations of the Yuba County Ordinance Code consisting of:

1. Cultivating of an excessive amount of marijuana – 26 plants
2. Cultivating outdoors and not within an approved accessory structure
3. Cultivating marijuana without first registering with the County
4. Use of extension cord(s) in lieu of permanent wiring
5. Constructing a building/structure without required construction permits
6. Emplacement and occupancy of a recreational vehicle as a place of human habitation

On September 25, 2015, Dustin Parsons was served with the Order by posting the property, and on September 29, 2015, a duplicate order was mailed by First Class and Certified with Return Receipt to Dustin Parsons at his Marysville, CA address. A copy of the Order, which includes appeal procedures, is attached hereto and marked as Attachment C.

On September 28, 2015, Code Enforcement Officer Chris Monaco performed a compliance inspection and verified that the marijuana had been removed. The Administrative Penalty was stopped September 25, 2015 based on information provided by Dustin Parsons.

Dustin Parsons did not exercise his right to a hearing to contest the determination of a public nuisance, nor did he exercise his right to appeal the amount of Administrative Penalty imposed. The Demand for enforcement costs and penalties remains unpaid. Attached hereto and marked as Attachment A is the current accounting of those enforcement costs and penalties, the total now being \$9,439.94.

Dustin Parsons has been given written notice of this Accounting Hearing, a copy of which is attached hereto and marked as Attachment B.

**DISCUSSION:** The matter of whether or not a public nuisance existed on the subject property is not the matter before the Board of Supervisors; no appeal was filed and that determination is final. The questions before the Board of Supervisors are expressly limited to:

1. Are the enforcement costs and penalties listed in Attachment A, accurate and reasonable?
2. Should the enforcement costs and penalties become a special property tax assessment?
3. Should an Abatement Lien be recorded?

**COMMITTEE ACTION:** None Required

**FISCAL IMPACT:** Implementing the requested recommendations will facilitate cost recovery and reimbursement of appropriate funds and accounts

COST ACCOUNTING HEARING TO ASSESS PROPERTY AND RECORD  
NOTICE OF ABATEMENT LIEN  
BEFORE THE BOARD OF SUPERVISORS  
OF THE COUNTY OF YUBA

COUNTY OF YUBA,	)	CASE NO.	MMJ15-0133
	)		
Plaintiff,	)	RE:	6482 Marysville Road
	)		Browns Valley, CA
vs.	)		
	)	APN:	044-270-022
	)		
DUSTIN PARSONS	)		
	)	FINDINGS OF FACT	
	)	CONCLUSIONS OF LAW	
Defendant.	)	ORDERS OF THE BOARD OF SUPERVISORS	

FINDINGS OF FACT

1. Assessor's Parcel # 044-270-022 is located at 6482 Marysville Road, Browns Valley, CA, and is owned by Dustin Parsons.
2. On September 25, 2015, the property owner, Dustin Parsons was properly served with a Notice and Order to Abate Public Nuisance. The Notice and Order to Abate Public Nuisance required the immediate removal of 26 marijuana plants.
3. On September 28, 2015, a compliance inspection by Officer Monaco who confirmed that all of the marijuana had been removed.
4. Dustin Parsons did not exercise his right to a hearing to contest the determination of a public nuisance, nor did he exercise his right to appeal the amount of Administrative Penalty imposed.
5. The Demand for Payment for enforcement costs and penalties incurred remains unpaid.

6. A public Cost Accounting Hearing was held on April 12, 2016, to determine if the enforcement costs and Administrative Penalty imposed are accurate and reasonable.
  - (a) A two-page memorandum that included three attachments, marked as Attachment A (Cost Accounting), Attachment B (Notice of Hearing), and Attachment C (Notice and Order to Abate Public Nuisance) along with a PowerPoint presentation was submitted at the Hearing by Jeremy Strang, Code Enforcement Division Manager.
  - (b) The owner, Dustin Parsons was ( ) was not ( ) present.
7. Dustin Parsons was properly served with written notice of this Cost Accounting Hearing.
8. Jeremy Strang, Code Enforcement Division Manager, sustained the burden of proof showing that the enforcement costs and penalties exhibited in Attachment A in the amount of \$9,439.94, are accurate and reasonable.

### CONCLUSIONS OF LAW

1. Dustin Parsons was properly notified to appear before the Board of Supervisors on April 12, 2016 at 8:30 a.m. to show cause, if any, why the enforcement costs and penalties for his property located at 6482 Marysville Road, Browns Valley, CA, APN 044-270-022, are not accurate and reasonable, and should not become a special tax assessment against the property and why a Notice of Abatement Lien should not be recorded.
2. Dustin Parsons was unable to discredit the testimony and evidence presented in order to persuade the Board of Supervisors that the enforcement costs and penalties were not accurate and reasonable, and therefore the enforcement costs and penalties regarding APN 044-270-022 were properly incurred in the amount of \$9,439.94 and the property and its owner shall bear the costs of same.

### ORDERS

1. It is hereby ordered that the enforcement costs and penalties to date incurred by the County of Yuba in the amount of \$9,439.94 shall become a special tax assessment against the property located at 6482 Marysville Road, Browns Valley, CA, APN 044-270-022.
2. It is hereby ordered that the enforcement costs and penalties shall be assessed against the property as provided by Government Code Section 25845 (d) and that a Notice of Abatement Lien of the enforcement costs and penalties shall be recorded as authorized by Government Code Section 25845(e).
3. Payment pursuant to these orders shall have 90% of the total amount paid deposited into Trust Account 254-0000-371-98-99 and 10% of the total amount deposited into Trust Account 256-0000-371-98-99.

4. These Orders may be recorded by the Director of Yuba County Community Development & Services Agency.
5. Notice of these Orders shall be mailed with a Proof of Service to the owner of the property.
6. This decision is final. The time within which judicial review of this decision may be sought is governed by California Code of Civil Procedure, Section 1094.6 and the Yuba County Ordinance Code Chapter 1.16. Any petition seeking judicial review must be filed in the appropriate court not later than the 90<sup>th</sup> day following the date on which this decision was made; however, if within ten (10) days after the decision was made, a request for the record of the proceedings is filed and the required deposit in an amount sufficient to cover the estimated cost of preparation of such record is timely deposited, the time within which such petition may be filed in court is extended to not later than the 30<sup>th</sup> day following the date on which the record is either personally delivered or mailed to you or your attorney of record.

PASSED AND ADOPTED at the regular meeting of the Board of Supervisors of the County of Yuba held on the \_\_\_\_ day of \_\_\_\_\_ 2016, by the following vote:

AYES:

NOES:

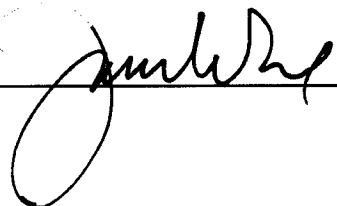
ABSENT:

ABSTAIN:

Chairperson of the Board of Supervisors  
County of Yuba, State of California

ATTEST: Donna Stottlemeyer  
Clerk of the Board of Supervisors

APPROVED AS TO FORM: Angil Morris-Jones  
County Counsel



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## YUBA COUNTY CODE ENFORCEMENT COST ACCOUNTING

Date: April 12, 2016

Case #: MMJ15-0133

APN: 044-270-022

Owner: Dustin Parsons

Situs: 6482 Marysville Road, Browns Valley, CA 95918

Date	Reason for Charge	Hours	Total
6/29/2015	Received Complaint, Opened Case*	0.5	\$ 73.50
6/29/2015	Research Property Status*	0.5	73.50
6/30/2015	Attempted Inspection, Four (4) Officers*	2.0	294.00
6/30/2015	Inspection Request Mailed*	0.5	73.50
9/23/2015	Warrant Prep for Inspection*	3.0	441.00
9/25/2015	Phone Call*	0.25	36.75
9/25/2015	Inspection, Two (2) Officers*	4.0	588.00
9/28/2015	Inspection*	1.5	220.50
9/29/2015	Demand for Payment & Cover Letter*	0.5	73.50
9/30/2015	Return of Warrant	2.0	294.00
	<b>Total Staff Hours at \$147.00 per Hour</b>	<b>14.75</b>	<b>\$ 2,168.25</b>
9/25/2015	Notice and Order to Abate Public Nuisance*	FEE	1,470.00
9/25/2015	Administrative Penalty, One Day @ \$3,300.00 Per Day*	PENALTY	3,300.00
3/1/2016	Notice of Non-Compliance	FEE	147.00
3/1/2016	CDSA Processing Fee, One Document	FEE	73.50
4/12/2016	Cost Accounting Hearing Before BOS	FEE	1,470.00
4/12/2016	Release of Abatement Lien	FEE	147.00
4/12/2016	Notice of Compliance	FEE	147.00
4/12/2016	CDSA Processing Fee, Two Documents	FEE	147.00
4/12/2016	Recordation Fee, Two Documents	COST	24.00
4/12/2016	CDSA Support Fee (6%)	FEE	346.19
		<b>Total</b>	<b>\$ 9,439.94</b>

\*Fees are reflected on unpaid Demand for Payment



# The County Of Yuba

(149-0416) Hold ... - 7 of 14

Community Development &  
Services Agency

## CODE ENFORCEMENT

Telephone: (530) 749-5455

Fax: (530) 749-5616



915 8<sup>th</sup> Street, Suite 123, Marysville, California 95901

Dustin Parsons  
1629 Yuba Street  
Marysville, CA 95901

### NOTICE OF HEARING TO ASSESS PROPERTY AND RECORD ABATEMENT LIEN

YOU ARE HEREBY NOTIFIED to appear before the Yuba County Board of Supervisors at 915 8<sup>th</sup> Street, Marysville, California, in the Board of Supervisors Chambers, on April 12, 2016, at the hour of 8:30 a.m., or as soon thereafter as the matter may be heard, to show cause, if any there may be, why the enforcement costs and penalties for the property located at 6482 Marysville Road, Browns Valley, CA 95918, APN 044-270-022, abated pursuant to the Notice and Order to Abate Public Nuisance, should not be assessed against the property and why an abatement lien should not be recorded thereby.

If you fail to appear at the hearing or if you fail to raise any defense or assert any relevant points at the hearing, the County will assert that you have waived all rights to assert such defenses or rights.

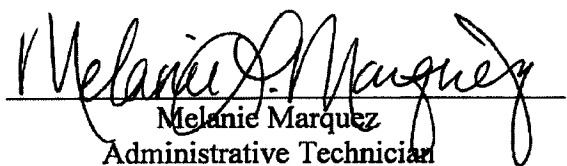
At the hearing, you may present evidence and witnesses in your behalf, and you may examine any witnesses who present evidence.

You may appear personally or have a representative appear at the hearing in your behalf and be heard on the sole questions of whether the accounting of the enforcement costs and penalties reflected in Attachment A are accurate and reasonable and whether such costs and penalties should be assessed and a lien recorded.

Dated: March 23, 2016

Certified Mail # 7013 3020 0000 6317 9260

Enclosure: Attachment A, Cost Accounting

BY:   
Melanie Marquez  
Administrative Technician  
Code Enforcement Division



# The County Of Yuba

(149-0416) Hold ... - 8 of 14

Community Development &  
Services Agency

## CODE ENFORCEMENT

Telephone: (530) 749-5455

Fax: (530) 749-5616



915 8th Street, Suite 123, Marysville, California 95901

## NOTICE AND ORDER TO ABATE PUBLIC NUISANCE

MMJ15-0133

CULTIVATOR(S) ADDRESS:	PROPERTY OWNER: ADDRESS
DUSTIN PARSONS 16482 MARYSVILLE RD. BROWNS VALLEY, CA 95918	DUSTIN PARSONS 16482 YUBA ST MARYSVILLE, CA 95901

\*CULTIVATORS CONTINUED  
ON BACK PAGE

VIOLATION ADDRESS: 6482 MARYSVILLE RD, BROWNS VALLEY, CA

APN:

044-270-022

**PLEASE TAKE NOTICE:** that the use and condition of the subject property has been determined by Yuba County Code Enforcement to constitute violations of Chapter 7.40 of the Yuba County Ordinance Code and is therefore declared a public nuisance. The violations are:

- ☒ **Yuba County Ordinance Code § 7.40.400(A)** ...the cultivation of marijuana in violation of the provisions contained herein or any provisions set forth in Division 10 of the California Health and Safety Code.
- ☒ Outdoor cultivation 7.40.300A
  - ☐ Cultivation w/in dwelling 7.40.300B
  - ☒ Cultivation of more than 12 plants 7.40.300C      NUMBER OF PLANTS: 26
  - ☐ Water source/discharges 7.40.300D
  - ☐ Cultivation environment; health, safety, welfare; dust, odor, traffic, chemicals 7.40.300E
  - ☐ Active Code case 7.40.300F
  - ☐ Lack of dwelling 7.40.310
  - ☐ Permitted accessory structure 7.40.320A1
  - ☐ Accessory structure w/in setback 7.40.320A2
  - ☒ Use of extension cord(s) 7.40.320A3
  - ☐ Lack of mechanical filtration system 7.40.320A4
  - ☐ Lack of adequate fence around accessory structure (height; security) 7.40.330
  - ☒ Lack of registration 7.40.340



☒ Yuba County Ordinance Code § 7.40.340 *The cultivation of marijuana without first registering the cultivation and paying the required fee.*

☒ Yuba County Ordinance Code § 7.40.400(B) *The cultivation of marijuana on a parcel that does not have an occupied, legally established Dwelling.*

☒ Yuba County Ordinance Code § 7.40.400(E) *The cultivation of marijuana in a manner that exceeds 12 plants*

# of plants: 26

☒ Yuba County Ordinance Code § 7.40.400(G) *Any violation of any Ordinance or State law or any public nuisance defined or known at common law or in equity jurisprudence, including but not limited to the following violations:*

- ☐ Conducting activities on a site which are not permitted uses in the Agricultural/Rural Residential Zone in violation of the Yuba County Ordinance Code, Chapter 12.01 et seq. including utilizing accessory uses without first establishing a primary use
- ☒ Emplacement and occupancy of a recreational vehicle as a place of human habitation in violation of the Yuba County Ordinance Code, Chapter 10.20
- ☒ Construction/erection of a building/structure without first obtaining a building permit in violation of the Yuba County Ordinance Code, Chapter 10.05
- ☐ Accumulation and storage of abandoned, wrecked, dismantled or inoperable vehicles, or parts thereof, in violation of the Yuba County Ordinance Code, Chapter 7.35
- ☐ Maintaining an environment for the propagation and harborage of vector and vermin by the accumulation and storage of junk, trash and debris in violation of the Yuba County Ordinance Code, Chapter 7.36
- ☐
- ☐
- ☐

**YOU ARE HEREBY ORDERED** to correct or remove all violations from subject property immediately.

**YOU ARE HEREBY ADVISED** that Administrative Penalties in the amount of \$3,300.<sup>00</sup> per day pursuant to Yuba County Code § 7.40.550 have begun to accrue and will continue to accrue until the date compliance with the Order has been met and verified by the Enforcement Officer; you must call this office to schedule an inspection to verify compliance.

