

BOARD OF SUPERVISORS

AGENDA

Meetings are located at:
Yuba County Government Center
Board Chambers, 915 Eighth Street
Marysville, California



Agenda materials are available at the Yuba County Government Center, 915 8th Street, Marysville and www.co.yuba.ca.us. Any disclosable public record related to an open session item and distributed to all or a majority of the Board less than 72 hours prior to the meeting is available for public inspection at Suite 109 of the Government Center during normal business hours.

MAY 10, 2016

8:30 A.M. YUBA COUNTY WATER AGENCY

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

I. PLEDGE OF ALLEGIANCE - Led by Supervisor Vasquez

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. Auditor-Controller

1. (177-0516) Approve three year contract with MGT of America to prepare the Cost Allocation Plan and Mandated Cost services and authorize Chair to execute.

B. Board of Supervisors

1. (178-0516) Appoint Lesley C. Clarkson to Historic Resources Commission as District Three Representative with a four year term to end May 10, 2020.

C. Clerk of the Board of Supervisors

1. (179-0516) Appoint Dennis R. McLeod to Historic Resources Commission as a At-Large member with a term to end May 10, 2020.
2. (180-0516) Appoint Ms. Rebecca Dusck-Pendergraph to Wheatland Cemetery District as Director with a four term to end May 10, 2020.
3. (181-0516) Re-appoint Mr. Patrick D. Osborne to Plumas Lake Specific Plan Design Review Committee as a Resident Representative with a term ending May 10, 2017.
4. (182-0516) Re-appoint Mr. Donald Rae to Plumas Lake Specific Plan Design Review Committee as a Resident Representative with a term ending May 10, 2017.
5. (183-0516) Approve meeting minutes of April 12, 19, and 26, 2016.

D. Community Development and Services

1. (184-0516) Adopt resolution confirming the diagram and assessments within Gledhill Landscaping and Lighting District for Fiscal Year 2016/2017.
2. (185-0516) Adopt resolution determining and imposing assessments within Linda Street Lighting Maintenance District for Fiscal Year 2016/2017.

3. (186-0516) Adopt resolution authorizing Director of Environmental Health to apply, enter and sign an agreement or amendments for grant funding to support solid waste permitting, inspections and enforcement for Fiscal Years 2016/2017 – 2020/2021.
4. (187-0516) Adopt resolution authorizing Director of Environmental Health to submit regional application on behalf of Yuba County and designated participating jurisdictions to Department of Resources Recycling and Recovery to implement Beverage Container Recycling programs and to execute all necessary documents upon review and approval of Counsel.

E. Health and Human Services

1. (188-0516) Adopt resolution authorizing Chair to execute agreements with Yuba County Office of Education for CalWorks general education diploma courses and any amendments or pertinent documents thereto for period of July 1, 2016 through June 30, 2018 upon review and approval of Counsel.
2. (189-0516) Adopt resolution approving agreements with Yuba County Office of Education for CalWorks program employment services and assessments for a period of July 1, 2016 through June 30, 2018, upon review and approval of counsel.
3. (190-0516) Authorize Request for Proposal for Detoxification and Residential Substance Use treatment Services. (Human Services Committee recommends approval)

F. Probation

1. (191-0516) Approve Memorandum of Understanding with Sutter-Yuba Mental Health Services for a three-year term to provide services to non-residents of Sutter and Yuba Counties committed to the Maxine Singer Youth Guidance Center and authorize Chair to execute.

G. Sheriff-Coroner

1. (192-0516) Authorize removal of two jet skis and trailer purchased with grant funds from Capital Assets and return to Department of Parks and Recreation, Division of Boating and Waterways.

IV. **CLOSED SESSION**

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

V. **SPECIAL PRESENTATION**

- A. (193-0516) Present proclamation to Rideout Health declaring May 6 - 12 2016 National Nurses Week. (Five minute estimate)

VI. **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.

VII. **COUNTY DEPARTMENTS**

H. Auditor-Controller

1. (194-0516) Authorize release of request for proposals for an upgraded payroll and timekeeping system. (Ten minutes estimate)

VIII. **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. (195-0516) Ordinance - Hold public hearing, waive reading, introduce ordinance amending Chapter 3.40.010 and adding Chapter 3.04.043 of Yuba County Ordinance Code adopting amendment to existing contract with the California Public Employees' Retirement System Board of Administration regarding pension cost sharing. (First Reading) (Roll call vote) (Five minute estimate)

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

- A. (196-0516) Notice from Federal Energy Regulatory Commission in reference to participation in the relicensing process for Camp Far West Hydroelectric Project.
- B. (197-0516) Final Audit Report for District 10 Hallwood Community Services District for two-year period ending June 30, 2013 and 2014.
- C. (198-0516) Letter from Lake Francis California State Grange #745 regarding development of safe and adequate emergency evacuation.

X. **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.

XI. **CLOSED SESSION**

- A. Pending litigation pursuant to Government Code 54956.9(d)(1) - Babcock vs. County of Yuba
- B. Pending litigation pursuant to Government Code §54956.9(d)(2) – One Case
- C. Pending litigation pursuant to Government Code 54956.9(e)(3) - One Application to file Late Claim/Davis

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

XIII. **ADMINISTRATIVE RECORD APPEAL HEARING OF PLANNING COMMISSION DECISION**

- A. (199-0516) Record appeal of Planning Commission approval of Dollar General Design application No. DRC 2016-002. Receive record and take action as appropriate. (90 minute estimate)

XIV. **ADJOURN**

Human Services Committee - Supervisors Griego and Fletcher, Alternate Supervisor Nicoletti

- A. (200-0516) Consider request for solicitation of applications for services and supplies for the Multipurpose Senior Services Program. Health and Human Services Department (Ten minute estimate)

Land Use and Public Works Committee - Supervisors Griego and Abe, Alternate Supervisor Nicoletti

- A. (201-0516) Consider approval of plans, specifications for Goldfields Parkway Project; Memorandum of Agreement with Yuba Community College District; and loan from Trust 188 to Yuba Community College District - Community Development and Services (Five minute estimate)
- B. (202-0516) Consider resolution authorizing Director of Environmental Health to submit a Local Area Management Plan (LAMP); a draft ordinance and LAMP checklist; and a draft On-site Wastewater Treatment System technical manual - Community Development and Services (Five minute estimate)

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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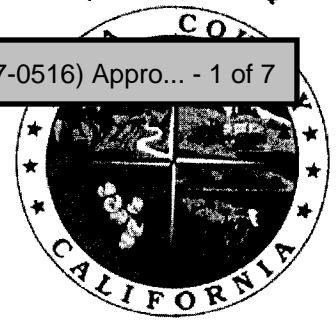
The County of Yuba

Office of the Auditor-Controller

Richard Eberle, CPA
Yuba County Government Center
915 8th Street, Suite 105
Marysville, CA 95901

Phone: (530) 749-7810
Fax: (530) 749-7814
Email: reberle@co.yuba.ca.us

177-0516
(177-0516) Appro... - 1 of 7



TO: Yuba County Board of Supervisors
FROM: Richard Eberle, Auditor-Controller
RE: Contract with MGT for Cost Allocation Plan and Mandated Cost Claim Services
DATE: May 10, 2016

RECOMMENDATION

It is recommended that the Board of Supervisors approve the attached contract for Cost Allocation Plan and Mandated Cost Claim Services for fiscal years 16/17, 17/18, and 18/19.

BACKGROUND

The County is required to prepare an annual Cost Allocation Plan according to regulations stipulated in the Code of Federal Regulations (CFR) Title 2, part 225, (also called OMB circular A-87) for the purpose of determining the allocation for the cost of county services to various Federal Grant programs. The County also has the option to request reimbursement from the State of California for costs incurred under programs mandated by the state (SB-90 claims). Both the Cost Allocation Plan and the reimbursement of Mandated Costs are overseen by the Auditor-Controller's Office. The Auditor-Controller's office uses MGT of America to assist in preparing information for both programs.

DISCUSSION

MGT of America is the County's current vendor and has assisted in the preparation of the Cost Allocation Plan and with the Mandated Cost claims for the past few years. In the past, MGT has been on a year to year contract. This contract is for the period of three (3) fiscal years. The service provided by MGT of America has been excellent, especially for the preparation of the Cost Allocation Plan where they have assisted in bringing clarity and offered suggestion for improvement.

FISCAL IMPACT

The cost over the period of the contract is \$31,500 (\$10,500 annually) for Cost Allocation Plan services and \$35,700 (\$11,900 annually) for Mandated Cost claim services for a total contract amount of \$67,200. The fees will be paid through the Auditor-Controller's budget which is funded by the General Fund.

MGT

OF AMERICA, INC.

PROFESSIONAL SERVICES AGREEMENT

This agreement is made by and between County of Yuba, California (the County), and MGT of America, LLC. (the Consultant).

- A. Engagement: The County agrees to engage the Consultant to perform the services described below, the project described as **Cost Allocation Plan preparation and State Mandated Cost services.**

- B. Services: Specific scope of services are as follows:

Cost Allocation Plan Services

- a. On-site staff interviews
- b. Gathering of necessary financial, statistical and activity data
- c. Completion of the Cost Allocation Plan based on 2015-16, 2016-17 & 2017-18 actual costs
- d. Submission to the State Controller by December 31st of each year

State Mandated Cost Services

- a. Prepare and file eligible SB 90 claims for annual claims due on February 15th for fiscal claim years 2015-16, 2016-17 & 2017-18. Claims must exceed \$1,000 to be eligible to file with the State.
- b. Prepare and file eligible SB 90 claims for all new, or first-time mandates which have claiming instruction issued by the State Controller's office during the State's 2016-17, 2017-18 & 2018-19 fiscal years. Claims must exceed \$1,000 to be eligible to file with the State.
- c. Prepare indirect cost rate proposals to accompany all claims if the resulting rate is above 10%.
- d. Provide information to the County about new claiming opportunities in a timely manner.
- e. Provide liaison services between the County and the State Controller for all claims filed by MGT that are contested by the State Controller either through desk review or field audit.
- f. Assist with payment tracking and SB 90 claim tracking and coordination.

- C. Relationship: The Consultant is an independent contractor and is not to be considered an agent or employee of the County.

- D. Compensation Amounts and Terms: The Consultant will complete all aspects of this agreement for fixed fees as shown below, for each of the next three fiscal years. This includes the cost allocation plan and state mandated cost claiming.

SERVICE	FY 2016-17	FY 2017-18	
Cost Allocation Plan	\$10,500	\$10,500	\$10,500
SB 90 Claiming	\$11,900	\$11,900	\$11,900

The term of this contract will commence on July 1st of each fiscal year noted above and end on June 30, 2019.

The Consultant will invoice for the above services monthly. An invoice for 1/12 of the total fiscal year contract will be invoiced each month for described services.

E. Consultant Liability:

The Consultant will assume all data supplied by the County is accurate and correct. Any subsequent disallowance of funds paid to the County pursuant to the SB 90 claims filed under this agreement is the sole responsibility of the County. In any event, the Consultant's total liability under this agreement shall not exceed the compensation received by the Consultant for work pursuant to this agreement.

The Consultant shall not be responsible for the cost allocation plan as a result of inadequate data provided by the County, i.e., inaccurate, incomplete, or untimely data. Any subsequent disallowance of funds paid to the County as a result of the cost plan prepared pursuant to this Agreement, is the sole responsibility of the County.

The Consultant shall indemnify and hold harmless County from any and all claims, demands, actions, liability or loss which may arise for or be incurred as a result of the negligent performance of this Agreement by the Consultant.

If the cost plan is audited, Consultant shall make all work papers available to those persons conducting the audit and shall additionally provide a maximum of two hours of consultation with the State and/or County.

F. Insurance: Consultant shall take out, and maintain during the life of this Agreement, insurance policies with coverage at least as broad as follows:

1. **General Liability.** Comprehensive general liability insurance covering bodily injury, personal injury, property damage, products and completed operations with limits of no less than One Million Dollars (\$1,000,000) per incident or occurrence. If Commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to any act or omission by Consultant under this Agreement or the general aggregate limit shall be twice the required occurrence limit.

2. **Automobile Liability Insurance.** If the Consultant or the Consultant's officers, employees, agents, representatives or subcontractors utilize a motor vehicle in performing any of the work or services under this Agreement, owned/non-owned automobile liability insurance providing combined single limits covering bodily injury and property damage liability with limits of no less than One Million Dollars (\$1,000,000) per incident or occurrence.

3. Workers' Compensation Insurance. Workers' Compensation required by the California Labor Code. In signing this contract, the Consultant certifies under section 1861 of the Labor Code that the Consultant is aware of the provisions of section 3700 of the Labor Code which requires every employer to be insured against liability for workmen's compensation or to undertake self-insurance in accordance with the provisions of that code, and that the Consultant will comply with such provisions before commencing the performance of the work of this Agreement.

Any failure of Consultant to maintain the insurance required by this paragraph, or to comply with any of the requirements of this paragraph, shall constitute a material breach of the entire Agreement. Certificates evidencing the issuance of the aforementioned insurance shall be filed with the County within ten (10) days after the date of execution of this Agreement.


G. Termination: This agreement may be terminated; (a) by either party at any time for failure of the other party to comply with the terms and conditions of this Agreement; (b) by either party upon 10 days prior written notice to the other party; or (c) upon mutual written agreement of both parties. In the event of termination, the Consultant shall stop work immediately and shall be entitled to a prorated amount of the total amount due under the Agreement as compensation for professional fees and expense reimbursement to be commensurate with and calculated according to the extent the plan has been completed at the date of termination and for any work necessitated by that termination.

Wherefore, the parties have entered into this agreement as of the later of the dates stated below.

Approved:

Dated: April 18, 2016

MGT of America, LLC

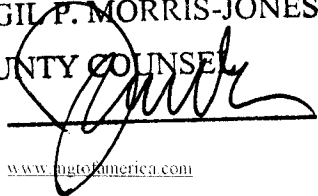
By: 
Name: J. Bradley Burgess
Title: Executive Vice President

3800 Esplanade Way, Ste 210
Tallahassee, FL 32311

Dated: _____, 2016

County of Yuba

By: _____
Name: _____
Title: _____

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

The County of Yuba

Office of Clerk of the Board of Supervisors

178-0516
(178-0516) Appoi... - 1 of 2



To: Board of Supervisors
From: Donna Stottlemeyer, Clerk of the Board
Subject: Historic Resources Commission
Date: May 10, 2016

Recommendation

Appoint Lesley C. Clarkson as a District Three Representative to the Historic Resources Commission with term ending May 10, 2020.

Background and Discussion

On August 25, 2015, your Board established a Historic Resources Commission by Ordinance No. 1547. Pursuant to the ordinance terms are four years with district appointments running concurrent with elected official. Notice of the newly established commission has been posted in excess of sixty (60) days indicating vacancies, terms of office, and qualifications.

Application has been received from Ms. Lesley C. Clarkson and is attached for your consideration. District Three Supervisor Griego recommends approval.

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

Fiscal Impact

None; participation is voluntary.

Committee Action

Brought directly to the Board for consideration.

The County of Yuba

RECEIVED

(178-0516) Appoi... - 2 of 2

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

Clerk/Board of Supervisors



RETURN APPLICATION WITH ORIGINAL SIGNATURE TO:

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

BOARD/COMMISSION/COMMITTEE

ON WHICH YOU WOULD LIKE TO SERVE: YUBA COUNTY HISTORICAL RESOURCES COMMISSION

APPLICANT NAME:

LESLEY CATHERINE CLARKSON

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



PLUMAS LAKE

PHYSICAL ADDRESS
(Street, City, Zip):

SAME

TELEPHONE:

HOME:



CELL
WORK:



EMAIL ADDRESS:



OCCUPATION/PROFESSION:
SUPERVISOR/ DISTRICT
NUMBER:

SELF-EMPLOYED COSTUME CURATOR & UPHOLSTERER
DISTRICT 3

REASONS YOU WISH TO
SERVE ON THIS BODY:

TO HELP BRING HISTORICAL REENACTORS AND
CULTIVATE VOLUNTEER ORGANIZATION

QUALIFICATIONS:

A LIFETIME OF HISTORICALLY ACCURATE
ATTIRE CONSTRUCTION & CREATION

LIST PAST AND CURRENT

PUBLIC POSITIONS HELD:

COSTUME CURATOR: HISTORICAL OLD SAC FOUNDATION
RE-ENACTOR: AGOORA RENAISSANCE FAIR

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

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

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

SIGNATURE

Lesley Clarkson

DATE

4/25/2016

THIS SECTION FOR OFFICE USE ONLY

- ☐ NO VACANCY CURRENTLY EXISTS ON ABOVE-MENTIONED BODY. APPLICANT NOTIFIED.
- ☐ APPLICANT APPOINTED: _____
- ☐ OTHER: _____

The County of Yuba

Office of Clerk of the Board of Supervisors

179-0516

(179-0516) Appoi... - 1 of 2



To: Board of Supervisors
From: Donna Stottlemeyer, Clerk of the Board
Subject: Historic Resources Commission
Date: May 10, 2016

Recommendation

Appoint Dennis R. McLeod as a At-Large Representative to the Historic Resources Commission with term ending May 10, 2020.

Background and Discussion

On August 25, 2015, your Board established a Historic Resources Commission by Ordinance No. 1547. Pursuant to the ordinance terms are four years with district appointments running concurrent with elected official. Notice of the newly established commission has been posted in excess of sixty (60) days indicating vacancies, terms of office, and qualifications.

Application has been received from Mr. Dennis R. McLeod and is attached for your consideration.

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

Fiscal Impact

None; participation is voluntary.

Committee Action

Brought directly to the Board for consideration.

RECEIVED

The County of Yuba

(179-0516) Appoi... - 2 of 2

Clerk/Board of Supervisors

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



RETURN APPLICATION WITH ORIGINAL SIGNATURE TO:

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

BOARD/COMMISSION/COMMITTEE

ON WHICH YOU WOULD LIKE TO SERVE:

MEMBER AT LARGE

YUBA COUNTY HISTORIC PRESERVATION COMMISSION

APPLICANT NAME:

DENNIS R. MCLEOD

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

OLIVER HURST, CA 95961

PHYSICAL ADDRESS
(Street, City, Zip):

OLIVER HURST, CA 95961

TELEPHONE:

HOME:

WORK:

EMAIL ADDRESS:

OCCUPATION/PROFESSION:
SUPERVISOR/DISTRICT
NUMBER:RETIRED MILITARY
#3REASONS YOU WISH TO
SERVE ON THIS BODY:

SERVE YUBA COUNTY AND PROMOTE TOURISM

QUALIFICATIONS:

25 YEARS RESEARCHING HISTORY AND REPRESENTING
PROMINENT FIGURES. ACCOMPLISHED PUBLIC SPEAKERLIST PAST AND CURRENT
PUBLIC POSITIONS HELD:OLD SACRAMENTO LIVING HISTORY, OLD WEST LEGENDS,
CIVIL WAR RE-ENACTORS GUILD, SIERRA MUZZLELOADERSDO YOU HAVE ANY CRIMINAL CONVICTION THAT MAY BE CONSIDERED A CONFLICT OF INTEREST WITH THE COMMITTEE YOU
WISH TO SERVE UPON?☐ YES ☒ NO

IF YES, PLEASE EXPLAIN. NOTE: THAT A FELONY CONVICTION SHALL PRECLUDE YOU FROM SERVICE.

I UNDERSTAND THAT IF APPOINTED TO A BOARD/COMMISSION/COMMITTEE AND WHAT MAY BE CONSIDERED A CONFLICT OF
INTEREST ARISES, THAT I HAVE A DUTY TO GIVE WRITTEN NOTICE OF SUCH TO THE COUNTY.I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF
MY KNOWLEDGE.

SIGNATURE

A-25-2016
DATE

THIS SECTION FOR OFFICE USE ONLY


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

The County of Yuba

Office of Clerk of the Board of Supervisors

180-0516
(180-0516) Appoi... - 1 of 2



To: Board of Supervisors
From: Donna Stottlemeyer, Clerk of the Board 
Subject: Wheatland Cemetery District Appointment
Date: May 10, 2016

Recommendation

Appoint Rebecca Dusck- Pendergraph to the Wheatland Cemetery District for a four year term to expire May 10, 2020.

Background and Discussion

The Local Appointment List of all Boards/Commissions/Committees is continually posted indicating vacancies, appointees, terms of office, qualifications and meeting information. This is a scheduled vacancy. Ms. Rebecca Dusek-Pendergraph application is attached. In light of the expressed interest, it would be appropriate to appoint at this time.

Fiscal Impact

None due to appointment.