If you disagree with the determination that a public nuisance exists on the subject property, you have the right to a hearing to show cause, if any, why the use of said real property should not be found to be a public nuisance and abated pursuant to the Yuba County Code. You may request a hearing by filing a written request for a hearing with the Yuba County Code Enforcement Office, whose address appears above, within 10 calendar days of the date of this Notice. A \$4,116.00 deposit, pursuant to Yuba County Ordinance Code § 13.20.500, shall accompany the written request. Even if you do not request a hearing with respect to the existence of a public nuisance, you may contest the Administrative Penalties by filing a written request for a hearing solely to contest the imposition of the Administrative Penalties. A \$4,116.00 deposit pursuant to Yuba County Ordinance Code § 13.20.500, shall accompany the written request.

If you do not request a hearing and fail to comply with the time requirements set forth, the County will abate the nuisance. If you request a hearing, and after such hearing a public nuisance is found to exist, you shall abate said violations as set forth in the Findings of Fact, Conclusions of Law, and Orders. Furthermore if the County abates the nuisance, you will be responsible for the actual costs of the abatement, and the Administrative

Penalties, if any, which shall be paid within thirty (30) days from the date of the demand for payment. The "cost of abating a violation" shall include, but not be limited to, the county's attorneys' fees, the cost of the administrative hearing, the cost of prior time and expenses associated with bringing the matter to hearing, the cost associated with any appeals from the decision of the administrative hearing, the cost of judicially abating the violation, the cost of men and material necessary to physically abate the violation, and the cost of securing expert and other witnesses.

If such abatement costs are not paid within thirty (30) days of the date of the demand for payment therefore, such costs will become a lien against the subject property and will also be specially assessed against the property in the same manner as taxes. The abatement lien shall be recorded and shall have the same force and effect as an abstract of judgment, which is recorded as a money judgment obtained in a court of law. Special assessments have the same priority, for collection purposes, as other County taxes; and, if not paid, may result in a forced sale of your property.

If there is a hearing, and subject property is found to be in violation of any or all of the provisions stated above, the County will contend that you are bound by such finding at any subsequent and relative judicial action. If you fail to request a hearing, or appear at the hearing and fail to raise any defense or assert any relevant point at the time of hearing, the County will assert, in later judicial proceedings to enforce an order of abatement, that you have waived all rights to assert such defenses or such points.

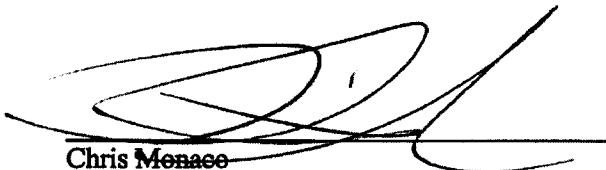
**IMPORTANT: READ THIS NOTICE CAREFULLY. FAILURE TO RESPOND WITHIN THE TIME SET FORTH IN THIS NOTICE WILL LIKELY RESULT IN ADMINISTRATIVE AND/OR JUDICIAL ABATEMENT AND TERMINATION OF USES OF, OR CONDITIONS ON YOUR PROPERTY WHICH THE ENFORCEMENT OFFICER CONTENDS ARE IN VIOLATION OF THE YUBA COUNTY ORDINANCE CODE.**

☒ POSTED PROPERTY

☒ PERSONAL SERVICE KENNETH SCHLES

☒ CERTIFIED MAIL 7013 3020 0000 6318 0822

DATED: SEPTEMBER 25, 2015



Chris Menace  
Code Enforcement Officer

Encl: Excerpts from Yuba County Ordinance Code, Chapter 7.40, Demand for Payment (Billing #678)

CC: DUSTIN LEVI PARSONS  
1627 YUBA ST  
MARYSVILLE, CA 95901

CULTIVATORS (see list)  
6482 Marysville Rd  
Browns Valley, CA 95918

CULTIVATORS CONTINUED:

MEGAN MARSE TENALSO  
MICHELLE PARSONS  
AMANDA LAMBERSON  
KENNETH SCHIES  
VICHJE A. PARSONS  
DEBORAH ANN MITCHELL  
RAN KELLER WOODS



# The County Of Yuba

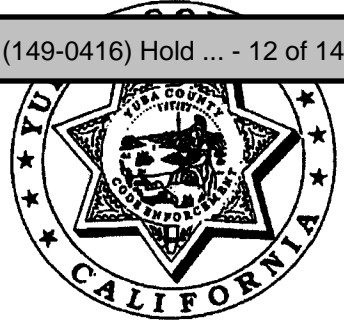
Community Development &  
Services Agency

## CODE ENFORCEMENT

Telephone: (530) 749-5455

Fax: (530) 749-5616

(149-0416) Hold ... - 12 of 14



915 8th Street, Suite 123, Marysville, California 95901

September 29, 2015

Dustin Parsons  
1629 Yuba Street  
Marysville, CA 95901

**RE: 6482 Marysville Road, Browns Valley, CA 95918**  
**APN: 044-270-022**

Dear Property Owner,

This letter serves to inform you that the violations described in the official Notice and Order to Abate (MMJ15-0133) dated September 25, 2015, have been corrected and that the property is no longer considered to be a public nuisance. The enclosed Demand for Payment is an accounting of the administrative costs and penalties, in the amount of \$6,844.91, incurred to date by the County in abating those violations. Such costs and penalties are your responsibility and shall be paid within 30 calendar days (see "Due Date" printed on Demand). If payment is not received by the due date, the matter will be scheduled for a public Cost Accounting Hearing before the Yuba County Board of Supervisors.

Therefore, please be advised that if you fail to make a timely payment, a hearing will be scheduled. Additional administrative costs will be incurred to bring this matter before the Board. You will be given advanced, written notice of the hearing. Should a hearing become necessary, it may result in the recordation of an abatement lien and a tax assessment being placed against the property.

Should you have any questions regarding this notice, please contact Officer Chris Monaco at 530-749-5455.

Sincerely,

Melanie Marquez  
Office Specialist  
County of Yuba, CDSA  
Code Enforcement Division

Encl: Demand for Payment (Billing #678)  
Notice & Order to Abate Public Nuisance (MMJ15-0133)

**YUBA COUNTY CODE ENFORCEMENT  
DEMAND FOR PAYMENT  
Billing # 678**

**Date:** September 29, 2015                      **Due Date:** October 29, 2015

**Case #:** MMJ15-0133                      **APN:** 044-270-022

**Owner:** Dustin Parsons

**Situs:** 6482 Marysville Road, Browns Valley, CA 95918

**Certified #:** 7013 3020 0000 6318 0822

<b>Date</b>	<b>Reason for Charge</b>	<b>Hours</b>	<b>Total</b>
6/29/2015	Received Complaint, Opened Case	0.5	\$ 73.50
6/29/2015	Research Property Status	0.5	73.50
6/30/2015	Attempted Inspection, Four (4) Officers	2.0	294.00
6/30/2015	Inspection Request Mailed	0.5	73.50
9/23/2015	Warrant Prep for Inspection	3.0	441.00
9/25/2015	Phone Call	0.25	36.75
9/25/2015	Inspection, Two (2) Officers	4.0	588.00
9/28/2015	Inspection	1.5	220.50
9/29/2015	Demand for Payment & Cover Letter	0.5	73.50
	<b>Total Staff Hours at \$147.00 per Hour</b>	<b>12.75</b>	<b>\$ 1,874.25</b>
9/25/2015	Notice and Order to Abate Public Nuisance	FEE	1,470.00
9/25/2015	Administrative Penalty, One Day @ \$3,300.00 Per Day	PENALTY	3,300.00
9/29/2015	CDSA Support Fee (6%)	FEE	200.66
		<b>Total</b>	<b>\$ 6,844.91</b>

Remit payment & make payable to: CDSA  
 Attention: Accounts Receivable  
 Phone: (530)749-5455                      Address: 915 8<sup>th</sup> Street, Suite 123, Marysville CA 95901

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# 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



150-0416  
(150-0416) Hold ... - 1 of 14

**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

**DATE:** April 12, 2016  
**TO:** Yuba County Board of Supervisors  
**FROM:** Community Development & Services Agency, Code Enforcement Division  
Jeremy Strang, Division Manager  
**SUBJECT:** Cost Accounting Hearing to Determine Costs of Abatement and Penalties to be Assessed Against Property Located at 9248 Spring Valley Road, Marysville, CA 95901 and to Authorize a Special Tax Assessment and Abatement Lien

**RECOMMENDATION:** I hereby request that the Yuba County Board of Supervisors:

1. Find that the enforcement costs and penalties as exhibited in the attached Cost Accounting are accurate and reasonable;
2. Order that the costs exhibited in the attached Cost Accounting be placed as a special tax assessment on the property tax roll and collected along with normal property taxes; and
3. Order that an Abatement Lien be recorded with the County Recorder

**BACKGROUND:** On September 8, 2015, Code Enforcement staff accompanied the Yuba County Sheriff's Department in executing a Search Warrant. The inspection exposed the illegal cultivation of 102 marijuana plants by Maurine L. Harrold and Maria Flores. The Search Warrant listed marijuana, among other things, as an item to be seized, and therefore the Yuba County Sheriff's Office seized the marijuana. A Notice and Order to Abate Public Nuisance [Order] was issued to the property owner of record, Charles M. & Maurine L. Harrold and to the cultivator, Maria Flores and alleged violations of the Yuba County Ordinance Code consisting of:

1. Cultivating of an excessive amount of marijuana – 102 plants
2. Cultivating outdoors and not within an approved accessory structure
3. Cultivating marijuana without first registering with the County
4. Constructing a building/structure without required construction permits
5. Creating a harborage of vector and vermin by accumulating and storing junk, trash and debris
6. Emplacement and occupancy of a recreational vehicle as a place for human habitation.
7. Using extension cords in lieu of permanent wiring

On September 8, 2015, the Order was personally served to the property owner Maurine L. Harrold and to the cultivator, Maria Flores, and on September 11, 2015, a duplicate Order was mailed, both First Class and by Certified with Return Receipt to Charles M. & Maurine L. Harrold and to Maria Flores. A copy of the Order, which includes appeal procedures, is attached hereto and marked as Attachment C.

Neither Charles M. & Maurine L. Harrold, nor Maria Flores exercised their right to a hearing to contest the determination of a public nuisance, nor did they exercise their right to appeal the amount of Administrative Penalty imposed. The Demand for Payment sent to Charles M. & Maurine L. Harrold and Maria Flores for enforcement costs and penalties remains unpaid. Attached hereto and marked as Attachment A is the current accounting of those enforcement costs and penalties, the total now being \$15,871.28.

Charles H. & Maurine L. Harrold and Marie Flores were given written notice of this Accounting Hearing, a copy of which is attached hereto and marked as Attachment B.

**DISCUSSION:** The matter of whether or not a public nuisance existed on the subject property is not the matter before the Board of Supervisors; no appeal was filed and that determination is final. The questions before the Board of Supervisors are expressly limited to:

1. Are the enforcement costs and penalties listed in Attachment A, accurate and reasonable?
2. Should the enforcement costs and penalties become a special property tax assessment?
3. Should an Abatement Lien be recorded?

**COMMITTEE ACTION:** None Required

**FISCAL IMPACT:** Implementing the requested recommendations will facilitate cost recovery and reimbursement of appropriate funds and accounts



COST ACCOUNTING HEARING TO ASSESS PROPERTY AND RECORD  
NOTICE OF ABATEMENT LIEN  
BEFORE THE BOARD OF SUPERVISORS  
OF THE COUNTY OF YUBA

COUNTY OF YUBA,	)	CASE NO.	MMJ15-0288
	)		
Plaintiff,	)	RE:	9248 Spring Valley Road
	)		Marysville, CA 95901
vs.	)		
	)	APN:	005-230-054
CHARLES M. & MAURINE	)		
L. HARROLD	)		
	)	FINDINGS OF FACT	
	)	CONCLUSIONS OF LAW	
Defendant.	)	ORDERS OF THE BOARD OF SUPERVISORS	

FINDINGS OF FACT

1. Assessor's Parcel # 005-230-054 is located at 9248 Spring Valley Road, Marysville, CA 95901, and is owned by Charles M. & Maurine L. Harrold.
2. On September 8, 2015, the property owners Charles M. & Maurine L. Harrold, and the cultivator, Maria Flores, were properly served with a Notice and Order to Abate Public Nuisance. The Notice and Order to Abate Public Nuisance required the immediate removal of 102 marijuana plants.
3. On September 8, 2015, 102 marijuana plants were seized by the Yuba County Sheriff's Office pursuant to a criminal Search Warrant.
4. Neither Charles M. & Maurine L. Harrold, nor Maria Flores exercised their right to a hearing to contest the determination of a public nuisance, nor did they exercise their right to appeal the amount of Administrative Penalty imposed.
5. The Demand for Payment for enforcement costs and penalties incurred remains unpaid.