Committee Action

None required.

attachment

The County of Yuba

RECEIVED

(180-0516) Appoi... - 2 of 2

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

Clerk/Board of Supervisors

RETURN APPLICATION WITH ORIGINAL SIGNATURE TO:

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YUBA COUNTY GOVERNMENT CENTER
915 EIGHTH STREET, SUITE 109
MARYSVILLE, CA 95901
(530) 749-7510



BOARD/COMMISSION/COMMITTEE

ON WHICH YOU WOULD LIKE TO SERVE: Wheatland Cemetery Board

APPLICANT NAME:

Rebecca Dusck-Pendergraph

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

- Wheatland, Ca

PHYSICAL ADDRESS
(Street, City, Zip):

SAME AS ABOVE

TELEPHONE:

HOME:

WORK:

EMAIL ADDRESS:

OCCUPATION/PROFESSION:
SUPERVISOR/ DISTRICT
NUMBER:

Guidance Tech - WUHS

REASONS YOU WISH TO
SERVE ON THIS BODY:

Like community serves work + keeps are
Cemetery appealing & welcoming.

QUALIFICATIONS:

Alot of community service

LIST PAST AND CURRENT
PUBLIC POSITIONS HELD:

Lions, Tech CCD Classes, UG (united)
Lions, Northern Valley Christian Health Board
Cortina Business Committee

DO YOU HAVE ANY CRIMINAL CONVICTION THAT MAY BE CONSIDERED A CONFLICT OF INTEREST WITH THE COMMITTEE YOU
WISH TO SERVE UPON? ☐ YES ☒ NO

IF YES, PLEASE EXPLAIN. NOTE: THAT A FELONY CONVICTION SHALL PRECLUDE YOU FROM SERVICE.

I UNDERSTAND THAT IF APPOINTED TO A BOARD/COMMISSION/COMMITTEE AND WHAT MAY BE CONSIDERED A CONFLICT OF
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I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF
MY KNOWLEDGE.

SIGNATURE

Rebecca Dusck-Pendergraph

DATE

4-12-16

THIS SECTION FOR OFFICE USE ONLY

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

☐ APPLICANT APPOINTED: _____

☐ OTHER: _____


The County of Yuba

Office of Clerk of the Board of Supervisors

181-0516
(181-0516) Re-ap... - 1 of 2



To: Board of Supervisors

From: Donna Stottlemeyer, Clerk of the Board 

Subject: Plumas Lake Specific Plan Design Review Committee – Resident Representative

Date: May 10, 2016

Recommendation

Reappoint Mr. Patrick D. Osborne as a Resident Representative to the Plumas Lake Specific Plan Design Review Committee term ending May 10, 2017.

Background and Discussion

The Local Appointment List of all Boards/Commissions/Committees is continually posted and updated regularly indicating vacancies, appointees, terms of office, qualifications and meeting information. This is a scheduled vacancy due to the expiration of Mr. Osborne's term. Mr. Osborne has served on the committee since December 2013 and wishes to continue serving.

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

Fiscal Impact

None

Committee Action

None

attachments

RECEIVED

APR 19 2016

(181-0516) Re-ap... - 2 of 2

The County of Yuba

Clerk/Board of Supervisors



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

RETURN APPLICATION WITH ORIGINAL SIGNATURE TO:

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

BOARD/COMMISSION/COMMITTEE

ON WHICH YOU WOULD LIKE TO SERVE: Resident Representative for Plumas Lake

APPLICANT NAME:

Patrick D. Osborne

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



Calif. 95674

PHYSICAL ADDRESS
(Street, City, Zip):



Plumas Lake

TELEPHONE:

HOME:

WORK:



EMAIL ADDRESS:

OCCUPATION/PROFESSION:
SUPERVISOR/ DISTRICT
NUMBER:

Former Land Planner / Engineer / Surveyor

REASONS YOU WISH TO
SERVE ON THIS BODY:

40+ yrs experience - Master planned Cameron Park, CA & several other subdivisions

QUALIFICATIONS:

40+ yrs experience

LIST PAST AND CURRENT
PUBLIC POSITIONS HELD:

Master Planning of Cameron Park, Calif.
Resident Rep for Plumas Lake Specific Plan

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

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

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

SIGNATURE

[Signature]

DATE

4/11/2016

THIS SECTION FOR OFFICE USE ONLY

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

☐ APPLICANT APPOINTED: _____

☐ OTHER: _____

Specific Plan Design Review Commission

The County of Yuba

Office of Clerk of the Board of Supervisors

182-0516
A COU
(182-0516) Re-ap... - 1 of 2



To: Board of Supervisors

From: Donna Stottlemeyer, Clerk of the Board

Subject: **Plumas Lake Specific Plan Design Review Committee – Resident Representative**

Date: May 10, 2016

Recommendation

Reappoint Donald Rae as a Resident Representative to the Plumas Lake Specific Plan Design Review Committee term ending May 10, 2017.

Background and Discussion

The Local Appointment List of all Boards/Commissions/Committees is continually posted and updated regularly indicating vacancies, appointees, terms of office, qualifications and meeting information. This is a scheduled vacancy due to the expiration of Mr. Rae's term. Mr. Rae has served on the committee since January 2007 and wishes to continue serving.

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

Fiscal Impact

None

Committee Action

None

attachments

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The County of Yuba

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

APRIL 12, 2016



The Honorable Board of Supervisors of the County of Yuba met on the above date, commencing at 9:33 a.m., within the Government Center, Marysville, California, with a quorum being present as follows: Supervisors Andy Vasquez, John Nicoletti, Roger Abe, and Randy Fletcher. Supervisor Mary Jane Griego was absent. Also present were County Administrator Robert Bendorf, County Counsel Angil Morris-Jones, and Clerk of the Board of Supervisors Donna Stottlemeyer. Chairman Abe presided.

- I. PLEDGE OF ALLEGIANCE - Led by Supervisor Abe
- II. ROLL CALL - Supervisors Vasquez, Nicoletti, Griego, Abe, Fletcher - Supervisor Griego absent.

COST ACCOUNTING HEARINGS: The Clerk administered the oath of testimony to individuals planning to speak on the following items.

- A. (116-0316) 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 \$14,492.18 and the recording of a lien regarding 12748 Lone Tree Way, Loma Rica, CA 95901, Estate of Margaret Suda, C/O Cheryl Suda and Sandra L. Picciano. (Roll call vote) (Fifteen minutes) (Continued from April 12, 2016) Code Enforcement Manager Jeremy Strang recapped the request from Ms. Sandra Picciano regarding the special tax assessments to not affect her parcel and recommended the penalty of \$4,192.18 be recorded as a lien with no special assessment placed on the assessment number which means the property would not be sold for lack of tax payment.

Move to adopt findings of facts, conclusions of law and orders authorizing the recording of a lien without special assessment in the amount of \$4,192.18.

MOTION: Move to approve MOVED: John Nicoletti SECOND: Andrew Vasquez
AYES: Andrew Vasquez, John Nicoletti, Roger Abe, Randy Fletcher
NOES: None ABSENT: Mary Jane Griego ABSTAIN: None

- B. (113-0316) 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 \$8,271.28 and the recording of a lien regarding 3362 Warehouse Road, Arboga, CA 95961, HRM Ranches, LLC. (Roll call vote) (Fifteen minutes)(Continued from April 12, 2016) Code Enforcement Manager Jeremy Strang recapped the circumstances of warrant, inspection, cultivation of 30 plants outdoors without approved accessory structure or registration, and recommended removal of \$3,300 administrative penalty due to recent court rulings for a total cost accounting of \$4,971.28 and responded to inquiries.

Counsel Roberto Marquez, on behalf of HRM Ranches, questioned Mr. Strang and responded to inquiries.

Code Enforcement Officer Tracie Clark responded to inquiries.

Mr. John Pittman responded to inquiries.

MOTION: Move to adopt findings of facts, conclusions of law and orders authorizing the assessment of administrative and abatement costs and penalties in the amount of \$4,971.28 and the recording of a lien

MOVED: Andrew Vasquez SECOND: Randy Fletcher

AYES: Andrew Vasquez, John Nicoletti, Roger Abe, Randy Fletcher

NOES: None ABSENT: Mary Jane Griego ABSTAIN: None

- C. (148-0416) 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 \$6,398.60 and the recording of a lien regarding 1086 Murphy Road, Olivehurst, CA 95961, Roberto Martinez Sanchez. (Roll call vote) (Ten minutes) The Clerk swore in Interpreter Ms. Paula Almaguer and Mr. Roberto Martinez Sanchez.

Code Enforcement Manager Jeremy Strang recapped the determining factors regarding the outdoor cultivation of 14 plants without approved structure, previous violations, and responded to inquiries.

Mr. Sanchez commented on number of plants as having only eight and responded to inquiries.

Code Enforcement Officer Chris Monaco responded to inquiries.

MOTION: adopt findings of facts, conclusions of law and orders authorizing the assessment of administrative and abatement costs and penalties in the amount of \$6,398.60 and the recording of a lien

MOVED: Andrew Vasquez SECOND: Randy Fletcher

AYES: Andrew Vasquez, John Nicoletti, Roger Abe, Randy Fletcher

NOES: None ABSENT: Mary Jane Griego ABSTAIN: None

- D. (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) Ms. Parsons indicated she was unable to have counsel present and recapped circumstances of grow.

Code Enforcement Manager Jeremy Strang responded to inquiries.

Counsel John Vacek provided direction regarding requested continuance.

The Board continued the matter to April 26, 2016 at 1:30 p.m.

- E. (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) Code Enforcement Manager Jeremy Strang recapped facts including cultivation of 102 plants outdoors without registration.

Ms. Maurine Harrold and Ms. Anita Kelly requested a continuance to allow for representation.

The Board continued the matter to April 26, 2016.

- F. (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) Continued to April 26, 2016 at 1:30 p.m.
- G. (152-0416) 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 \$87,742.78 and the recording of a lien regarding 8228 Betty Lane, Brownsville, CA 95919, Nqoua Yang. (Roll call vote) (Ten minutes) The Clerk administered the interpreter oath to Mr. Ja Tao Xiong.

Code Enforcement Manager Jeremy Strang recapped outdoor cultivation of 99 plants without registration, lack of dwelling, construction without permits, modified administrative penalty due to recent court rulings to \$72,800 for a total cost accounting of \$14,942.78 and responded to inquiries.

Mr. Xou Neng Yang responded to inquiries, requested reduction to \$7,000 and payment plan.