6. A public Cost Accounting Hearing was held on April 12, 2016, to determine if the enforcement costs and Administrative Penalty imposed are accurate and reasonable.
  - (a) A two-page memorandum that included three attachments, marked as Attachment A (Cost Accounting), Attachment B (Notice of Hearing), and Attachment C (Notice and Order to Abate Public Nuisance) along with a PowerPoint presentation was submitted at the Hearing by Jeremy Strang, Code Enforcement Supervisor.
  - (b) The owners, Charles M. & Maurine L. Harrold was ( ) was not ( ) present.
  - (c) Maria Flores was ( ) was not ( ) present.
7. Charles M. & Maurine L. Harrold, and Maria Flores were properly served with written notice of this Cost Accounting Hearing.
8. Jeremy Strang, Supervising Code Enforcement Officer, sustained the burden of proof showing that the enforcement costs and penalties exhibited in Attachment A in the amount of \$15,871.28 are accurate and reasonable.

#### CONCLUSIONS OF LAW

1. Charles M. & Maurine L. Harrold, and Maria Flores were properly notified to appear before the Board of Supervisors on April 12, 2016 at 8:30 a.m. to show cause, if any, why the enforcement costs and penalties for its property located at 9248 Spring Valley Road, Marysville, CA 95901, APN 005-230-054, are not accurate and reasonable, and should not become a special tax assessment against the property and why a Notice of Abatement Lien should not be recorded.
2. Charles M. & Maurine L. Harrold, and Maria Flores were unable to discredit the testimony and evidence presented in order to persuade the Board of Supervisor that the enforcement costs and penalties were not accurate and reasonable, and therefore the enforcement costs and penalties regarding APN 005-230-054 were properly incurred in the amount of \$15,871.28 and the property and its owner shall bear the costs of same.

#### ORDERS

1. It is hereby ordered that the enforcement costs and penalties to date incurred by the County of Yuba in the amount of \$15,871.28 shall become a special tax assessment against the property located at 9248 Spring Valley Road, Marysville, CA 95901, APN 005-230-054.
2. It is hereby ordered that the enforcement costs and penalties shall be assessed against the property as provided by Government Code Section 25845 (d) and that a Notice of Abatement Lien of the enforcement costs and penalties shall be recorded as authorized by Government Code Section 25845(e).

3. Payment pursuant to these orders shall have 90% of the total amount paid deposited into Trust Account 254-0000-371-98-99 and 10% of the total amount deposited into Trust Account 256-0000-371-98-99.
4. These Orders may be recorded by the Director of Yuba County Community Development & Services Agency.
5. Notice of these Orders shall be mailed with a Proof of Service to the owner of the property.
6. This decision is final. The time within which judicial review of this decision may be sought is governed by California Code of Civil Procedure, Section 1094.6 and the Yuba County Ordinance Code Chapter 1.16. Any petition seeking judicial review must be filed in the appropriate court not later than the 90<sup>th</sup> day following the date on which this decision was made; however, if within ten (10) days after the decision was made, a request for the record of the proceedings is filed and the required deposit in an amount sufficient to cover the estimated cost of preparation of such record is timely deposited, the time within which such petition may be filed in court is extended to not later than the 30<sup>th</sup> day following the date on which the record is either personally delivered or mailed to you or your attorney of record.

PASSED AND ADOPTED at the regular meeting of the Board of Supervisors of the County of Yuba held on the \_\_\_\_ day of \_\_\_\_\_ 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chairperson of the Board of Supervisors  
County of Yuba, State of California

ATTEST: Donna Stottlemeyer  
Clerk of the Board of Supervisors

APPROVED AS TO FORM: Angil Morris-Jones  
County Counsel

## YUBA COUNTY CODE ENFORCEMENT COST ACCOUNTING

Date: April 12, 2016

Case #: MMJ15-0288

APN: 005-230-054

Owners: Charles M. & Maurine L. Harrold

Violator: Maria Flores

Situs: 9248 Spring Valley Road, Marysville, CA 95901

Date	Reason for Charge	Hours	Total
9/3/2015	Received Complaint, Opened Case*	0.5	\$ 73.50
9/3/2015	Research Property Status*	0.25	36.75
9/8/2015	Inspection, Three (3) Officers*	6.0	882.00
2/2/2016	Demand for Payment and Cover Letter Prep*	0.5	73.50
	<b>Total Staff Hours at \$147.00 per Hour</b>	<b>7.25</b>	<b>\$ 1,065.75</b>
9/8/2015	Notice & Order to Abate Public Nuisance*	FEE	1,470.00
9/8/2015	Administrative Penalty, One Day @ \$10,900.00*	PENALTY	10,900.00
2/2/2016	Notice of Non-Compliance*	FEE	147.00
2/2/2016	CDSA Processing Fee, Recording Doc*	FEE	73.50
4/12/2016	Cost Accounting Hearing Before BOS	FEE	1,470.00
4/12/2016	Release of Abatement Lien	FEE	147.00
4/12/2016	Notice of Compliance	FEE	147.00
4/12/2016	CDSA Processing Fee, Two Documents	FEE	147.00
4/12/2016	Recordation Fee, Two Documents	COST	24.00
4/12/2016	CDSA Support Fee (6%)	FEE	280.03
		<b>Total</b>	<b>\$15,871.28</b>

\*Charges are reflected on unpaid Demand for Payment



# The County Of Yuba

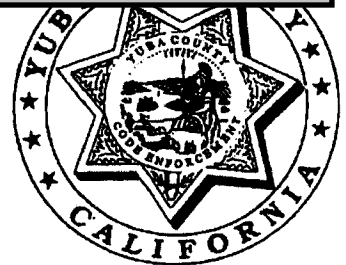
(150-0416) Hold ... - 7 of 14

Community Development &  
Services Agency

## CODE ENFORCEMENT

Telephone: (530) 749-5455

Fax: (530) 749-5616



915 8th Street, Suite 123, Marysville, California 95901

Charles M. & Maurine L. Harrold  
9248 Spring Valley Road  
Marysville, CA 95901

### NOTICE OF HEARING TO ASSESS PROPERTY AND RECORD ABATEMENT LIEN

YOU ARE HEREBY NOTIFIED to appear before the Yuba County Board of Supervisors at 915 8<sup>th</sup> Street, Marysville, California, in the Board of Supervisors Chambers, on April 12, 2016, at the hour of 8:30 a.m., or as soon thereafter as the matter may be heard, to show cause, if any there may be, why the enforcement costs and penalties for the property located at 9248 Spring Valley Road, Browns Valley, CA 95918, APN 005-230-054, abated pursuant to the Notice and Order to Abate Public Nuisance, should not be assessed against the property and why an abatement lien should not be recorded thereby.

If you fail to appear at the hearing or if you fail to raise any defense or assert any relevant points at the hearing, the County will assert that you have waived all rights to assert such defenses or rights.

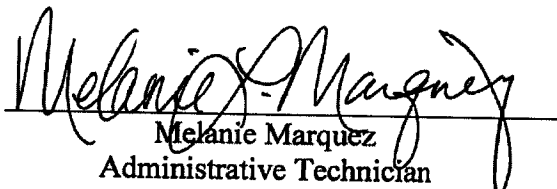
At the hearing, you may present evidence and witnesses in your behalf, and you may examine any witnesses who present evidence.

You may appear personally or have a representative appear at the hearing in your behalf and be heard on the sole questions of whether the accounting of the enforcement costs and penalties reflected in Attachment A are accurate and reasonable and whether such costs and penalties should be assessed and a lien recorded.

Dated: March 24, 2016

Certified Mail # 7013 3020 0000 6317 9307

Enclosure: Attachment A, Cost Accounting

BY:   
Melanie Marquez  
Administrative Technician  
Code Enforcement Division



# The County Of Yuba

(150-0416) Hold ... - 8 of 14

Community Development &  
Services Agency

## CODE ENFORCEMENT

Telephone: (530) 749-5455

Fax: (530) 749-5616



915 8<sup>th</sup> Street, Suite 123, Marysville, California 95901

Maria Flores  
9248 Spring Valley Road  
Marysville, CA 95901

### NOTICE OF HEARING TO ASSESS PROPERTY AND RECORD ABATEMENT LIEN

YOU ARE HEREBY NOTIFIED to appear before the Yuba County Board of Supervisors at 915 8<sup>th</sup> Street, Marysville, California, in the Board of Supervisors Chambers, on April 12, 2016, at the hour of 8:30 a.m., or as soon thereafter as the matter may be heard, to show cause, if any there may be, why the enforcement costs and penalties for the property located at 9248 Spring Valley Road, Browns Valley, CA 95918, APN 005-230-054, abated pursuant to the Notice and Order to Abate Public Nuisance, should not be assessed against the property and why an abatement lien should not be recorded thereby.

If you fail to appear at the hearing or if you fail to raise any defense or assert any relevant points at the hearing, the County will assert that you have waived all rights to assert such defenses or rights.

At the hearing, you may present evidence and witnesses in your behalf, and you may examine any witnesses who present evidence.

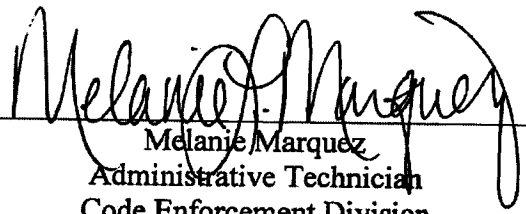
You may appear personally or have a representative appear at the hearing in your behalf and be heard on the sole questions of whether the accounting of the enforcement costs and penalties reflected in Attachment A are accurate and reasonable and whether such costs and penalties should be assessed and a lien recorded.

Dated: March 25, 2016

Certified Mail # 7013 3020 0000 6317 9314

Enclosure: Attachment A, Cost Accounting

BY:

  
Melanie Marquez  
Administrative Technician  
Code Enforcement Division



# The County Of Yuba

(150-0416) Hold ... - 9 of 14

Community Development &  
Services Agency

## CODE ENFORCEMENT

Telephone: (530) 749-5455

Fax: (530) 749-5616



915 8th Street, Suite 123, Marysville, California 95901

## NOTICE AND ORDER TO ABATE PUBLIC NUISANCE

MMJ15-0288

CULTIVATOR(S) ADDRESS:	PROPERTY OWNER: ADDRESS
Maurine L Harrold 9248 Spring Valley Road Marysville, CA 95901	Charles M & Maurine L Harrold 9248 Spring Valley Road Marysville, CA 95901

Cultivators Continued On Back Page

VIOLATION ADDRESS: 9248 Spring Valley Road, Brown Valley, CA 95918

APN: 005-230-054

**PLEASE TAKE NOTICE:** that the use and condition of the subject property has been determined by Yuba County Code Enforcement to constitute violations of Chapter 7.40 of the Yuba County Ordinance Code and is therefore declared a public nuisance. The violations are:

☒ Yuba County Ordinance Code § 7.40.400(A) ...the cultivation of marijuana in violation of the provisions contained herein or any provisions set forth in Division 10 of the California Health and Safety Code.

☒ Outdoor cultivation 7.40.300A

☐ Cultivation w/in dwelling 7.40.300B

☒ Cultivation of more than 12 plants 7.40.300C NUMBER OF PLANTS: 102

☐ Water source/discharges 7.40.300D

☐ Cultivation environment; health, safety, welfare; dust, odor, traffic, chemicals 7.40.300E

☐ Active Code case 7.40.300F

☐ Lack of dwelling 7.40.310

☐ Permitted accessory structure 7.40.320A1

☐ Accessory structure w/in setback 7.40.320A2

☒ Use of extension cord(s) 7.40.320A3

☒ Lack of mechanical filtration system 7.40.320A4

☐ Lack of adequate fence around accessory structure (height; security) 7.40.330

☒ Lack of registration 7.40.340

- ☒ Yuba County Ordinance Code § 7.40.340 *The cultivation of marijuana without first registering the cultivation and paying the required fee.*
- ☐ Yuba County Ordinance Code § 7.40.400(B) *The cultivation of marijuana on a parcel that does not have an occupied, legally established Dwelling.*
- ☒ Yuba County Ordinance Code § 7.40.400(E) *The cultivation of marijuana in a manner that exceeds 12 plants*  
# of plants: 102
- ☒ Yuba County Ordinance Code § 7.40.400(G) *Any violation of any Ordinance or State law or any public nuisance defined or known at common law or in equity jurisprudence, including but not limited to the following violations:*
- ☐ Conducting activities on a site which are not permitted uses in the Agricultural/Rural Residential Zone in violation of the Yuba County Ordinance Code, Chapter 12.01 et seq. including utilizing accessory uses without first establishing a primary use
  - ☒ Emplacement and occupancy of a recreational vehicle as a place of human habitation in violation of the Yuba County Ordinance Code, Chapter 10.20
  - ☐ Construction/erection of a building/structure without first obtaining a building permit in violation of the Yuba County Ordinance Code, Chapter 10.05
  - ☒ Accumulation and storage of abandoned, wrecked, dismantled or inoperable vehicles, or parts thereof, in violation of the Yuba County Ordinance Code, Chapter 7.35
  - ☒ Maintaining an environment for the propagation and harborage of vector and vermin by the accumulation and storage of junk, trash and debris in violation of the Yuba County Ordinance Code, Chapter 7.36
  - ☒ 7.36 (a)(2) Substandard & Dangerous Structures
  - ☒ 7.40.320 A3 Use of Extension Cords
  - ☐

**YOU ARE HEREBY ORDERED** to correct or remove all violations from subject property immediately.

**YOU ARE HEREBY ADVISED** that Administrative Penalties in the amount of \$10,900.00 per day pursuant to Yuba County Code § 7.40.550 have begun to accrue and will continue to accrue until the date compliance with the Order has been met and verified by the Enforcement Officer; you must call this office to schedule an inspection to verify compliance.

If you disagree with the determination that a public nuisance exists on the subject property, you have the right to a hearing to show cause, if any, why the use of said real property should not be found to be a public nuisance and abated pursuant to the Yuba County Code. You may request a hearing by filing a written request for a hearing with the Yuba County Code Enforcement Office, whose address appears above, within 10 calendar days of the date of this Notice. A \$4,116.00 deposit, pursuant to Yuba County Ordinance Code § 13.20.500, shall accompany the written request. Even if you do not request a hearing with respect to the existence of a public nuisance, you may contest the Administrative Penalties by filing a written request for a hearing solely to contest the imposition of the Administrative Penalties. A \$4,116.00 deposit pursuant to Yuba County Ordinance Code § 13.20.500, shall accompany the written request.