MOTION: Move to adopt findings of facts, conclusions of law and orders authorizing the assessment of administrative and abatement costs and penalties in the amount of \$14,942.78 and the recording of a lien

MOVED: Randy Fletcher SECOND: Andrew Vasquez

AYES: Andrew Vasquez, John Nicoletti, Roger Abe, Randy Fletcher

NOES: None ABSENT: Mary Jane Griego ABSTAIN: None

- H. (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) Code Enforcement Manager Jeremy Strang recapped the circumstances regarding outdoor cultivation of 63 plants with registration, propagation and harborage of vector and vermin, accumulation of debris, and recommended \$13,200 reduction of administrative penalty for total cost accounting of \$92,241.40.

Mr. and Ms. Michael Valine responded to inquiries and requested the matter be continued for Counsel to be present.

The Board continued the matter to April 26, 2016 at 1:30 p.m.

- I. (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) Continued to April 26, 2016 at 1:30 p.m.

III. CLOSED SESSION: The Board retired into closed session at 11:58 a.m. and returned at 12:04 p.m.

- A. Pending litigation pursuant to Government Code 54956.9(d)(1) - Marez vs. State of California et. al. By unanimous vote, the matter was referred to Porter Scott.

IV. ADJOURN: 12:04 p.m.

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

Chair

Approved: _____

The County of Yuba

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

April 19, 2016



The Honorable Board of Supervisors of the County of Yuba met on the above date, commencing at 9:32 a.m., within the Government Center, Marysville, California, with a quorum being present as follows: Supervisors Andy Vasquez, Mary Jane Griego, Roger Abe, and Randy Fletcher. Supervisor John Nicoletti was absent. Also present were County Administrator Robert Bendorf, County Counsel Angil Morris-Jones, and Clerk of the Board of Supervisors Donna Stottlemeyer. Chairman Abe presided.

- I. PLEDGE OF ALLEGIANCE - Led by Supervisor Abe
- II. ROLL CALL - Supervisors Vasquez, Nicoletti, Griego, Abe, Fletcher - Supervisor Nicoletti absent.
- III. CONSENT AGENDA: All matters listed under the Consent Agenda are considered to be routine and can be enacted in one motion.

MOTION: Move to approve Consent Agenda MOVED: Andrew Vasquez SECOND: Randy Fletcher
 AYES: Andrew Vasquez, Mary Jane Griego, Roger Abe, Randy Fletcher
 NOES: None ABSENT: John Nicoletti ABSTAIN: None

A. Clerk of the Board of Supervisors

1. (156-0416) Approve meeting minutes from March 29 and April 5, 2016. Approved.

B. Community Development and Services

1. (157-0416) Adopt resolution approving engineers report and declare intention to levy and collect assessments within Gledhill Landscaping and Lighting District for Fiscal Year 2016-2017. Adopted Resolution No. 2016-26, which is on file in Yuba County Resolution Book No. 47.

C. Library

1. (158-0416) Authorize budget transfer in the amount of \$7,312.00 from Professional Services to Salaries and Benefits to cover extra help costs for the current fiscal year. Approved.

D. Sheriff-Coroner

1. (159-0416) Approve service agreement and letter of understanding with BGE Yuba for supplementary law enforcement services at Toyota Amphitheater and authorize Chair to execute. Approved.

IV. PUBLIC COMMUNICATIONS:

- Mr. Eduardo Madera, constitutional violations
- Public Works Director Mike Lee, State Route 70 Feather River Boulevard Interchange 2015 Project of the Year

V. COUNTY DEPARTMENTS

A. County Administrator

1. (160-0416) Adopt resolution authorizing Law Enforcement Fund 186 to borrow from Criminal Justice Impact Fee Fund 183 in an amount not to exceed \$2.5 million towards construction costs of new Sheriff's Facility. (Ten minute estimate) County Administrator Robert Bendorf and Deputy County Administrator Grace Mull recapped the funding needed for project, repayment of loan, and responded to Board inquiries.

MOTION: Move to approve MOVED: Andrew Vasquez SECOND: Randy Fletcher
 AYES: Andrew Vasquez, Mary Jane Griego, Roger Abe, Randy Fletcher
 NOES: None ABSENT: John Nicoletti ABSTAIN: None

Adopted Resolution No. 2016-27, which is on file in Yuba County Resolution Book No. 47.

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

- A. (161-0416) Ordinance - Hold public hearing, waive reading and introduce ordinance repealing and re-enacting certain Chapters of Title 13 of the Yuba County Consolidated Fee Ordinance regarding departmental fees. (First Reading) (Finance and Administration Committee recommends approval) (Ten minute estimate) (Roll Call Vote) Deputy County Administrator Grace Mull recapped departmental fee changes and responded to inquiries.

The Chair opened the public hearing. There were no comments.

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

- B. (162-0416) Public Hearing - Hold public hearing and adopt resolution rejecting all bids and declaring performance in house more economically efficient regarding Juvenile Hall Gym Encapsulation Project. (4/5 vote required) (Ten minute estimate) Administrative Services Director Doug McCoy recapped the project, bid process, estimated project costs, and economic advantages of work performed in-house. Mr. McCoy responded to inquiries.

The Chair opened the public hearing. No public comments.

MOTION: Move to close hearing, find it is an economic advantage to do as in-house project and reject all bids
 MOVED: Mary Jane Griego SECOND: Andrew Vasquez

AYES: Andrew Vasquez, Mary Jane Griego, Roger Abe, Randy Fletcher
 NOES: None ABSENT: John Nicoletti ABSTAIN: None

VII. ITEM OF PUBLIC INTEREST: Supervisor Fletcher declared a conflict and left the meeting at 9:55 a.m.

- A. (163-0416) Consider application and making a finding of public convenience or necessity to allow a Type-20 off-sale beer and wine alcoholic beverage license to Lally Investments 2, LLC, located at the northeast intersection of Feather River Boulevard and River Oaks Drive. (Ten minute estimate) Planning Associate Planner Kevin Perkins recapped the location of gas station, request for license, and responded to inquiries.

MOTION: Move to make finding of public convenience to allow Type 20 off-sale beer and wine alcoholic beverage license and approved application to Lally Investments 2, LLC

MOVED: Mary Jane Griego SECOND: Andrew Vasquez

AYES: Andrew Vasquez, Mary Jane Griego, Roger Abe, Randy Fletcher

NOES: None ABSENT: John Nicoletti ABSTAIN: None

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

Supervisor Fletcher returned at 9:58 a.m.

- A. (164-0416) Four notices from California Fish and Game Commission regarding fishing activity and logbooks; mammal regulations for the 2016-2017; meeting procedures; and California Spiny Lobster Fishery Management Plan. Received.
- B. (165-0416) Letter from Western Riverside Council of Governments regarding California HERO Program and update on Consumer Protections. (Referral to Community Development Services Agency). Received.
- C. (166-0416) Notice from California State Water Resources Control Board petition for temporary change involving transfer/exchange of water resources permit 16479 and specified license and permits of the U.S. Bureau of Reclamation. Received.
- D. (167-0416) Agenda for Central Valley Regional Water Quality Control Board meeting Thursday, April 21, 2016 item No. 17. b relative to Yuba. Received.
- E. (168-0416) Notice from Sutter-Yuba Mental Health Services regarding Three Year Program and Expenditure Plan update. Received.

IX. CLOSED SESSION: The Board retired into closed session at 10:09 a.m. and returned at 10:39 a.m.

- A. Pending litigation pursuant to Government Code 54956.9(d)(1) - Resolution Fund Management vs. County of Yuba
 Authorized defending the county by unanimous vote
- B. Personnel pursuant to Government Code 54957.6(a) - Labor Negotiations DSA/MSA/YCPOA/County of Yuba Negotiating Parties: Abel No report
- C. Personnel pursuant to Government Code 54957(b)(1) Public Employee Discipline/Dismissal/Release By unanimous vote adopt findings of Administrative Law Judge

X. ADJOURN: 10:41 a.m.

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

Chair

Approved: _____

The County of Yuba

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

JANUARY 26, 2016



The Honorable Board of Supervisors of the County of Yuba met on the above date, commencing at 9:30 a.m., within the Government Center, Marysville, California, with a quorum being present as follows: Supervisors Andy Vasquez, John Nicoletti, Mary Jane Griego, Roger Abe, and Randy Fletcher. Also present were County Administrator Robert Bendorf, Deputy County Counsel John Vacek, and Deputy Clerk of the Board of Supervisors Rachel Ferris. Chairman Abe presided.

- I. PLEDGE OF ALLEGIANCE - Led by Supervisor Fletcher
- II. ROLL CALL - Supervisors Vasquez, Nicoletti, Griego, Abe, Fletcher – All present
- III. CONSENT AGENDA: All matters listed under the Consent Agenda are considered to be routine and can be enacted in one motion.

MOTION: Move to approve Consent Agenda

MOVED: John Nicoletti SECOND: Andrew Vasquez

AYES: John Nicoletti, Andrew Vasquez, Roger Abe, Randy Fletcher

NOES: None ABSENT: Mary Jane Griego ABSTAIN: None

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) Approved.
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. Adopted Resolution No. 2016-29, which is on file in Yuba County Resolution Book No. 47.

B. Emergency Services

1. (170-0416) Adopt resolution proclaiming the existence of ongoing local drought emergency in Yuba County pursuant to Government Code 8630. Adopted Resolution No. 2016-30, which is on file in Yuba County Resolution Book No. 47.

A. 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. Adopted Resolution No. 2016-31, which is on file in Yuba County Resolution Book No. 47.

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. Approved.

IV. PUBLIC COMMUNICATIONS:

Agricultural Commissioner Stephen Scheer reported prune and cherry crop loss due to weather Ms. Karen Liggett - Marijuana tax to offset associated crime.

V. ORDINANCES AND PUBLIC HEARINGS: The Clerk read the disclaimer.

- 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) Deputy County Administrator Grass Mull provided a brief recap.

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

MOTION: Move to close public hearing, waive reading, and adopt ordinance

MOVED: John Nicoletti SECOND: Andrew Vasquez

AYES: John Nicoletti, Andrew Vasquez, Roger Abe, Randy Fletcher

NOES: None ABSENT: Mary Jane Griego ABSTAIN: None

By roll call vote, adopted Ordinance No. 1554, which is on file in Yuba County Ordinance Book No. 25.

- 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) Public Works Director Mike Lee recapped ongoing needs for repairs and maintenances of roads and responded to Board inquiries.

Chairman Abe opened the public hearing. The following individuals spoke:

- Mr. Richard Paskowitz
- Ms. Barbara Back
- Mr. Wayne Hamilton
- Ms. Colleen Durgin
- Ms. Beck Baker
- Ms. Kristen Newton
- Ms. Deb Harlin
- Ms. Diane Shultz
- Ms. Tara Kidder
- Mr. Kem DeBoer
- Mr. Ed Moore
- Mr. Gary E. Warner – letter provided
- Ms. Jennifer Houston

Supervisor Abe left the meeting at 10:28 a.m.

Vice Chairman Fletcher closed the public hearing.

The ballots cast were read with 129 opposed and 24 approved, no further action.

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. Received.

VII. BOARD AND STAFF MEMBERS REPORTS:

Supervisor Vasquez: Naval Sea Cadets

Supervisor Nicoletti:

- Tri-County Juvenile Rehabilitation Funding
- Homelessness issues, events and costs
- Memorial Adjournment: Mr. J William "Bill" Young
- Smartsville Pioneer Days Saturday April 30, 2016

Supervisor Fletcher:

- Memorial Adjournment on behalf of Supervisor Abe: Ms. Mary Lucas, and Mr. Thomas Bendure
- North Sierra Wine Trail April 23, 2016
- Kiwanis Italian Night April 23, 2016
- Stone Soup Lunch in Brownsville April 21, 2016
- Yuba Sutter Transit Authority April 21, 2016
- Yuba Sutter Farm Bureau April 25, 2016

VIII. CLOSED SESSION

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

IX. RECESS TO 1:30 P.M. The Board reconvened at 1:32 p.m. with all present as indicated above including Supervisor Griego.

1:30 P.M. COST ACCOUNTING HEARINGS –The clerk read the disclaimer.

1. (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) Continued to June 28, 2016.
2. (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) The clerk administered the oath to staff, and Dustin and Michelle Parsons.

Code Enforcement Manager Jeremy Strang recapped facts including cultivation of 26 plants outdoors, lack of registration and dwelling, and occupancy of an RV. Mr. Strang recommended a modification removing one day of penalty in the amount of \$3,300 for a new lien amount of \$6,139.94, and responded to Board inquiries.

Counsel Charnel James questioned Mr. Strang and responded to inquiries. Mrs. Michelle Parson responded to inquiries.

MOTION: Move to adopt findings of facts, conclusions of law and order authorizing the assessment of administrative and abatement costs and penalties in the amount of \$6,139.94

MOVED: John Nicoletti SECOND: Andrew Vasquez

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

NOES: None ABSENT: None ABSTAIN: None

3. (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) Continued to June 28, 2016.
4. (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) Code Enforcement Manager Jeremy Strang recapped facts including cultivation of 60 plants outdoors, lack of registration, lack of dwelling and occupancy of an RV. Mr. Strang responded to Board inquiries.

Counsel Charnel James on behalf of William Stonecipher, responded to inquiries.

MOTION: Move to adopt findings of facts, conclusions of law and order authorizing the assessment of administrative and abatement costs and penalties in the amount of \$18,015.46

MOVED: Randy Fletcher SECOND: Andrew Vasquez

AYES: Randy Fletcher, Andrew Vasquez, John Nicoletti, Mary Jane Griego, Randy Fletcher

NOES: None ABSENT: None ABSTAIN: None

5. (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) Continued to June 28, 2016.

X. ADJOURN: 3:01 p.m. in memory of Ms. Mary Lucas, Mr. Thomas Bendure, and Mr. J. William "Bill" Young.

Chair

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

Approved: _____

The County of Yuba

Community Development & Services Agency

Kevin Mallen, Director

Phone – (530) 749-5430 • Fax – (530) 749-5434
915 8th Street, Suite 123
Marysville, California 95901

www.co.yuba.ca.us



(184-0516) Adopt... - 1 of 4

749-5440 • Fax 749-5816


CODE ENFORCEMENT
749-5455 • Fax 749-5484

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: Yuba County Board of Supervisors
FROM: Michael Lee, Public Works Director 
SUBJECT: Gledhill Landscaping and Lighting District
DATE: May 10, 2016

Recommendation

Approve the attached resolution confirming the diagram and assessments within the Gledhill Landscaping and Lighting District.

Background

On April 19, 2016 your Board approved a resolution adopting the Engineer's Report and declaring an intention to levy and collect assessments within the District and established that a public hearing be held on May 10, 2016 at 9:30 a.m. in the Board of Supervisors Chambers.

Discussion

The assessment, shown in the Engineer's Report, will provide revenue needed to operate the district for fiscal year 2016/2017. There has been no change in the assessment rate from last year's rate. There are 3,696 dwelling units that are assessed at \$13.20 for the total revenue of \$48,787.20 for the fiscal year 2016/2017. These funds are used to maintain landscaping, repair recreational equipment, improve existing irrigation, install new irrigation and landscaping, and other work required to operate the district.

Committee Action

The Land Use & Public Works Committee was bypassed as this action is routine in nature and occurs annually.

Fiscal Impact

No impact to the General Fund. Assessments collected are used to operate and maintain the District.

Attachment

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

RESOLUTION CONFIRMING THE)
 DIAGRAM AND ASSESSMENTS WITHIN)
 GLEDHILL LANDSCAPING AND LIGHTING)
 DISTRICT)

RESOLUTION NO. _____

WHEREAS, pursuant to the Landscaping and Lighting Act of 1972 (Streets and Highways Code, Division 15, Part 2, Section 22631) the Board of Supervisors shall adopt a resolution confirming the Diagram and Assessment for Gledhill Landscaping and Lighting District for fiscal year 2016/2017, and

WHEREAS, on April 19, 2016, the Board of Supervisors adopted a resolution declaring its intention to levy and collect assessments within Gledhill Landscaping and Lighting District and held a public hearing on said intention on May 10, 2016 in the Board of Supervisors Chambers, 915 Eighth Street, Marysville, California, and,

WHEREAS, said public hearing was held as ordered, and all interested parties and proponents were heard.

NOW THEREFORE BE IT RESOLVED, the Board of Supervisors hereby finds, declares and orders:

- 1) Pursuant to and in accordance with orders contained in the aforesaid Resolution, notice was duly published in the Appeal Democrat, a newspaper of general circulation published in Yuba County, one time pursuant to Government Code Section 6066.
- 2) A public hearing was held and ordered and said Board of Supervisors met to hear any protests or objections to the intention to levy and collect assessments at the aforesaid time and place.
- 3) At said public hearing all persons present were given an opportunity to hear and be heard with respect to any matter relative to intention to levy and collect assessments.
- 4) The diagram for the district is confirmed (Appendix A).

5) Order levy and collection of assessments for the maintenance, operation and improvements to all district parks for fiscal year 2016/2017.

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:

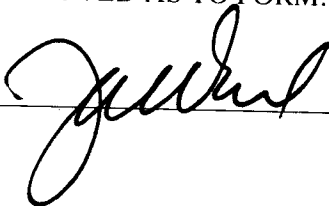
ABSTAIN:

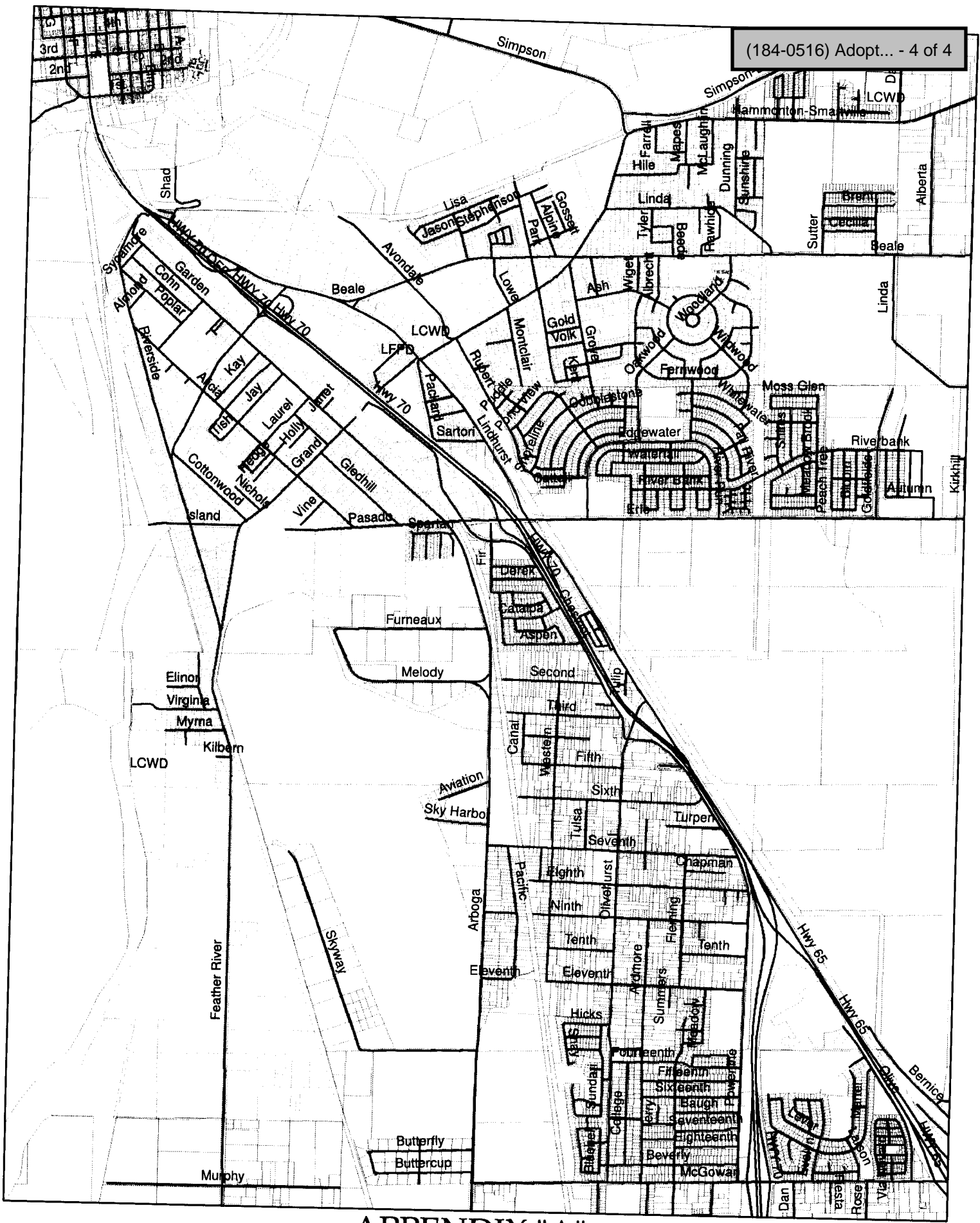
Chairman

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

by: _____

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





APPENDIX "A"

GLEDHILL LIGHTING & LANDSCAPING DISTRICT

185-0516

The County of Yuba

Community Development & Services Agency

Kevin Mallen, Director

Phone – (530) 749-5430 • Fax – (530) 749-5434
915 8th Street, Suite 123
Marysville, California 95901

www.co.yuba.ca.us




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 Lee, Public Works Director 
SUBJECT: Linda Street Lighting Maintenance District
DATE: May 10, 2016

Recommendation

Adopt the attached Resolution determining and imposing assessments within the Linda Street Lighting Maintenance District for fiscal year 2016-2017.