If you do not request a hearing and fail to comply with the time requirements set forth, the County will abate the nuisance. If you request a hearing, and after such hearing a public nuisance is found to exist, you shall abate said violations as set forth in the Findings of Fact, Conclusions of Law, and Orders. Furthermore if the County abates the nuisance, you will be responsible for the actual costs of the abatement, and the Administrative



Penalties, if any, which shall be paid within thirty (30) days from the date of the demand for payment. The "cost of abating a violation" shall include, but not be limited to, the county's attorneys' fees, the cost of the administrative hearing, the cost of prior time and expenses associated with bringing the matter to hearing, the cost associated with any appeals from the decision of the administrative hearing, the cost of judicially abating the violation, the cost of men and material necessary to physically abate the violation, and the cost of securing expert and other witnesses.

If such abatement costs are not paid within thirty (30) days of the date of the demand for payment therefore, such costs will become a lien against the subject property and will also be specially assessed against the property in the same manner as taxes. The abatement lien shall be recorded and shall have the same force and effect as an abstract of judgment, which is recorded as a money judgment obtained in a court of law. Special assessments have the same priority, for collection purposes, as other County taxes; and, if not paid, may result in a forced sale of your property.

If there is a hearing, and subject property is found to be in violation of any or all of the provisions stated above, the County will contend that you are bound by such finding at any subsequent and relative judicial action. If you fail to request a hearing, or appear at the hearing and fail to raise any defense or assert any relevant point at the time of hearing, the County will assert, in later judicial proceedings to enforce an order of abatement, that you have waived all rights to assert such defenses or such points.

**IMPORTANT: READ THIS NOTICE CAREFULLY. FAILURE TO RESPOND WITHIN THE TIME SET FORTH IN THIS NOTICE WILL LIKELY RESULT IN ADMINISTRATIVE AND/OR JUDICIAL ABATEMENT AND TERMINATION OF USES OF, OR CONDITIONS ON YOUR PROPERTY WHICH THE ENFORCEMENT OFFICER CONTENDS ARE IN VIOLATION OF THE YUBA COUNTY ORDINANCE CODE.**

☐ POSTED PROPERTY

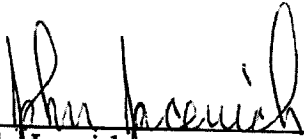
☒ PERSONAL SERVICE

☒ CERTIFIED MAIL

DATED: 9/8/15

Charles M. & Maurine L. Harrold  
9248 Spring Valley Road,  
Marysville, CA 95901

Cert#:  
7006-2150-0000  
- 6787-4492

  
John Jacenich  
Code Enforcement Officer

Encl: Excerpts from Yuba County Ordinance Code, Chapter 7.40, Billing #669

CC:

## Cultivators Continued

(150-0416) Hold ... - 12 of 14

Maria Flores

Anita Kelley

Jorge Ramirez

Raphel Ochoa



**County of Yuba**  
Code Enforcement Division  
915 8th Street, Suite 123  
Marysville, CA 95901  
Phone: 530.749.5455

**Billing Statement** (150-0416) Hold ... - 13 of 14

DATE	INVOICE #
9/10/2015	669

BILL TO:  
Charles M & Maurine L Harrold  
9248 Spring Valley Road  
Marysville, CA 95901

**CASE INFORMATION**

Number: MMJ15-0288  
Officer: J. Jacenich  
APN: 005-230-054  
9248 Spring Valley Road, Browns Valley  
Cert # 7006 2150 0000 6787 4492

			TERMS	DUE DATE
			Net 30	10/10/2015
SERVICE DATE	DESCRIPTION OF CHARGES	RATE	HOURS	AMOUNT
9/3/2015	Received Complaint, Opened Case	147.00		
9/3/2015	Research Property Status	147.00	0.5	73.50
9/8/2015	Inspection Three (3) Officers	147.00	0.25	36.75
9/8/2015	Notice & Order to Abate	1,470.00	6	882.00
9/8/2015	Admin Penalty 1 Day (9/8/2015)	10,900.00		1,470.00
9/8/2015	CDSA Support Fees (6%)	147.74		10,900.00
				147.74
*Administrative Penalty continues to accrue at a rate of \$400.00 per day.				
			<b>Total</b>	<b>\$13,509.99</b>

FAILURE TO MAKE PAYMENT BY THE DUE DATE LISTED ABOVE  
WILL RESULT IN THE FOLLOWING LATE-PAYMENT PENALTIES:

5 - 30 DAYS PAST DUE = 25%

31 + DAYS PAST DUE = 50%

FORMS OF PAYMENT ACCEPTED: CHECK, MONEY ORDER, CASHIER CHECK, CREDIT & DEBIT CARDS.  
REMIT PAYMENT TO CDSA, ATTENTION: ACCOUNTS RECEIVABLE. (VISA CREDIT CARD NOT ACCEPTED)

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# 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)



(151-0416) Hold ... - 1 of 12

**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

**DATE:** April 12, 2016  
**TO:** Yuba County Board of Supervisors  
**FROM:** Community Development & Services Agency, Code Enforcement Division  
 Jeremy Strang, Division Manager  
**SUBJECT:** Cost Accounting Hearing to Determine Costs of Abatement and Penalties to be Assessed Against Property Located at 45314 Burch Lane, Brownsville, CA 95919 and to Authorize a Special Tax Assessment and Abatement Lien

**RECOMMENDATION:** I hereby request that the Yuba County Board of Supervisors:

1. Find that the enforcement costs and penalties as exhibited in the attached Cost Accounting are accurate and reasonable;
2. Order that the costs exhibited in the attached Cost Accounting be placed as a special tax assessment on the property tax roll and collected along with normal property taxes; and
3. Order that an Abatement Lien be recorded with the County Recorder

**BACKGROUND:** On May 11, 2015, Code Enforcement staff accompanied by the Yuba County Sheriff's Department performed an inspection of the subject property exposed the illegal cultivation of marijuana by one of the property owner's William B. Stonecipher. Verbal notice requiring the immediate removal of violations was given to Mr. Stonecipher along with a directive to notify staff once the violations were removed.

On June 4, 2015, after not hearing from Mr. Stonecipher, a Notice and Order to Abate Public Nuisance [Order] was issued to the property owners of record, Angela D. Stroming, Austin T. Stroming and William B. Stonecipher. The Order required the immediate removal of marijuana plants, and alleged violations of the Yuba County Ordinance Code consisting of:

1. Cultivating of an excessive amount of marijuana – 60 plants
2. Cultivating marijuana that does not have an occupied, legally established Dwelling
3. Cultivating marijuana without first registering with the County
4. Constructing a building/structure without required construction permits
5. Conducting activities on a site which are not permitted uses in the Agricultural/Rural Residential Zone
6. Emplacement and occupancy of a recreational vehicle as a place for human habitation

The Order was posted at the property, and a duplicate Order was mailed, both First Class and by Certified with Return Receipt to Angela D. Stroming, Austin T. Stroming and William B. Stonecipher. A copy of the Order, which includes appeal procedures, is attached hereto and marked as Attachment C.

On June 5, 2015, Code Enforcement Officer Jacenich performed a compliance inspection and verified that the 60 marijuana plants had been removed.

Angela D. Stroming, Austin T. Stroming and William B. Stonecipher did not exercise their right to a hearing to contest the determination of a public nuisance, nor did they exercise their right to appeal the amount of Administrative Penalty imposed. The Demand for Payment sent to Angela D. Stroming, Austin T. Stroming and William B. Stonecipher for enforcement costs and penalties remains unpaid. Attached hereto and marked as Attachment A is the current accounting of those enforcement costs and penalties, the total now being \$18,015.46.

Angela D. Stroming, Austin T. Stroming and William B. Stonecipher have been given written notice of this Accounting Hearing, a copy of which is attached hereto and marked as Attachment B.

**DISCUSSION:** The matter of whether or not a public nuisance existed on the subject property is not the matter before the Board of Supervisors; no appeal was filed and that determination is final. The questions before the Board of Supervisors are expressly limited to:

1. Are the enforcement costs and penalties listed in Attachment A, accurate and reasonable?
2. Should the enforcement costs and penalties become a special property tax assessment?
3. Should an Abatement Lien be recorded?

**COMMITTEE ACTION:** None Required

**FISCAL IMPACT:** Implementing the requested recommendations will facilitate cost recovery and reimbursement of appropriate funds and accounts

COST ACCOUNTING HEARING TO ASSESS PROPERTY AND RECORD  
NOTICE OF ABATEMENT LIEN  
BEFORE THE BOARD OF SUPERVISORS  
OF THE COUNTY OF YUBA

COUNTY OF YUBA,	)	CASE NO. MMJ15-0018
	)	
Plaintiff,	)	RE: 15314 Burch Lane
	)	Brownsville, CA 95919
vs.	)	
	)	APN: 060-100-002
ANGELA D. STROMING	)	
AUSTIN T. STROMING	)	
WILLIAM B. STONECHIPHER	)	
	)	FINDINGS OF FACT
	)	CONCLUSIONS OF LAW
Defendants.	)	ORDERS OF THE BOARD OF SUPERVISORS

FINDINGS OF FACT

1. Assessor's Parcel # 060-100-002 is located at 15314 Burch Lane, Brownsville, CA 95919, and is owned by Angela D. Stroming, Austin T. Stroming and William B. Stonecipher.
2. On May 11, 2015, verbal notice of violations of the Yuba County Ordinance Code was given to one of the property owners, William B. Stonecipher.
3. On June 4, 2015, the property owners, Angela D. Stroming, Austin T. Stroming and William B. Stonecipher, were properly served with a Notice and Order to Abate Public Nuisance for the cultivation of 60 marijuana plants.
4. On June 5, 2015, Code Enforcement Officer John Jacenich performed a compliance inspection and verified that the marijuana plants had been removed.
5. Neither Angela D. Stroming, nor Austin T. Stroming nor William B. Stonecipher exercised their right to a hearing to contest the determination of a public nuisance, nor did they exercise their right to appeal the amount of Administrative Penalty imposed.

6. The Demand for Payment for enforcement costs and penalties incurred remains unpaid.
7. A public Cost Accounting Hearing was held on April 12, 2016, to determine if the enforcement costs and Administrative Penalty imposed are accurate and reasonable.
  - (a) A two-page memorandum that included three attachments, marked as Attachment A (Cost Accounting), Attachment B (Notice of Hearing), and Attachment C (Notice and Order to Abate Public Nuisance) along with a PowerPoint presentation was submitted at the Hearing by Jeremy Strang, Code Enforcement Supervisor.
  - (b) Angela D. Stroming was ( ) was not ( ) present.
  - (c) Austin T. Stroming was ( ) was not ( ) present.
  - (d) William B. Stonecipher was ( ) was not ( ) present.
8. Angela D. Stroming, Austin T. Stroming and William B. Stonecipher were properly served with written notice of this Cost Accounting Hearing.
9. Jeremy Strang, Supervising Code Enforcement Officer, sustained the burden of proof showing that the enforcement costs and penalties exhibited in Attachment A in the amount of \$18,015.46 are accurate and reasonable.

#### CONCLUSIONS OF LAW

1. Angela D. Stroming, Austin T. Stroming and William B. Stonecipher were properly notified to appear before the Board of Supervisors on April 12, 2016 at 8:30 a.m. to show cause, if any, why the enforcement costs and penalties for its property located at 15314 Burch Lane, Brownsville, CA 95919, APN 060-100-002, are not accurate and reasonable, and should not become a special tax assessment against the property and why a Notice of Abatement Lien should not be recorded.
2. Angela D. Stroming, Austin T. Stroming and William B. Stonecipher were unable to discredit the testimony and evidence presented in order to persuade the Board of Supervisor that the enforcement costs and penalties were not accurate and reasonable, and therefore the enforcement costs and penalties regarding APN 060-100-002 were properly incurred in the amount of \$18,015.46 and the property and its owner shall bear the costs of same.

#### ORDERS

1. It is hereby ordered that the enforcement costs and penalties to date incurred by the County of Yuba in the amount of \$18,015.46 shall become a special tax assessment against the property located at 15314 Burch Lane, Brownsville, CA 95919, APN 060-100-002.
2. It is hereby ordered that the enforcement costs and penalties shall be assessed against the property as provided by Government Code Section 25845 (d) and that a Notice of Abatement Lien of the



enforcement costs and penalties shall be recorded as authorized by Government Code Section 25845(e).

3. Payment pursuant to these orders shall have 90% of the total amount paid deposited into Trust Account 254-0000-371-98-99 and 10% of the total amount deposited into Trust Account 256-0000-371-98-99.
4. These Orders may be recorded by the Director of Yuba County Community Development & Services Agency.
5. Notice of these Orders shall be mailed with a Proof of Service to the owner of the property.
6. This decision is final. The time within which judicial review of this decision may be sought is governed by California Code of Civil Procedure, Section 1094.6 and the Yuba County Ordinance Code Chapter 1.16. Any petition seeking judicial review must be filed in the appropriate court not later than the 90<sup>th</sup> day following the date on which this decision was made; however, if within ten (10) days after the decision was made, a request for the record of the proceedings is filed and the required deposit in an amount sufficient to cover the estimated cost of preparation of such record is timely deposited, the time within which such petition may be filed in court is extended to not later than the 30<sup>th</sup> day following the date on which the record is either personally delivered or mailed to you or your attorney of record.