Background

The Linda Street Lighting Maintenance District was formed on August 7, 1967, pursuant to the Improvement Act of 1911 (Streets and Highways Code, Division 7, part 3, Chapter 26, commencing with section 5830). Annual assessments are imposed upon each parcel of real property within the district on the basis of the estimated benefit to the parcel in a cumulative amount sufficient to cover the annual expense of maintenance and operation of an electrical street lighting system owned, maintained and operated by Pacific Gas and Electric Company.

Discussion

Streets and Highways Code section 5830.1 requires lighting maintenance assessments to be levied pursuant to Chapter 6.1 (commencing with Section 54703) of part 1 of Division 2 of Title 5 of the Government Code (The Benefit Assessment Act of 1982). Government Code section 54717, subdivision (c), authorizes the Board of Supervisors to annually determine the cost of the service, which is financed by the assessment and by ordinance or resolution, determine and impose the assessment.

The proposed assessment for fiscal year 2016-2017 is \$12 per unit, the same as for fiscal year 2015-2016. There are a total of 3,938 units that are assessed \$12.00 per unit for the total revenue of \$47,256.00 for the fiscal year 2016-2017. These funds are used to maintain and operate the street lights.

Committee Action

The Land Use & Public Works Committee was bypassed as this action is routine in nature and occurs annually.

Fiscal Impact

No impact to the General Fund. Assessments collected are used to operate and maintain the District.

Attachment

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

RESOLUTION DETERMINING)
AND IMPOSING ASSESSMENT)
WITHIN LINDA STREET LIGHTING)
MAINTENANCE DISTRICT)

RESOLUTION NO. _____

WHEREAS, Linda Street Lighting Maintenance district was formed on August 7, 1967, pursuant to the Improvement Act of 1911 (Streets and Highways Code, Division 7, Part 3, Chapter 26, commencing with section 5830); and

WHEREAS, subsequent to formation, annual assessments have been imposed upon each parcel of real property within the district on the basis of the estimated benefit to the parcel in a cumulative amount sufficient to cover the annual expense of maintenance and operation of an electrical street lighting system owned, maintained and operated by Pacific Gas and Electric Company; and

WHEREAS, the current \$12.00 per unit assessment was imposed on August 23, 1995; and

WHEREAS, Streets and Highways Code section 5830.1 requires lighting maintenance assessments to be levied pursuant to Chapter 6.1 (commencing with Section 54703) of Part 1 of division 2 of Title 5 of the Government Code (The Benefit Assessment Act of 1982). Government Code section 54715(a), authorizes the Board of Supervisors to determine and propose for adoption an annual assessment on each parcel of real property within the jurisdiction of the local agency, by ordinance or resolution, adopted after notice and public hearing.

NOW, THEREFORE, BE IT RESOLVED the Board of Supervisors hereby:

1. Finds that the estimated cost of maintaining and operating the street lights within the Linda Street Lighting Maintenance District during fiscal year 2016-2017 is \$350,000.00.
2. Finds that the estimated benefit to each unit within the Linda Street Lighting Maintenance District for the ensuing fiscal year 2016-2017 is Twelve Dollars (\$12.00).

3. Hereby levies an assessment of Twelve Dollars (\$12.00) per unit on each parcel of real property within the Linda Street Lighting Maintenance District for the ensuing fiscal year.

4. The diagram for the district is confirmed (Appendix A).

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:

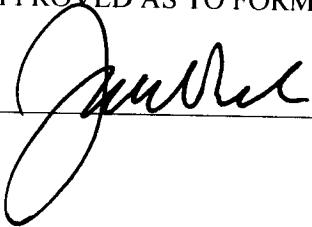
ABSENT:

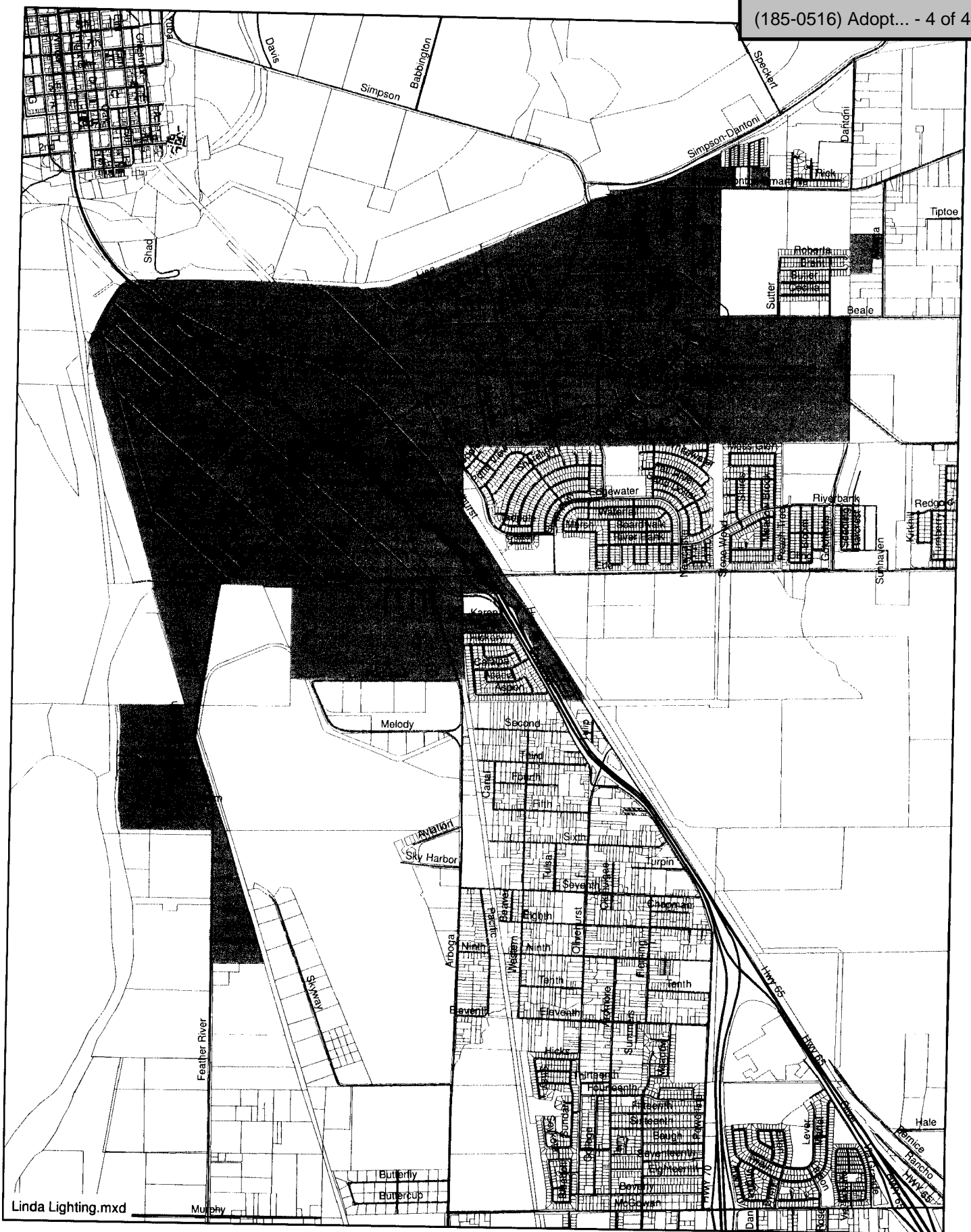
ABSTAIN:

Chairman

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

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





APPENDIX "A"
LINDA LIGHTING DISTRICT



186-0516

Yuba-Sutter
Local Enforcement

(186-0516) Adopt... - 1 of 4

y

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

Environmental Health Division

Phone: (530) 749-5450

Fax: (530) 749-5454

Web: <http://www.yubacomdev.com>

TO: Board of Supervisors

FROM: Tejinder Maan/Environmental Health Director *TM*
Clark Pickell/Hazardous Materials Supervisor/*CP*

SUBJECT: Approval of Resolution to apply for the Solid Waste Grant to provide assistance funding for the Regional Solid Waste Permitting, Inspection and Enforcement Program.

Date: May 10, 2016

Recommendation: Authorize the Chair of the Board of Supervisors to approve a resolution authorizing the Director of Environmental Health to submit a regional application and enter into agreement with CalRecycle to receive funding for, and administer the LEA Grant on behalf of itself and its participating jurisdictions for the period commencing with the Fiscal Year 2016/2017 LEA Grant and including the Fiscal Year 2020/2021 LEA Grant.

Background: California Department of Resources, Recycling and Recovery (CalRecycle) offers grants to individual and regional Local Enforcement Agencies (LEA) to carry out the Solid Waste Facilities Permit and Inspection Program pursuant to Public Resources Code Sections 44001 et seq.

Discussion: Yuba Sutter LEA is a Regional LEA responsible for permitting, inspection, and enforcement duties within multiple jurisdictions (for Yuba and Sutter Counties). CalRecycle has been delegated the responsibility for administering the LEA Grant, which provides funding assistance to administer the Solid Waste Program.

Committee: Due to the routine nature of renewing this resolution the Public Works and Land Use Committee was bypassed and the resolution was added to the consent agenda.

Fiscal Impact: The grant provides assistance funding to the Regional LEA to administer the Solid Waste Facilities Permit and Inspection Program. There is no fiscal impact to the General Fund.

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF YUBA

IN RE:

RESOLUTION AUTHORIZING THE DIRECTOR OF ENVIRONMENTAL HEALTH TO APPLY FOR AND ENTER INTO AN AGREEMENT WITH THE STATE OF CALIFORNIA AND TO SIGN THE GRANT AGREEMENT, AND ANY AMENDMENTS THERETO FOR ASSISTANCE GRANT FUNDING TO SUPPORT SOLID WASTE PERMITTING, INSPECTIONS AND ENFORCEMENT FOR FISCAL YEARS 2016/2017-2020/2021

) Resolution No. _____

WHEREAS, the people of the State of California have authorized the issuance of grants to individual and regional Local Enforcement Agencies (LEA) to carry out the Solid Waste Facilities Permit and Inspection Program pursuant to Public Resources Code Sections 44001 et seq.; and

WHEREAS, the California Department of Resources, Recycling and Recovery (CalRecycle) has been delegated the responsibility for administering the LEA Grant, which includes procedures governing the application by and payment of grant funds to LEAs; and

WHEREAS, the Yuba Sutter LEA is a Regional LEA responsible for permitting, inspection, and enforcement duties within multiple jurisdictions (for Yuba and Sutter Counties);

NOW, THEREFORE, BE IT RESOLVED that the Yuba County Board of Supervisors authorizes Yuba Sutter LEA to apply for, receive funding for, and administer the LEA Grant on behalf of itself and its participating jurisdictions for the period commencing with the Fiscal Year 2016/2017 LEA Grant and including the Fiscal Year 2020/2021 LEA Grant.

BE IT FURTHER RESOLVED that the Director of Yuba County Environmental Health, or his/her designee, is hereby authorized and empowered to execute in the name of the Yuba Sutter LEA all grant related documents, including but not limited to, applications, agreements, amendments and requests for payment, necessary to secure Grant funds and implement the approved Grant program.

BE IT FURTHER RESOLVED that this Resolution is effective until rescinded by the Signature Authority and/or this governing body.

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:

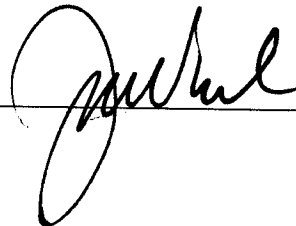
ABSENT:

ABSTAIN:

Roger Abe, Chairman

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

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



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187-0516

Yuba - Sutter
Local Enforcement Agency
915 8th Street, Suite 123, Marysville, CA 95901
Environmental Health Department

Phone: (530) 749-5450
Fax: (530) 749-5454
Web: <http://www.yubacomdev.com>

TO: Board of Supervisors

FROM: Tejinder Maan/Environmental Health Director *TM*
Clark Pickell/Hazardous Materials Supervisor *CP*

SUBJECT: Approval of Resolution to apply for the Beverage Container Recycling City/County Payment Program as a Participant and the Regional Lead for the Regional Waste Management Authority Member Jurisdictions

Date: April 14, 2016

Recommendation: Authorize the Chair of the Board of Supervisors to approve a resolution authorizing the Director of Environmental Health to submit a regional application on behalf of Yuba County and the designated participating jurisdictions of the Cities of Marysville, Wheatland, Live Oak, Yuba City and the County of Sutter to the Department of Resources Recycling and Recovery (CalRecycle) for funds to implement Beverage Container Recycling programs in Yuba and Sutter Counties.

Background: CalRecycle offers the Beverage Container Recycling City/County Payment Program to provide funding to cities and counties in California for beverage container recycling or litter reduction activities per Sections 48000 et seq., 14581, and 42023.1(g) of the Public Resources Code (PRC). Funding for this program is provided by the California Beverage Container Recycling Fund.

Discussion: Prior cycles of this payment program were conducted as a regional program with funding requests submitted for each of the six Regional Waste Management Authority (RWMA) member jurisdictions and each of those jurisdictions providing the funds to the RWMA for implementation of a regional program. CalRecycle has revised the requirements for this payment program such that it is more effective to have one of the six member jurisdictions act as the Lead Agency and apply and report on behalf of all six member jurisdictions. The RWMA will provide staff support for this application and reporting. Approximately \$59,000 is available in funding to the six RWMA member jurisdictions. The funds are proposed to be used to purchase replacement carts for the curbside recycling program, effectively removing these expenses from future rate structures. The Yuba County Environmental Health Department will also be reimbursed for staff time for processing invoices for this program.

Committee:

Due to the routine nature of renewing this resolution the Public Works and Land Use Committee was bypassed and the resolution was added to the consent agenda.

Fiscal Impact:

All Environmental Health Department expenditures related to processing invoices for this program will be reimbursed from the Beverage Container Recycling City/County Payment Program funds received, and therefore there will be no fiscal impact to the general fund.

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF YUBA

IN RE:

RESOLUTION AUTHORIZING THE COUNTY OF YUBA)
TO SUBMIT A REGIONAL PAYMENT PROGRAM) Resolution No. _____
APPLICATION AS THE REGIONAL LEAD PARTICIPANT,)
RELATED AUTHORIZATIONS AND IDENTIFICATION)
OF PARTICIPATING JURISDICTIONS)

WHEREAS, pursuant to Public Resources Code sections 48000 et seq., 14581, and 42023.1(g), the Department of Resources Recycling and Recovery (CalRecycle) has established various payment programs to make payments to qualifying jurisdictions; and

WHEREAS, in furtherance of this authority CalRecycle is required to establish procedures governing the administration of the payment programs; and

WHEREAS, the payment program allows regional participation; and

WHEREAS, CalRecycle's procedures for administering payment programs require, among other things, a regional applicant's governing body to declare by resolution certain authorizations related to the administration of the payment programs.

NOW, THEREFORE, BE IT RESOLVED that the County of Yuba is authorized to submit a regional application on behalf of itself as Regional Lead Participant and designated participating jurisdictions (see attached listing); and

BE IT FURTHER RESOLVED that the Director of Environmental Health, or his/her designee, is hereby authorized as Signature Authority to execute all documents necessary to implement and secure payment; and

BE IT FURTHER RESOLVED that the Signature Authority is hereby authorized to revise the list of participating jurisdictions as necessary with each yearly application; and

////

BE IT FURTHER RESOLVED that this Resolution is effective until rescinded by the Signature Authority and/or this governing body.

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:

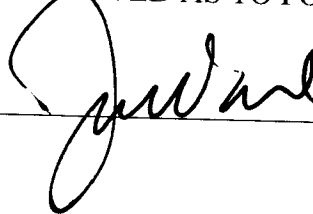
ABSENT:

ABSTAIN:

Roger Abe, Chairman

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

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



DESIGNATED PARTICIPATING JURISDICTIONS

City of Marysville
City of Wheatland
County of Sutter
City of Yuba City
City of Live Oak

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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



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

TO: Board of Supervisors
Yuba County

FROM: Jennifer Vasquez, Director
Tracy Bryan, Program Manager
Health & Human Services Department

DATE: May 10, 2016

SUBJECT: Resolution Authorizing the Chair to Execute Agreements with Yuba County Office of Education for CalWORKs General Education Diploma (GED) Courses and Any Amendments or Pertinent Documents Thereto

RECOMMENDATION: It is recommended that the Board of Supervisors approve the Resolution authorizing the Chair to enter into and execute on behalf of the County of Yuba, and upon review and approval of County Counsel, agreements with Yuba County Office of Education for California Work Opportunity and Responsibility to Kids (CalWORKs) program General Education Diploma (GED) courses for the period of July 1, 2016 through June 30, 2018, and to amend such agreements as necessary.

BACKGROUND: In order to eliminate barriers to employment, it is necessary for CalWORKs customers to receive their GED. The Health and Human Services Department has the responsibility and has contracted with Yuba County Office of Education to provide GED education services when necessary to assist CalWORKs families to achieve and maintain self-sufficiency.

DISCUSSION: The services provided under an Agreement will assist participants in achieving self-sufficiency by preparing them for unsubsidized employment, as well as creating job opportunities.

COMMITTEE: The Human Services Committee was bypassed because the renewal of the Agreement is routine in nature and does not involve County General Funds

FISCAL IMPACT: Entering into Agreement with Yuba County Office of Education will not impact County General Funds as the costs for services under the Agreement will be funded through the CalWORKs allocation.

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

RESOLUTION AUTHORIZING THE CHAIR)
TO EXECUTE AGREEMENTS FOR THE)
CALWORKS PROGRAM GENERAL) Resolution No. _____
EDUCATION DIPLOMA (GED) COURSES)
 _____)

WHEREAS, pursuant to the CalWORKs Program, codified in Division 9, Part 3, Chapter 2, commencing with Section 11320, of the California Welfare and Institutions Code, the County of Yuba has the responsibility to provide General Education Diploma (GED) education services to qualified participants when necessary to assist CalWORKs families to achieve and maintain self-sufficiency; and

WHEREAS, the Health and Human Services Department of the County, through its Employment Services, is assigned the responsibility of administering the CalWORKs Program on behalf of the County; and

WHEREAS, it is necessary for the County to enter into multiple contracts with various public and private entities to provide employment services and assessments to CalWORKs customers in order for them to achieve and maintain self-sufficiency; and

WHEREAS, the Yuba County Health and Human Services Department wishes to enter into agreement with the Yuba County Office of Education to provide GED courses to assist in eliminating barriers to employment for individuals and families in the CalWORKs Program for the period July 1, 2016 through June 30, 2018.

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NOW, THEREFORE, BE IT RESOLVED, that the Yuba County Board of Supervisors hereby authorizes the Chair to execute, on behalf of the County of Yuba, and upon review and approval of County Counsel, Agreements for GED courses for individuals and families in the CalWORKs program for the period July 1, 2016 through June 30, 2018 and to amend such contracts as necessary.

A copy of the said agreements and any amendments 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:

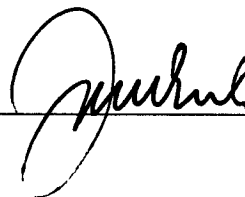
ABSENT:

ABSTAIN:

Chair

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

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



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The County of Yuba

(189-0516) 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



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

TO: Board of Supervisors
Yuba County

FROM: Jennifer Vasquez, Director
Tracy Bryan, Program Manager
Health & Human Services Department

DATE: May 10, 2016

SUBJECT: Resolution Authorizing the Chair to Execute Agreements with Yuba County Office of Education for CalWORKs Employment Services and Assessments and Any Amendments or Pertinent Documents Thereto

RECOMMENDATION: It is recommended that the Board of Supervisors approve the Resolution authorizing the Chair to enter into and execute on behalf of the County of Yuba, and upon review and approval of County Counsel, agreements with Yuba County Office of Education for California Work Opportunity and Responsibility to Kids (CalWORKs) program employment services and assessments for the period of July 1, 2016 through June 30, 2018, and to amend such agreements as necessary.