PASSED AND ADOPTED at the regular meeting of the Board of Supervisors of the County of Yuba held on the \_\_\_\_ day of \_\_\_\_\_ 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chairperson of the Board of Supervisors  
County of Yuba, State of California

ATTEST: Donna Stottlemeyer  
Clerk of the Board of Supervisors

APPROVED AS TO FORM: Angil Morris-Jones  
County Counsel

## YUBA COUNTY CODE ENFORCEMENT COST ACCOUNTING

Date: April 12, 2016

Case #: MMJ15-0018

APN: 060-100-002

Owners: Angela D. Stroming, Austin T. Stroming, William B. Stonecipher  
Situs: 15314 Burch Lane, Brownsville, CA 95919

Date	Reason for Charge	Hours	Total
4/27/2015	Received Complaint, Opened Case*	0.5	\$ 73.50
5/11/2015	Inspection w/ YCSO*	1.0	147.00
5/14/2015	Research*	0.5	73.50
5/19/2015	Research*	0.5	73.50
6/4/2015	Posted Property*	1.0	147.00
6/5/2015	Inspection*	1.0	147.00
6/5/2015	Phone Call*	0.25	36.75
6/19/2015	Phone Call*	0.25	36.75
7/1/2015	In-House Visit*	0.5	73.50
8/28/2015	Phone Call*	0.25	36.75
2/10/2016	Demand for Payment & Cover Letter*	0.5	73.50
	<b>Total Staff Hours at \$147.00 per Hour</b>	<b>6.25</b>	<b>\$ 918.75</b>
6/4/2015	Notice & Order to Abate Public Nuisance*	FEE	1,470.00
6/5/2015	Administrative Penalty, Two Days @ \$6,600.00 Per Day* Accrued Daily (June 4 - 5, 2015)	PENALTY	13,200.00
7/9/2015	Notice of Non-Compliance*	FEE	147.00
7/9/2015	CDSA Processing Fee, Recording Doc*	FEE	73.50
4/12/2016	Cost Accounting Hearing Before BOS	FEE	1,470.00
4/12/2016	Release of Abatement Lien	FEE	147.00
4/12/2016	Notice of Compliance	FEE	147.00
4/12/2016	CDSA Processing Fee, Two Documents	FEE	147.00
4/12/2016	Recordation Fee, Two Documents	COST	24.00
4/12/2016	CDSA Support Fee (6%)	FEE	271.21
		<b>Total</b>	<b>\$18,015.46</b>

\*Charges are reflected on unpaid Demand for Payment



# The County Of Yuba

(151-0416) Hold ... - 7 of 12

Community Development &  
Services Agency

## CODE ENFORCEMENT

Telephone: (530) 749-5455

Fax: (530) 749-5616



915 8th Street, Suite 123, Marysville, California 95901

Angela D. Stroming  
Austin T. Stroming  
William B. Stonecipher  
15314 Burch Lane  
Brownsville, CA 95919

Angela D. Stroming  
[REDACTED]  
Pt. Charlotte, FL 33981

### NOTICE OF HEARING TO ASSESS PROPERTY AND RECORD ABATEMENT LIEN

YOU ARE HEREBY NOTIFIED to appear before the Yuba County Board of Supervisors at 915 8<sup>th</sup> Street, Marysville, California, in the Board of Supervisors Chambers, on April 12, 2016, at the hour of 8:30 a.m., or as soon thereafter as the matter may be heard, to show cause, if any there may be, why the enforcement costs and penalties for the property located at 15314 Burch Lane, Brownsville, CA 95919, APN 060-100-002, abated pursuant to the Notice and Order to Abate Public Nuisance, should not be assessed against the property and why an abatement lien should not be recorded thereby.

If you fail to appear at the hearing or if you fail to raise any defense or assert any relevant points at the hearing, the County will assert that you have waived all rights to assert such defenses or rights.

At the hearing, you may present evidence and witnesses in your behalf, and you may examine any witnesses who present evidence.

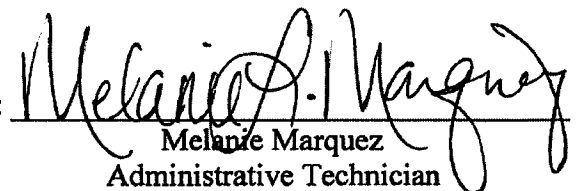
You may appear personally or have a representative appear at the hearing in your behalf and be heard on the sole questions of whether the accounting of the enforcement costs and penalties reflected in Attachment A are accurate and reasonable and whether such costs and penalties should be assessed and a lien recorded.

Dated: March 24, 2016

Certified Mail # 7013 3020 0000 6317 9284 & 9291

Enclosure: Attachment A, Cost Accounting

BY:



Melanie Marquez  
Administrative Technician  
Code Enforcement Division

Attachment B



# The County Of Yuba

Community Development &  
Services Agency

## CODE ENFORCEMENT

Telephone: (530) 749-5455

Fax: (530) 749-5616

(151-0416) Hold ... - 8 of 12



915 8th Street, Suite 123, Marysville, California 95901

## NOTICE AND ORDER TO ABATE PUBLIC NUISANCE

MMJ15-0018

ANGELA D. STROMING  
AUSTIN T. STROMING  
WILLIAM B. STONECIPHER  
15314 BURCH LANE  
BROWNSVILLE, CA 95919

RE: 15314 BURCH LANE, BROWNSVILLE, CA 95919  
APN: 060-100-002-000  
LEGAL DESCRIPTION: PRCL 2 REC SRVY BK 11 MPS PG 46

**PLEASE TAKE NOTICE:** that the use and condition of the subject property has been determined by Yuba County Code Enforcement to constitute violations of Chapter 7.40 of the Yuba County Ordinance Code and is therefore declared a public nuisance. The violations are:

1. **Yuba County Code § 7.40.340** *The cultivation of marijuana without first registering the cultivation and paying the required fee.*
2. **Yuba County Code § 7.40.400(A)** *...the cultivation of marijuana in violation of the provisions contained herein or any provisions set forth in Division 10 of the California Health and Safety Code.*
3. **Yuba County Code § 7.36.400(B)** *The cultivation of marijuana on a parcel that does not have an occupied, legally established Dwelling.*
4. **Yuba County Code § 7.36.400(E)** *The cultivation of marijuana in a manner that exceeds 12 plants, to wit: 60 plants*
5. **Yuba County Code § 7.36.400(G)** *Any violation of any Ordinance or State law or any public nuisance defined or known at common law or in equity jurisprudence, including but not limited to the following violations:*
  - A. Conducting activities on a site which are not permitted uses in the Agricultural/Rural Residential Zone in violation of Yuba County Ordinance Code Chapter 12.01 et seq. including utilizing accessory uses without first establishing a primary use.

- B. Emplacement and occupancy of a travel trailer as a place of human habitation in violation of Yuba County Ordinance Code, Chapter 10.20.
- C. Construction of a wood-framed building and deck without first obtaining a building permit in violation of Yuba County Ordinance Code, Chapter 10.05

**YOU ARE HEREBY ORDERED** to correct or remove all violations from subject property pursuant to the following:

1. Remove the marijuana immediately and not later than June 7, 2015
2. Remove the 5<sup>th</sup>-wheel travel trailer immediately and not later than June 7, 2015
3. Demolish the wood-framed building and deck, and remove the resulting debris immediately and not later than July 3, 2015
4. Remove all personal property and/or junk, trash or debris immediately and not later than July 3, 2015.

**YOU ARE HEREBY ADVISED** that Administrative Penalties in the amount of **\$6,600.00 per day** pursuant to Yuba County Code § 7.40.550 **have begun to accrue** and will continue to accrue until the date compliance with the Order has been met and verified by the Enforcing Officer; you must call this office to schedule an inspection to verify compliance.

**If you disagree with the determination that a public nuisance exists on the subject property, you have the right to a hearing to show cause, if any, why the use of said real property should not be found to be a public nuisance and abated pursuant to the Yuba County Code. You may request a hearing by filing a written request for a hearing with the Yuba County Code Enforcement office, whose address appears above, within 10 calendar days of the date of this Notice. A \$4,116.00 deposit, pursuant to Yuba County Ordinance Code § 13.20.500, shall accompany the written request. Even if you do not request a hearing with respect to the existence of a public nuisance, you may contest the Administrative Penalties by filing a written request for a hearing solely to contest the imposition of the Administrative Penalties. A \$4,116.00 deposit pursuant to Yuba County Ordinance Code § 13.20.500, shall accompany the written request.**

If you do not request a hearing and fail to comply with the time requirements set forth, the County will abate the nuisance. If you request a hearing, and after such hearing a public nuisance is found to exist, you shall abate said violations as set forth in the Findings of Fact, Conclusions of Law, and Orders. Furthermore if the County abates the nuisance, you will be responsible for the actual costs of the abatement, and the Administrative Penalties, if any, which shall be paid within thirty (30) days from the date of the demand for payment. The "cost of abating a violation" shall include, but not be limited to, the county's attorneys' fees, the cost of the administrative hearing, the cost of prior time and expenses associated with bringing the matter to hearing, the cost associated with any appeals from the decision of the administrative hearing, the cost of judicially abating the violation, the cost of men and material necessary to physically abate the violation, and the cost of securing expert and other witnesses.

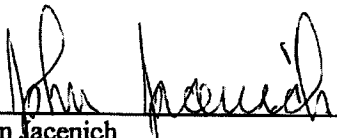
If such abatement costs are not paid within thirty (30) days of the date of the demand for payment therefore, such costs will become a lien against the subject property and will also be specially assessed against the property in the same manner as taxes. The abatement lien shall be recorded and shall have the same force and effect as an abstract of judgment, which is recorded as a money judgment obtained in a court of law. Special assessments have the same priority, for collection purposes, as other County taxes; and, if not paid, may result in a forced sale of your property.

If there is a hearing, and subject property is found to be in violation of any or all of the provisions stated above, the County will contend that you are bound by such finding at any subsequent and relative judicial action. If you fail to request a hearing, or appear at the hearing and fail to raise any defense or assert any relevant point at the time of hearing, the County will assert, in later judicial proceedings to enforce an order of abatement, that you have waived all rights to assert such defenses or such points.

**IMPORTANT: READ THIS NOTICE CAREFULLY. FAILURE TO RESPOND WITHIN THE TIME SET FORTH IN THIS NOTICE WILL LIKELY RESULT IN ADMINISTRATIVE AND/OR JUDICIAL ABATEMENT AND TERMINATION OF USES OF, OR CONDITIONS ON YOUR PROPERTY WHICH THE ENFORCEMENT OFFICIAL CONTENDS ARE IN VIOLATION OF THE YUBA COUNTY ORDINANCE CODE.**

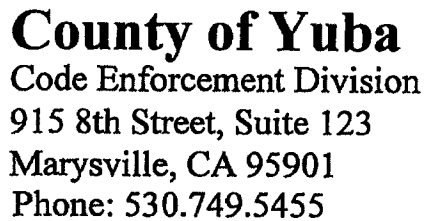
**CERTIFIED MAIL: 7003 0500 0005 1305 4584**

**DATED: JUNE 4, 2015**

  
\_\_\_\_\_  
John Jacenich  
Code Enforcement Officer

Encl: Excerpts from Yuba County Ordinance Code, Chapter 7.40  
Billing Invoice #628  
Pictures

CC: Post Property  
David Edward Chapman, [REDACTED] Hesperian, CA 92345  
David Edward Chapman, [REDACTED] Brownsville, CA 95919  
Angela D. Stroming, [REDACTED] Pt. Charlotte, FL 33981



DATE	INVOICE #
6/4/2015	628

**BILL TO:**  
**Angela D Stroming**  
**Austin T. Stroming**  
**William B. Stonecipher**  
**15314 Burch Lane**  
**Brownsville, CA 95919**

## CASE INFORMATION

Case # MMJ15-0018  
Officer: J. Jacenich  
APN: 060-100-002  
15314 Burch Lane  
Cert: 7003 0500 0005 1305 4584

<b>TERMS</b>	<b>DUE DATE</b>
<b>Net 30</b>	<b>7/4/2015</b>

SERVICE DATE	DESCRIPTION OF CHARGES	RATE	HOURS	AMOUNT
4/27/2015	Received Complaint, Opened Case	147.00	0.5	73.50
5/11/2015	Inspection w/ YCSO	147.00	1	147.00
5/14/2015	Research	147.00	0.5	73.50
5/19/2015	Research	147.00	0.5	73.50
6/4/2015	Notice & Order to Abate	1,470.00		1,470.00

**FAILURE TO MAKE PAYMENT BY THE DUE DATE LISTED ABOVE  
WILL RESULT IN THE FOLLOWING LATE-PAYMENT PENALTIES:**

<b>Total</b>	<b>\$1,837.50</b>
--------------	-------------------

5 - 30 DAYS PAST DUE = 25%  
31 + DAYS PAST DUE = 50%

**FORMS OF PAYMENT ACCEPTED: CHECK, MONEY ORDER, CASHIER CHECK, CREDIT & DEBIT CARDS.  
REMIT PAYMENT TO CDSA, ATTENTION: ACCOUNTS RECEIVABLE. (VISA CREDIT CARD NOT ACCEPTED)**

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# 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)



(153-0416) Hold ... - 1 of 12

**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

**DATE:** April 12, 2016  
**TO:** Yuba County Board of Supervisors  
**FROM:** Community Development & Services Agency, Code Enforcement Division  
 Jeremy Strang, Division Manager  
**SUBJECT:** Cost Accounting Hearing to Determine Costs of Abatement and Penalties to be Assessed Against Property Located at 1791 E. Eleventh Avenue, Olivehurst, CA and to Authorize a Special Tax Assessment and Abatement Lien

**RECOMMENDATION:** I hereby request that the Yuba County Board of Supervisors:

1. Find that the enforcement costs and penalties as exhibited in the attached Cost Accounting are accurate and reasonable;
2. Order that the costs exhibited in the attached Cost Accounting be placed as a special tax assessment on the property tax roll and collected along with normal property taxes; and
3. Order that an Abatement Lien be recorded with the County Recorder

**BACKGROUND:** On September 4, 2015, pursuant to a Civil Inspection Warrant, authorized and signed by the Honorable Judge Stephen W. Berrier, an inspection of the subject property exposed the illegal cultivation of marijuana by Michael and Samantha Valine. A Notice and Order to Abate Public Nuisance [Order] was issued on the subject property to the cultivators, Michael and Samantha Valine and property owner, Diane Stanaland. The Order required the immediate removal of marijuana plants, and alleged violations of the Yuba County Ordinance Code consisting of:

1. Cultivating of an excessive amount of marijuana – 63 plants
2. Cultivating outdoors and not within an approved accessory structure
3. Cultivating marijuana without first registering with the County
4. Maintaining an environment for the propagation and harborage of vector and vermin by the accumulation and storage of junk, trash and debris

On September 4, 2015, the Order was personally served to the cultivators, Michael and Samantha Valine, and on September 9, 2015, a duplicate order was mailed by First Class and Certified with Return Receipt, to the property owner, Diane Stanaland in Marysville, CA. A copy of the Order, which includes appeal procedures, is attached hereto and marked as Attachment C.

On September 18, 2015, pursuant to an Inspection and Abatement Warrant authorized and signed by Honorable Stephen W. Berrier, a second inspection of the subject property resulted in the removal and destruction of 63 marijuana plants. Code Enforcement stopped the Administrative Penalties from accruing at that time.

Neither Diane Stanaland, nor Michael and Samantha Valine exercised their right to a hearing to contest the determination of a public nuisance, nor did they exercise their right to appeal the amount of Administrative Penalty imposed. The Demand for enforcement costs and penalties remains unpaid. Attached hereto and marked as Attachment A is the current accounting of those enforcement costs and penalties, the total now being \$105,441.40.

Diane Stanaland and Michael and Samantha Valine have been given written notice of this Accounting Hearing, a copy of which is attached hereto and marked as Attachment B.

**DISCUSSION:** The matter of whether or not a public nuisance existed on the subject property is not the matter before the Board of Supervisors; no appeal was filed and that determination is final. The questions before the Board of Supervisors are expressly limited to:

1. Are the enforcement costs and penalties listed in Attachment A, accurate and reasonable?
2. Should the enforcement costs and penalties become a special property tax assessment?
3. Should an Abatement Lien be recorded?

**COMMITTEE ACTION:** None Required

**FISCAL IMPACT:** Implementing the requested recommendations will facilitate cost recovery and reimbursement of appropriate funds and accounts

COST ACCOUNTING HEARING TO ASSESS PROPERTY AND RECORD  
NOTICE OF ABATEMENT LIEN  
BEFORE THE BOARD OF SUPERVISORS  
OF THE COUNTY OF YUBA

COUNTY OF YUBA,	)	CASE NO.	MMJ15-0258
	)		
Plaintiff,	)	RE:	1791 E. Eleventh Avenue
	)		Olivehurst, CA
vs.	)		
	)	APN:	013-281-026
	)		
DIANE STANALAND	)		
	)	FINDINGS OF FACT	
	)	CONCLUSIONS OF LAW	
Defendant.	)	ORDERS OF THE BOARD OF SUPERVISORS	

FINDINGS OF FACT

1. Assessor's Parcel # 013-281-026 is located at 1791 E. Eleventh Avenue, Olivehurst, CA 95961, and is owned by Diane Stanaland.
2. On September 4, 2015, cultivators Michael and Samantha Valine were properly served with a Notice and Order to Abate Public Nuisance. The Notice and Order to Abate Public Nuisance required the immediate removal of 63 marijuana plants.
3. On September 9, 2015, property owner, Diane Stanaland was properly served with a Notice and Order to Abate Public Nuisance.
4. Neither Diane Stanaland, nor Michael and Samantha Valine, took action to abate the public nuisance as ordered.
5. September 18, 2015, pursuant to an Inspection and Abatement Warrant, 63 marijuana plants were removed from the property and destroyed by Yuba County Code Enforcement.

6. Neither Diane Stanaland, nor Michael and Samantha Valine, exercised their right to a hearing to contest the determination of a public nuisance, nor did they exercise their right to appeal the amount of Administrative Penalty imposed.
7. The Demand for Payment for enforcement costs and penalties incurred remains unpaid.
8. A public Cost Accounting Hearing was held on April 12, 2016, to determine if the enforcement costs and Administrative Penalty imposed are accurate and reasonable.
  - (a) A two-page memorandum that included three attachments, marked as Attachment A (Cost Accounting), Attachment B (Notice of Hearing), and Attachment C (Notice and Order to Abate Public Nuisance) along with a PowerPoint presentation was submitted at the Hearing by Jeremy Strang, Code Enforcement Division Manager.
  - (b) The owner, Diane Stanaland was ( ) was not ( ) present.
  - (c) The cultivator, Michael Valine was ( ) was not ( ) present.
  - (d) The cultivator, Samantha Valine was ( ) was not ( ) present.
9. Diane Stanaland, and Michael and Samantha Valine were properly served with written notice of this Cost Accounting Hearing.
10. Jeremy Strang, Code Enforcement Division Manager, sustained the burden of proof showing that the enforcement costs and penalties exhibited in Attachment A in the amount of \$105,441.40, are accurate and reasonable.

#### CONCLUSIONS OF LAW

1. Diane Stanaland was properly notified to appear before the Board of Supervisors on April 12, 2016 at 8:30 a.m. to show cause, if any, why the enforcement costs and penalties for her property located at 1791 E. Eleventh Avenue, Olivehurst, CA 95961, APN 013-281-026, are not accurate and reasonable, and should not become a special tax assessment against the property and why a Notice of Abatement Lien should not be recorded.
2. Diane Stanaland was unable to discredit the testimony and evidence presented in order to persuade the Board of Supervisor that the enforcement costs and penalties were not accurate and reasonable, and therefore the enforcement costs and penalties regarding APN 013-281-026 were properly incurred in the amount of \$105,441.40 and the property and its owner shall bear the costs of same.

#### ORDERS

1. It is hereby ordered that the enforcement costs and penalties to date incurred by the County of Yuba in the amount of \$105,441.40 shall become a special tax assessment against the property located at 1791 E. Eleventh Avenue, Olivehurst, CA 95961, APN 013-281-026.
2. It is hereby ordered that the enforcement costs and penalties shall be assessed against the property as provided by Government Code Section 25845 (d) and that a Notice of Abatement Lien of the

enforcement costs and penalties shall be recorded as authorized by Government Code Section 25845(e).

3. Payment pursuant to these orders shall have 90% of the total amount paid deposited into Trust Account 254-0000-371-98-99 and 10% of the total amount deposited into Trust Account 256-0000-371-98-99.
4. These Orders may be recorded by the Director of Yuba County Community Development & Services Agency.
5. Notice of these Orders shall be mailed with a Proof of Service to the owner of the property.
6. This decision is final. The time within which judicial review of this decision may be sought is governed by California Code of Civil Procedure, Section 1094.6 and the Yuba County Ordinance Code Chapter 1.16. Any petition seeking judicial review must be filed in the appropriate court not later than the 90<sup>th</sup> day following the date on which this decision was made; however, if within ten (10) days after the decision was made, a request for the record of the proceedings is filed and the required deposit in an amount sufficient to cover the estimated cost of preparation of such record is timely deposited, the time within which such petition may be filed in court is extended to not later than the 30<sup>th</sup> day following the date on which the record is either personally delivered or mailed to you or your attorney of record.

PASSED AND ADOPTED at the regular meeting of the Board of Supervisors of the County of Yuba held on the \_\_\_\_ day of \_\_\_\_\_ 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chairperson of the Board of Supervisors  
County of Yuba, State of California

ATTEST: Donna Stottlemeyer  
Clerk of the Board of Supervisors

APPROVED AS TO FORM: Angil Morris-Jones  
County Counsel

## YUBA COUNTY CODE ENFORCEMENT COST ACCOUNTING

Date: April 12, 2016

Case #: MMJ15-0258

APN: 013-281-026

Owner: Diane Stanaland

Violators: Michael & Samantha Valine

Situs: 1791 E. Eleventh Avenue, Olivehurst, CA 95961

Date	Reason for Charge	Hours	Total
8/19/2015	Received Complaint, Opened Case*	0.5	\$ 73.50
8/19/2015	Research Property Status*	2.0	294.00
9/4/2015	Inspection, Three (3) Officers*	1.5	220.50
9/11/2015	Email Correspondence*	0.5	73.50
9/11/2015	Phone Call *	0.5	73.50
9/11/2015	Fax Correspondence*	0.25	36.75
9/17/2015	Research Property Status*	0.5	73.50
9/18/2015	Warrant Prep for Inspection*	3.0	441.00
9/18/2015	Inspection, Six (6) Officers, Abatement Completed*	6.0	882.00
9/24/2015	Demand for Payment & Cover Letter*	0.5	73.50
	<b>Total Staff Hours at \$147.00 per Hour</b>	<b>15.25</b>	<b>\$ 2,241.75</b>
9/4/2015	Notice and Order to Abate Public Nuisance*	FEE	1,470.00
9/18/2015	Marijuana Destruction @ Recology, Ostrom Road*	COST	223.56
9/18/2015	Administrative Penalty, 15 Days @ \$6,600.00 Per Day* (September 4 - 18, 2015, Accrued Daily)	PENALTY	99,000.00
9/24/2015	Notice of Non-Compliance*	FEE	147.00
9/24/2015	CDSA Processing Fee, One Document*	FEE	73.50
4/12/2016	Cost Accounting Hearing Before BOS	FEE	1,470.00
4/12/2016	Release of Abatement Lien	FEE	147.00
4/12/2016	Notice of Compliance	FEE	147.00
4/12/2016	CDSA Processing Fee, Two Documents	FEE	147.00
4/12/2016	Recordation Fee, Two Documents	COST	24.00
4/12/2016	CDSA Support Fee (6%)	FEE	350.59
		<b>Total</b>	<b>\$105,441.40</b>

\*Charges are reflected on unpaid Demand for Payment



# The County Of Yuba

(153-0416) Hold ... - 7 of 12

Community Development &  
Services Agency

## CODE ENFORCEMENT

Telephone: (530) 749-5455

Fax: (530) 749-5616



915 8<sup>th</sup> Street, Suite 123, Marysville, California 95901

Diane Stanaland

Marysville, CA 95901

Michael & Samantha Valine  
1791 E. Eleventh Ave  
Olivehurst, CA 95961

### NOTICE OF HEARING TO ASSESS PROPERTY AND RECORD ABATEMENT LIEN

YOU ARE HEREBY NOTIFIED to appear before the Yuba County Board of Supervisors at 915 8<sup>th</sup> Street, Marysville, California, in the Board of Supervisors Chambers, on April 12, 2016, at the hour of 8:30 a.m., or as soon thereafter as the matter may be heard, to show cause, if any there may be, why the enforcement costs and penalties for the property located at 1791 E. Eleventh Ave, Olivehurst, CA, APN 013-281-026, abated pursuant to the Notice and Order to Abate Public Nuisance, should not be assessed against the property and why an abatement lien should not be recorded thereby.

If you fail to appear at the hearing or if you fail to raise any defense or assert any relevant points at the hearing, the County will assert that you have waived all rights to assert such defenses or rights.

At the hearing, you may present evidence and witnesses in your behalf, and you may examine any witnesses who present evidence.

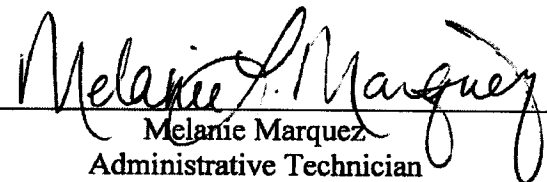
You may appear personally or have a representative appear at the hearing in your behalf and be heard on the sole questions of whether the accounting of the enforcement costs and penalties reflected in Attachment A are accurate and reasonable and whether such costs and penalties should be assessed and a lien recorded.

Dated: March 23, 2016

Certified Mail # 7013 3020 0000 6317 9246 & 9253

Enclosure: Attachment A, Cost Accounting

BY:

  
Melanie Marquez  
Administrative Technician  
Code Enforcement Division

Attachment B



# The County Of Yuba

(153-0416) Hold ... - 8 of 12

Community Development &  
Services Agency

## CODE ENFORCEMENT

Telephone: (530) 749-5455

Fax: (530) 749-5616



915 8th Street, Suite 123, Marysville, California 95901

## NOTICE AND ORDER TO ABATE PUBLIC NUISANCE

MMJ16-0258

CULTIVATOR(S) ADDRESS:	PROPERTY OWNER: ADDRESS
MICHAEL VALTIE SAMANTHA VALTIE 1791 ELEVENTH AVE OLIVEHURST, CA 95961	DIANE STAWALAND [REDACTED] MARYSVILLE, CA 95901

**VIOLATION ADDRESS:** 1791 ELEVENTH AVE, OLIVEHURST, CA

**APN:** 013-281-021

**PLEASE TAKE NOTICE:** that the use and condition of the subject property has been determined by Yuba County Code Enforcement to constitute violations of Chapter 7.40 of the Yuba County Ordinance Code and is therefore declared a public nuisance. The violations are:

☒ **Yuba County Ordinance Code § 7.40.400(A)** ...the cultivation of marijuana in violation of the provisions contained herein or any provisions set forth in Division 10 of the California Health and Safety Code.

☒ Outdoor cultivation 7.40.300A

☐ Cultivation w/in dwelling 7.40.300B

☒ Cultivation of more than 12 plants 7.40.300C **NUMBER OF PLANTS:** 13

☐ Water source/discharges 7.40.300D

☐ Cultivation environment; health, safety, welfare; dust, odor, traffic, chemicals 7.40.300E

☐ Active Code case 7.40.300F

☐ Lack of dwelling 7.40.310

☐ Permitted accessory structure 7.40.320A1

☐ Accessory structure w/in setback 7.40.320A2

☐ Use of extension cord(s) 7.40.320A3

☐ Lack of mechanical filtration system 7.40.320A4

☐ Lack of adequate fence around accessory structure (height; security) 7.40.330

☒ Lack of registration 7.40.340



☒ **Yuba County Ordinance Code § 7.40.340** *The cultivation of marijuana without first registering the cultivation and paying the required fee.*

☐ **Yuba County Ordinance Code § 7.40.400(B)** *The cultivation of marijuana on a parcel that does not have an occupied, legally established Dwelling.*

☒ **Yuba County Ordinance Code § 7.40.400(E)** *The cultivation of marijuana in a manner that exceeds 12 plants*  
# of plants: 63

☒ **Yuba County Ordinance Code § 7.40.400(G)** *Any violation of any Ordinance or State law or any public nuisance defined or known at common law or in equity jurisprudence, including but not limited to the following violations:*

- ☐ Conducting activities on a site which are not permitted uses in the Agricultural/Rural Residential Zone in violation of the Yuba County Ordinance Code, Chapter 12.01 et seq. including utilizing accessory uses without first establishing a primary use
- ☐ Emplacement and occupancy of a recreational vehicle as a place of human habitation in violation of the Yuba County Ordinance Code, Chapter 10.20
- ☐ Construction/erection of a building/structure without first obtaining a building permit in violation of the Yuba County Ordinance Code, Chapter 10.05
- ☐ Accumulation and storage of abandoned, wrecked, dismantled or inoperable vehicles, or parts thereof, in violation of the Yuba County Ordinance Code, Chapter 7.35
- ☒ Maintaining an environment for the propagation and harborage of vector and vermin by the accumulation and storage of junk, trash and debris in violation of the Yuba County Ordinance Code, Chapter 7.36
- ☐
- ☐
- ☐

**YOU ARE HEREBY ORDERED** to correct or remove all violations from subject property immediately.

**YOU ARE HEREBY ADVISED** that Administrative Penalties in the amount of \$1,000.<sup>00</sup> per day pursuant to Yuba County Code § 7.40.550 **have begun to accrue** and will continue to accrue until the date compliance with the Order has been met and verified by the Enforcement Officer; you must call this office to schedule an inspection to verify compliance.

If you disagree with the determination that a public nuisance exists on the subject property, you have the right to a hearing to show cause, if any, why the use of said real property should not be found to be a public nuisance and abated pursuant to the Yuba County Code. You may request a hearing by filing a written request for a hearing with the Yuba County Code Enforcement Office, whose address appears above, within 10 calendar days of the date of this Notice. A \$4,116.00 deposit, pursuant to Yuba County Ordinance Code § 13.20.500, shall accompany the written request. Even if you do not request a hearing with respect to the existence of a public nuisance, you may contest the Administrative Penalties by filing a written request for a hearing solely to contest the imposition of the Administrative Penalties. A \$4,116.00 deposit pursuant to Yuba County Ordinance Code § 13.20.500, shall accompany the written request.

If you do not request a hearing and fail to comply with the time requirements set forth, the County will abate the nuisance. If you request a hearing, and after such hearing a public nuisance is found to exist, you shall abate said violations as set forth in the Findings of Fact, Conclusions of Law, and Orders. Furthermore if the County abates the nuisance, you will be responsible for the actual costs of the abatement, and the Administrative

Penalties, if any, which shall be paid within thirty (30) days from the date of the demand for payment. The "cost of abating a violation" shall include, but not be limited to, the county's attorneys' fees, the cost of the administrative hearing, the cost of prior time and expenses associated with bringing the matter to hearing, the cost associated with any appeals from the decision of the administrative hearing, the cost of judicially abating the violation, the cost of men and material necessary to physically abate the violation, and the cost of securing expert and other witnesses.

If such abatement costs are not paid within thirty (30) days of the date of the demand for payment therefore, such costs will become a lien against the subject property and will also be specially assessed against the property in the same manner as taxes. The abatement lien shall be recorded and shall have the same force and effect as an abstract of judgment, which is recorded as a money judgment obtained in a court of law. Special assessments have the same priority, for collection purposes, as other County taxes; and, if not paid, may result in a forced sale of your property.

If there is a hearing, and subject property is found to be in violation of any or all of the provisions stated above, the County will contend that you are bound by such finding at any subsequent and relative judicial action. If you fail to request a hearing, or appear at the hearing and fail to raise any defense or assert any relevant point at the time of hearing, the County will assert, in later judicial proceedings to enforce an order of abatement, that you have waived all rights to assert such defenses or such points.

**IMPORTANT: READ THIS NOTICE CAREFULLY. FAILURE TO RESPOND WITHIN THE TIME SET FORTH IN THIS NOTICE WILL LIKELY RESULT IN ADMINISTRATIVE AND/OR JUDICIAL ABATEMENT AND TERMINATION OF USES OF, OR CONDITIONS ON YOUR PROPERTY WHICH THE ENFORCEMENT OFFICER CONTENDS ARE IN VIOLATION OF THE YUBA COUNTY ORDINANCE CODE.**

☐ POSTED PROPERTY

☒ PERSONAL SERVICE

☒ CERTIFIED MAIL 7011 0110 0002 5084 9269

DATED: SEPTEMBER 4, 2015



Chris Monaco  
Code Enforcement Officer

Encl: Excerpts from Yuba County Ordinance Code, Chapter 7.40, BILLING #665

cc: DIANE STANALAND

[REDACTED]  
MARRSVILLE, CA 95901

MICHAEL & SAMANTHA VALINE

[REDACTED]  
OLIVEHURST, CA 95961



**County of Yuba**  
Code Enforcement Division  
915 8th Street, Suite 123  
Marysville, CA 95901  
Phone: 530.749.5455

**Bill** (153-0416) Hold ... - 11 of 12

DATE	INVOICE #
9/9/2015	665

BILL TO:  
Diane Stanaland  
[REDACTED]  
Marysville, CA 95901

**CASE INFORMATION**

Number: MMJ15-0258  
Officer: C. Monaco  
APN: 013-281-026  
1791 E Eleventh Ave, Marysville  
Cert # 7011 0110 002 5084 9269

TERMS	DUE DATE
Net 30	10/9/2015

SERVICE DATE	DESCRIPTION OF CHARGES	RATE	HOURS	AMOUNT
8/19/2015	Received Complaint, Opened Case	147.00	0.5	73.50
8/19/2015	Research Property Status	147.00	2	294.00
9/4/2015	Inspection Three (3) Officers	147.00	1.5	220.50
9/4/2015	Notice & Order to Abate	1,470.00		1,470.00
9/4/2015	Admin Penalty 1 Day (9/4/2015)	6,600.00		6,600.00
9/4/2015	CDSA Support Fees (6%)	123.48		123.48
	 *Please Note: Administrative Penalty continues to accrue at a rate of \$6,600.00 per day.			

FAILURE TO MAKE PAYMENT BY THE DUE DATE LISTED ABOVE  
WILL RESULT IN THE FOLLOWING LATE-PAYMENT PENALTIES:

<b>Total</b>	<b>\$8,781.48</b>
--------------	-------------------

5 - 30 DAYS PAST DUE = 25%  
31 + DAYS PAST DUE = 50%

FORMS OF PAYMENT ACCEPTED: CHECK, MONEY ORDER, CASHIER CHECK, CREDIT & DEBIT CARDS.  
REMIT PAYMENT TO CDSA, ATTENTION: ACCOUNTS RECEIVABLE. (VISA CREDIT CARD NOT ACCEPTED)

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# 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



154-0416  
(154-0416) Hold ... - 1 of 12

**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

**DATE:** April 12, 2016  
**TO:** Yuba County Board of Supervisors  
**FROM:** Community Development & Services Agency, Code Enforcement Division  
Jeremy Strang, Division Manager  
**SUBJECT:** Cost Accounting Hearing to Determine Costs of Abatement and Penalties to be Assessed Against Property Located at 9943 Camper Lane, Brownsville, CA 95919 and to Authorize a Special Tax Assessment and Abatement Lien

**RECOMMENDATION:** I hereby request that the Yuba County Board of Supervisors:

1. Find that the enforcement costs and penalties as exhibited in the attached Cost Accounting are accurate and reasonable;
2. Order that the costs exhibited in the attached Cost Accounting be placed as a special tax assessment on the property tax roll and collected along with normal property taxes; and
3. Order that an Abatement Lien be recorded with the County Recorder

**BACKGROUND:** On July 27, 2015, Code Enforcement staff accompanied the Yuba County Sheriff's Department in executing a criminal Search Warrant. The warrant exposed the illegal cultivation of 505 marijuana plants by the property owners Rufus M. & AE Sun Monts. A Notice and Order to Abate Public Nuisance [Order] was issued to the property owners of record, Rufus M. & AE Sun Monts. The Order required the immediate removal of marijuana plants, and alleged violations of the Yuba County Ordinance Code consist of:

1. Cultivating of an excessive amount of marijuana – 505 plants
2. Cultivating outdoors and not within an approved accessory structure
3. Cultivating marijuana without first registering with the County
4. Constructing a building/structure without required construction permits

On July 27, 2015, Rufus M. & AE Sun Monts were properly served with the Order by posting the property, and on July 29, 2015, a duplicate Order was mailed, both by First Class and Certified with Return Receipt, to the property owners, Rufus M. & AE Sun Monts. A copy of the Order, which includes appeal procedures, is attached hereto and marked as Attachment C.

On August 27, 2015, a compliance inspection by Officers Jacenich and Monaco confirmed that all of the marijuana plants had been removed. However, the Administrative Penalty was stopped on August 4, 2015 based on information provided by the property owner, Rufus M. Monts.

Rufus M. & AE Sun Monts did not exercise their right to a hearing to contest the determination of a public nuisance, nor did they exercise their right to appeal the amount of Administrative Penalty imposed. The Demand for Payment sent to Rufus M. & AE Sun Monts for enforcement costs and penalties remains unpaid. Attached hereto and marked as Attachment A is the current accounting of those enforcement costs and penalties, the total now being \$462,954.42.

Rufus M. & AE Sun Monts were given written notice of this Accounting Hearing, a copy of which is attached hereto and marked as Attachment B.

**DISCUSSION:** The matter of whether or not a public nuisance existed on the subject property is not the matter before the Board of Supervisors; no appeal was filed and that determination is final. The questions before the Board of Supervisors are expressly limited to:

1. Are the enforcement costs and penalties listed in Attachment A, accurate and reasonable?
2. Should the enforcement costs and penalties become a special property tax assessment?
3. Should an Abatement Lien be recorded?

**COMMITTEE ACTION:** None Required

**FISCAL IMPACT:** Implementing the requested recommendations will facilitate cost recovery and reimbursement of appropriate funds and accounts

COST ACCOUNTING HEARING TO ASSESS PROPERTY AND RECORD  
NOTICE OF ABATEMENT LIEN  
BEFORE THE BOARD OF SUPERVISORS  
OF THE COUNTY OF YUBA

COUNTY OF YUBA,	)	CASE NO.	MMJ15-0028
	)		
Plaintiff,	)	RE:	9943 Camper Lane
	)		Brownsville, CA 95919
vs.	)		
	)	APN:	060-240-002
RUFUS M. & AE SUN	)		
MONTs	)		
	)		
	)	FINDINGS OF FACT	
	)	CONCLUSIONS OF LAW	
Defendant.	)	ORDERS OF THE BOARD OF SUPERVISORS	

FINDINGS OF FACT

1. Assessor's Parcel # 060-240-002 is located at 9943 Camper Lane, Brownsville, CA 95919, and is owned by Rufus M. & AE Sun Monts.
2. On July 27, 2015, the property owners Rufus M. & AE Sun Monts, were properly served with a Notice and Order to Abate Public Nuisance. The Notice and Order to Abate Public Nuisance required the immediate removal of 505 marijuana plants.
3. On August 4, 2015 the Administrative Penalty was stopped based on information provided the property owner Rufus M. Monts, and on August 27, 2015, a compliance inspection by Officer Jacenich and Monaco confirmed that all of the marijuana plants had been removed.
4. Rufus M. & AE Sun Monts did not exercise their right to a hearing to contest the determination of a public nuisance, nor did they exercise their right to appeal the amount of Administrative Penalty imposed.
5. Rufus M. & AE Sun Monts did not take action to abate the public nuisance as ordered.

6. The Demand for Payment for enforcement costs and penalties incurred remains unpaid.
7. A public Cost Accounting Hearing was held on April 12, 2016, to determine if the enforcement costs and Administrative Penalty imposed are accurate and reasonable.
  - (a) A two-page memorandum that included three attachments, marked as Attachment A (Cost Accounting), Attachment B (Notice of Hearing), and Attachment C (Notice and Order to Abate Public Nuisance) along with a PowerPoint presentation was submitted at the Hearing by Jeremy Strang, Code Enforcement Supervisor.
  - (b) The owners, Rufus M. & AE Sun Monts were ( ) were not ( ) present.
8. Rufus M. & AE Sun Monts were properly served with written notice of this Cost Accounting Hearing.
9. Jeremy Strang, Supervising Code Enforcement Officer, sustained the burden of proof showing that the enforcement costs and penalties exhibited in Attachment A in the amount of \$462,954.42 are accurate and reasonable.

#### CONCLUSIONS OF LAW

1. Rufus M. & AE Sun Monts were properly notified to appear before the Board of Supervisors on April 12, 2016 at 8:30 a.m. to show cause, if any, why the enforcement costs and penalties for their property located at 9943 Camper Lane, Brownsville, CA 95919, APN 060-240-002, are not accurate and reasonable, and should not become a special tax assessment against the property and why a Notice of Abatement Lien should not be recorded.
2. Rufus M. & AE Sun Monts were unable to discredit the testimony and evidence presented in order to persuade the Board of Supervisor that the enforcement costs and penalties were not accurate and reasonable, and therefore the enforcement costs and penalties regarding APN 060-240-002 were properly incurred in the amount of \$462,954.42 and the property and its owner shall bear the costs of same.

#### ORDERS

1. It is hereby ordered that the enforcement costs and penalties to date incurred by the County of Yuba in the amount of \$462,954.42 shall become a special tax assessment against the property located at 9943 Camper Lane, Brownsville, CA 95919, APN 060-240-002.
2. It is hereby ordered that the enforcement costs and penalties shall be assessed against the property as provided by Government Code Section 25845 (d) and that a Notice of Abatement Lien of the enforcement costs and penalties shall be recorded as authorized by Government Code Section 25845(e).



3. Payment pursuant to these orders shall have 90% of the total amount paid deposited into Trust Account 254-0000-371-98-99 and 10% of the total amount deposited into Trust Account 256-0000-371-98-99.
4. These Orders may be recorded by the Director of Yuba County Community Development & Services Agency.
5. Notice of these Orders shall be mailed with a Proof of Service to the owner of the property.
6. This decision is final. The time within which judicial review of this decision may be sought is governed by California Code of Civil Procedure, Section 1094.6 and the Yuba County Ordinance Code Chapter 1.16. Any petition seeking judicial review must be filed in the appropriate court not later than the 90<sup>th</sup> day following the date on which this decision was made; however, if within ten (10) days after the decision was made, a request for the record of the proceedings is filed and the required deposit in an amount sufficient to cover the estimated cost of preparation of such record is timely deposited, the time within which such petition may be filed in court is extended to not later than the 30<sup>th</sup> day following the date on which the record is either personally delivered or mailed to you or your attorney of record.

PASSED AND ADOPTED at the regular meeting of the Board of Supervisors of the County of Yuba held on the \_\_\_\_ day of \_\_\_\_\_ 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chairperson of the Board of Supervisors  
County of Yuba, State of California

ATTEST: Donna Stottlemeyer  
Clerk of the Board of Supervisors

APPROVED AS TO FORM: Angil Morris-Jones  
County Counsel

## YUBA COUNTY CODE ENFORCEMENT COST ACCOUNTING

Date: April 12, 2016

Case #: MMJ15-0028

APN: 060-240-002

Owners: Rufus M. & AE Sun Monts

Situs: 9943 Camper Lane, Brownsville, CA 95919

Date	Reason for Charge	Hours	Total
5/4/2015	Received Complaint, Opened Case*	0.5	\$ 73.50
5/7/2015	Phone Call*	0.25	36.75
5/8/2015	Received Additional Complaint*	0.25	36.75
6/24/2015	Inspection Request Mailed*	0.5	73.50
7/16/2015	Phone Call*	0.25	36.75
7/17/2015	Inspection with YCSO*	1.0	147.00
7/27/2015	Inspection, Multi-Departments, YCSO Warrant*	2.0	294.00
8/4/2015	Phone Call*	0.25	36.75
8/27/2015	Inspection, Verify Compliance*	1.0	147.00
8/28/2015	Phone Call*	0.25	36.75
9/16/2015	Phone Call*	0.25	36.75
	<b>Total Staff Hours at \$147.00 per Hour</b>	<b>6.5</b>	<b>\$ 955.50</b>
7/27/2015	Notice & Order to Abate Public Nuisance*	FEE	1,470.00
8/4/2015	Administrative Penalty, Nine Days @ \$50,900.00 Per Day, Accrued Daily (July 27, 2015 - August 4, 2015)*	PENALTY	458,100.00
8/28/2015	Notice of Non-Compliance*	FEE	147.00
8/28/2015	CDSA Processing Fee, Recording Doc*	FEE	73.50
4/12/2016	Cost Accounting Hearing Before BOS	FEE	1,470.00
4/12/2016	Release of Abatement Lien	FEE	147.00
4/12/2016	Notice of Compliance	FEE	147.00
4/12/2016	CDSA Processing Fee, Two Documents	FEE	147.00
4/12/2016	Recordation Fee, Two Documents	COST	24.00
4/12/2016	CDSA Support Fee (6%)	FEE	273.42
		<b>Total</b>	<b>\$462,954.42</b>

\*Charges are reflected on unpaid Demand for Payment



# The County Of Yuba

Community Development &  
Services Agency

## CODE ENFORCEMENT

Telephone: (530) 749-5455

Fax: (530) 749-5616

(154-0416) Hold ... - 7 of 12



915 8th Street, Suite 123, Marysville, California 95901

Rufus M. Monts

CA 95962

### NOTICE OF HEARING TO ASSESS PROPERTY AND RECORD ABATEMENT LIEN

YOU ARE HEREBY NOTIFIED to appear before the Yuba County Board of Supervisors at 915 8<sup>th</sup> Street, Marysville, California, in the Board of Supervisors Chambers, on April 12, 2016, at the hour of 8:30 a.m., or as soon thereafter as the matter may be heard, to show cause, if any there may be, why the enforcement costs and penalties for the property located at 9943 Camper Lane, Brownsville, CA 95919, APN 060-240-002, abated pursuant to the Notice and Order to Abate Public Nuisance, should not be assessed against the property and why an abatement lien should not be recorded thereby.

If you fail to appear at the hearing or if you fail to raise any defense or assert any relevant points at the hearing, the County will assert that you have waived all rights to assert such defenses or rights.

At the hearing, you may present evidence and witnesses in your behalf, and you may examine any witnesses who present evidence.

You may appear personally or have a representative appear at the hearing in your behalf and be heard on the sole questions of whether the accounting of the enforcement costs and penalties reflected in Attachment A are accurate and reasonable and whether such costs and penalties should be assessed and a lien recorded.

Dated: March 23, 2016

Certified Mail # 7013 3020 0000 6317 9277

Enclosure: Attachment A, Cost Accounting

BY: Melanie Marquez  
Melanie Marquez  
Administrative Technician  
Code Enforcement Division



# The County Of Yuba

(154-0416) Hold ... - 8 of 12

Community Development &  
Services Agency

## CODE ENFORCEMENT

Telephone: (530) 749-5455

Fax: (530) 749-5616



915 8th Street, Suite 123, Marysville, California 95901

## NOTICE AND ORDER TO ABATE PUBLIC NUISANCE

MMJIS-0028

CULTIVATOR(S) ADDRESS:	PROPERTY OWNER: ADDRESS
Terra Canna Collective [REDACTED] Street San Francisco, CA 94102	Rufus A. AB Sun Mounts [REDACTED] Oregon House, CA 95962 - 0441

See Back Page Continued

**VIOLATION ADDRESS:** 9943 Camper Lane, Brownsville, CA 95919

**APN:** 060-140-002

**PLEASE TAKE NOTICE:** that the use and condition of the subject property has been determined by Yuba County Code Enforcement to constitute violations of Chapter 7.40 of the Yuba County Ordinance Code and is therefore declared a public nuisance. The violations are:

☒ **Yuba County Ordinance Code § 7.40.400(A)** ...the cultivation of marijuana in violation of the provisions contained herein or any provisions set forth in Division 10 of the California Health and Safety Code.

- ☒ Outdoor cultivation 7.40.300A
- ☐ Cultivation w/in dwelling 7.40.300B
- ☒ Cultivation of more than 12 plants 7.40.300C      NUMBER OF PLANTS: 505
- ☐ Water source/discharges 7.40.300D
- ☒ Cultivation environment; health, safety, welfare; dust, odor, traffic, chemicals 7.40.300E
- ☐ Active Code case 7.40.300F
- ☐ Lack of dwelling 7.40.310
- ☐ Permitted accessory structure 7.40.320A1
- ☐ Accessory structure w/in setback 7.40.320A2
- ☐ Use of extension cord(s) 7.40.320A3
- ☒ Lack of mechanical filtration system 7.40.320A4
- ☐ Lack of adequate fence around accessory structure (height; security) 7.40.330
- ☒ Lack of registration 7.40.340

- ☒ **Yuba County Ordinance Code § 7.40.340** *The cultivation of marijuana without first registering the cultivation and paying the required fee.*
- ☐ **Yuba County Ordinance Code § 7.40.400(B)** *The cultivation of marijuana on a parcel that does not have an occupied, legally established Dwelling.*
- ☒ **Yuba County Ordinance Code § 7.40.400(E)** *The cultivation of marijuana in a manner that exceeds 12 plants*  
# of plants: 505
- ☒ **Yuba County Ordinance Code § 7.40.400(G)** *Any violation of any Ordinance or State law or any public nuisance defined or known at common law or in equity jurisprudence, including but not limited to the following violations:*
- ☐ Conducting activities on a site which are not permitted uses in the Agricultural/Rural Residential Zone in violation of the Yuba County Ordinance Code, Chapter 12.01 et seq. including utilizing accessory uses without first establishing a primary use
  - ☐ Emplacement and occupancy of a recreational vehicle as a place of human habitation in violation of the Yuba County Ordinance Code, Chapter 10.20
  - ☒ Construction/erection of a building/structure without first obtaining a building permit in violation of the Yuba County Ordinance Code, Chapter 10.05
  - ☐ Accumulation and storage of abandoned, wrecked, dismantled or inoperable vehicles, or parts thereof, in violation of the Yuba County Ordinance Code, Chapter 7.35
  - ☐ Maintaining an environment for the propagation and harborage of vector and vermin by the accumulation and storage of junk, trash and debris in violation of the Yuba County Ordinance Code, Chapter 7.36
  - ☐
  - ☐
  - ☐

**YOU ARE HEREBY ORDERED** to correct or remove all violations from subject property immediately.

**YOU ARE HEREBY ADVISED** that Administrative Penalties in the amount of \$50,400.00 per day pursuant to Yuba County Code § 7.40.550 have begun to accrue and will continue to accrue until the date compliance with the Order has been met and verified by the Enforcement Officer; you must call this office to schedule an inspection to verify compliance.

If you disagree with the determination that a public nuisance exists on the subject property, you have the right to a hearing to show cause, if any, why the use of said real property should not be found to be a public nuisance and abated pursuant to the Yuba County Code. You may request a hearing by filing a written request for a hearing with the Yuba County Code Enforcement Office, whose address appears above, within 10 calendar days of the date of this Notice. A \$4,116.00 deposit, pursuant to Yuba County Ordinance Code § 13.20.500, shall accompany the written request. Even if you do not request a hearing with respect to the existence of a public nuisance, you may contest the Administrative Penalties by filing a written request for a hearing solely to contest the imposition of the Administrative Penalties. A \$4,116.00 deposit pursuant to Yuba County Ordinance Code § 13.20.500, shall accompany the written request.

If you do not request a hearing and fail to comply with the time requirements set forth, the County will abate the nuisance. If you request a hearing, and after such hearing a public nuisance is found to exist, you shall abate said violations as set forth in the Findings of Fact, Conclusions of Law, and Orders. Furthermore if the County abates the nuisance, you will be responsible for the actual costs of the abatement, and the Administrative

Penalties, if any, which shall be paid within thirty (30) days from the date of the demand for payment. The "cost of abating a violation" shall include, but not be limited to, the county's attorneys' fees, the cost of the administrative hearing, the cost of prior time and expenses associated with bringing the matter to hearing, the cost associated with any appeals from the decision of the administrative hearing, the cost of judicially abating the violation, the cost of men and material necessary to physically abate the violation, and the cost of securing expert and other witnesses.

If such abatement costs are not paid within thirty (30) days of the date of the demand for payment therefore, such costs will become a lien against the subject property and will also be specially assessed against the property in the same manner as taxes. The abatement lien shall be recorded and shall have the same force and effect as an abstract of judgment, which is recorded as a money judgment obtained in a court of law. Special assessments have the same priority, for collection purposes, as other County taxes; and, if not paid, may result in a forced sale of your property.

If there is a hearing, and subject property is found to be in violation of any or all of the provisions stated above, the County will contend that you are bound by such finding at any subsequent and relative judicial action. If you fail to request a hearing, or appear at the hearing and fail to raise any defense or assert any relevant point at the time of hearing, the County will assert, in later judicial proceedings to enforce an order of abatement, that you have waived all rights to assert such defenses or such points.

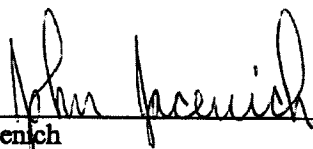
**IMPORTANT: READ THIS NOTICE CAREFULLY. FAILURE TO RESPOND WITHIN THE TIME SET FORTH IN THIS NOTICE WILL LIKELY RESULT IN ADMINISTRATIVE AND/OR JUDICIAL ABATEMENT AND TERMINATION OF USES OF, OR CONDITIONS ON YOUR PROPERTY WHICH THE ENFORCEMENT OFFICER CONTENDS ARE IN VIOLATION OF THE YUBA COUNTY ORDINANCE CODE.**

☒ POSTED PROPERTY

☐ PERSONAL SERVICE

☒ CERTIFIED MAIL 7013 3020 0000 6318 1102 \$1119

DATED: 7/27/15

  
 John Jacenich  
 Code Enforcement Officer

Encl: Excerpts from Yuba County Ordinance Code, Chapter 7.40, Billing #652

cc: Rufus & KE Sun Mouts, [REDACTED], Oregon House, CA 95962  
 Ben Gaddy, [REDACTED], Dublin, CA 94568  
 Caitlin Mae Hill, [REDACTED], San Ramon, CA 94583



**County of Yuba**  
Code Enforcement Division  
915 8th Street, Suite 123  
Marysville, CA 95901  
Phone: 530.749.5455

**Billing**

(154-0416) Hold ... - 11 of 12

DATE	INVOICE #
7/29/2015	652

BILL TO:  
Rufus M. & AE Sun Monts  
[REDACTED]

**CASE INFORMATION**

Number: MMJ15-0028  
Officer: J. Jacenich  
APN: 060-240-002  
9943 Camper Ln, Brownsville  
Cert # 7013 3020 0000 6318 1102 & 1119

TERMS	DUE DATE
Net 30	8/28/2015

SERVICE DATE	DESCRIPTION OF CHARGES	RATE	HOURS	AMOUNT
5/4/2015	Received Complaint, Opened Case	147.00	0.5	73.50
5/7/2015	Phone Call with Complainant	147.00	0.25	36.75
5/8/2015	Received Additional Complaint	147.00	0.25	36.75
6/24/2015	Inspection Request Mailed	147.00	0.5	73.50
7/16/2015	Phone Call with Complainant	147.00	0.25	36.75
7/17/2015	Inspection w/ YCSO	147.00	1	147.00
7/27/2015	Inspection Multi-Depts, Warrant	147.00	2	294.00
7/27/2015	Notice & Order to Abate	1,470.00		1,470.00
7/27/2015	Admin Penalty 1 Day (7/27/2015)	50,900.00		50,900.00
7/27/2015	CDSA Support Fees (6%)	130.10		130.10

FAILURE TO MAKE PAYMENT BY THE DUE DATE LISTED ABOVE  
WILL RESULT IN THE FOLLOWING LATE-PAYMENT PENALTIES:

**Total \$53,198.35**

5 - 30 DAYS PAST DUE = 25%  
31 + DAYS PAST DUE = 50%

FORMS OF PAYMENT ACCEPTED: CHECK, MONEY ORDER, CASHIER CHECK, CREDIT & DEBIT CARDS.  
REMIT PAYMENT TO CDSA, ATTENTION: ACCOUNTS RECEIVABLE. (VISA CREDIT CARD NOT ACCEPTED)

Attachment C

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