BACKGROUND: Yuba County Office of Education will provide assessments and employment services to CalWORKs customers in order for them to achieve and maintain self-sufficiency. Assessments are the first step in the career planning process and are used to determine needed education and training activities. These services will eliminate barriers to employment for CalWORKs customers and provide the ultimate goal of becoming self-sufficient.

DISCUSSION: The services provided under an Agreement will assist participants in achieving self-sufficiency by preparing them for unsubsidized employment, as well as creating job opportunities.

COMMITTEE: The Human Services Committee was bypassed because the Agreement is routine in nature and does not involve County General Funds.

FISCAL IMPACT: Entering into Agreements with Yuba County Office of Education will not impact County General Funds as the costs for services under the Agreements will be funded through the CalWORKs allocation.

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

**RESOLUTION AUTHORIZING THE
CHAIR TO EXECUTE AGREEMENTS
FOR THE CALWORKS PROGRAM
EMPLOYMENT SERVICES AND
ASSESSMENTS**

)
)
) **Resolution No. _____**
)
)
)

WHEREAS, pursuant to the CalWORKs Program, codified in Division 9, Part 3, Chapter 2, commencing with Section 11320, of the California Welfare and Institutions Code, the County of Yuba is required to provide employment and training programs to qualified participants in the CalWORKs Program; and

WHEREAS, the Health and Human Services Department of the County, through its Employment Services, is assigned the responsibility of administering the CalWORKs Program on behalf of the County; and

WHEREAS, it is necessary for the County to enter into multiple contracts with various public and private entities to provide employment services and assessments to CalWORKs customers in order for them to achieve and maintain self-sufficiency; and

WHEREAS, the Yuba County Health and Human Services Department wishes to enter into agreement with the Yuba County Office of Education to provide employment services and assessments to assist in eliminating barriers to employment for individuals and families in the CalWORKs Program for the period July 1, 2016 through June 30, 2018.

///

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///

///

NOW, THEREFORE, BE IT RESOLVED, that the Yuba County Board of Supervisors hereby authorizes the Chair to execute, on behalf of the County of Yuba and upon review and approval of County Counsel, Agreements for employment and assessment services for individuals and families in the CalWORKs program for the period July 1, 2016 through June 30, 2018 and to amend such contracts as necessary.

A copy of the said agreements and any amendments 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:

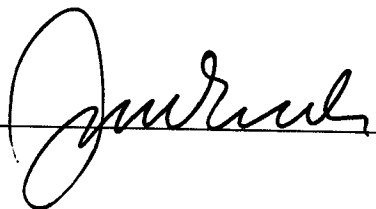
ABSENT:

ABSTAIN:

Chair

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

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



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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



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

TO: Board of Supervisors
Yuba County
J. Vasquez 3pm

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

DATE: May 10, 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.

COMMITTEE: The Human Services Committee recommended approval on April 26, 2016.

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%20solicitations.aspx>

APPROVED FOR FORM

ANGIL P. ANDRUS-JONES

COUNTY COMMISSIONER

BY: A handwritten signature in black ink, appearing to read "Angil", is written over the printed name and title.

Table of Contents

INTRODUCTION	1
I. SCOPE OF WORK	1
II. RFP TIMELINE	3
A. WRITTEN QUESTIONS/COMMENTS DUE	4
B. SUBMISSION OF PROPOSALS	4
III. PROPOSAL RESPONSE	5
A. APPLICATION	5
B. STATEMENT OF EXPERIENCE [NARRATIVE]	5
C. QUALIFICATIONS [NARRATIVE AND ATTACHMENTS]	6
D. RATE SCHEDULE	6
IV. EVALUATION CRITERIA	6
V. THE RFP SELECTION PROCESS	7
VI. COUNTY NOTICES	8
A. COUNTY CONTACT	8
B. CONFLICT OF INTEREST	8
C. GENERAL NOTICES	8
VII. PROTESTS AND/OR APPEALS	9
➤ Attachment 1 - Application	10
➤ Attachment 2 – Provider Qualifications Questionnaire	12
➤ Attachment 3 – Provider Rate Questionnaire	15

INTRODUCTION

Yuba County, through its Health and Human Services Department (County), is soliciting proposals from qualified licensed facilities to provide detoxification treatment services and/or substance use residential services to adults of the Child Welfare Services (CWS) and Employment Services Programs.

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.

I. SCOPE OF WORK

The County will accept proposals from interested and qualified licensed professionals to provide medically monitored residential detoxification services and high/low intensity residential levels of care for alcohol and/or drug dependent residents of Yuba County. The purpose is to strengthen families, remove barriers, and/or support the family reunification process. The primary client base to be served is adults dealing with substance use issues.

- A. Contracted service providers for CWS and Employment Services clients will:
1. Operate a residential facility for persons experiencing problems resulting from alcohol and/or drug use. Such facility will comply with all laws and regulations governing operation of such facility and will meet appropriate State, County, and Federal requirements. The services will be provided in accordance with State of California Licensing and Certification of Drug and Alcohol Treatment Facilities. In addition, the Commission on Accreditation of Rehabilitation Facilities (CARF) Standards. Said facility will meet all standards imposed by the Department of Health Care Services and the County of Yuba.
 2. Provide a community facility that offers evaluation, housing, treatment, counseling, and case management in a supportive, substance use free environment for ambulatory, mentally competent, adults recovering from substance user.
 3. Provide admission and residential accommodations to women including pregnant women and children under the age of three (3) years and must be provided in a separate wing of the residential treatment facility.
 4. Collaborate as needed with County, For Our Recovering Families (FOR Families) Substance Use Counselors, County Social Workers, and/or Mental Health Therapists to determine the appropriate level of treatment.

5. Process referrals from the Substance Use Counselor for residential detoxification services through the facility's admission coordinator and communicate the client's admittance date and time to the Substance Use Counselor.
6. During detoxification, check and report the client's status in accordance with the American Society of Addiction Medicine (ASAM) standards.
7. Conduct drug testing for each participating client and notify the County Social Worker and the Substance Use Counselor of all test results, negative or positive, within one (1) working day of receipt of the results.
8. Participate in collaborative case staffing meetings with County Social Workers, FOR Families staff, Mental Health Therapists and Probation staff to determine the appropriate course of treatment for the clients that have been determined to have substance use issues.
9. Before client leaves the residential treatment facility and at least two (2) days prior to the end of detoxification, discuss progress with the Substance Use Counselor to determine the next phase of treatment or alternative treatment plan which may include but is not limited to, residential and/or transitional treatment as deemed appropriate.
10. Collaborate with Substance Use Counselors to make arrangements for the next level of treatment for client at least seven (7) days prior to the end of treatment.
11. Notify County by the end of the next business day if client:
 - a. Commits a serious violation of the rules at the facility;
 - b. Has repeatedly committed violations of the program rules;
 - c. Asked to leave the program;
 - d. Asks to be removed from the program; or
 - e. Leaves the residential treatment facility before the treatment plan is complete.

B. For records and audit purposes, contracted service providers will:

1. Maintain accurate books and accounting records as required by the County. Such books and accounting records shall be open to inspection by State, Federal and local auditors at any reasonable time with advance notice.
2. Maintain and prepare reports as required by the County.

3. Retain financial records for at least three (3) years and make them available for audit upon request of either, or both, the County or the State of California.
 4. Maintain financial records that clearly reflect the cost of each type of service. Any cost apportionments shall be made under generally accepted accounting principles and shall evidence proper audit trails reflecting the true cost of the services. County and State auditors shall have access to said records during normal business hours.
 5. Provide the Director of Yuba County Health and Human Services Department with three (3) copies of an Annual Financial Report prepared by a Public Accountant or Certified Public Accountant within ninety (90) days of the close of the fiscal year or termination of the executed Agreement.
 6. Will have a clause in the agreement with their Public Accountant or Certified Public Accountant firm that permits access by the County to the working papers of the external, independent auditor. The working papers and the audit reports shall be retained by the auditor for a minimum of three (3) years from the date of the audit report, unless the auditor is notified in writing by the State to extend the retention period.
- C. For privacy and security purposes, contracted service providers will:
1. Ensure that a valid Yuba County Health and Human Services Department Authorization for Release of Protected Health Information and Other Client/Patient Case Related Information Form has been signed for the release of Protected Health Information (PHI) and Personally Identifiable Information (PII) and other client/patient case related information prior to using or disclosing any client's/patient's PHI/PII.

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		May 11, 2016	Wednesday
Written Questions/Comments Due	4:00 p.m.	June 3, 2016	Friday
Addenda Issued/Posted		June 10, 2016	Friday

EVENT	TIME	DATE	DAY
Response Submission Deadline	4:00 p.m.	<u>June 15, 2016</u>	Wednesday
<i>No response will be accepted after this date and time.</i>			
Evaluation Process begins		June 16, 2016	Thursday
Board of Supervisors approves RFP Committee's recommendation(s) of award		July 12, 2016	Tuesday
Notice of Intent to Award Protest/Appeal period begins		July 13, 2016	Wednesday
Deadline to submit Protest/Appeal letters	4:00 p.m.	July 19, 2016	Tuesday

A. Written Questions/Comments Due

It is the responsibility of each applicant to review, evaluate and, where necessary, request any clarification of information. In order to assist in that process, a centralized e-mail is available to explain service requirements and to answer questions regarding completion of proposals, time frames, and the RFP process:

HHSD_RFPquestions@co.yuba.ca.us

It is the applicant's responsibility to check the County solicitation Website (see address below) for any addenda(s) 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>

B. Submission of Proposals

One (1) original and four (4) copies (5 total) must be received and date stamped by County no later than **4:00 p.m. (PST) on June 15, 2016**. *Faxed proposals will not be accepted.* Proposals must be in sealed envelopes and clearly labeled "Substance use residential Treatment Services Proposal" on the outside and mailed or hand-delivered to the Main reception area at:

Yuba County Health and Human Services Department
5730 Packard Avenue, Suite 100
Marysville, California
Attn: Donna Clark, Administrative Analyst

It is the Applicant'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 such additional information as 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: Sections notated with "[*Narrative*]" should meet the following formatting requirements:

8.5" x 11" paper, 1" margins, 12 pt. font, double-spaced. Submit a maximum of six (6) pages of *narrative* (the total pages does not include requested attachments, i.e. Application, Attachments, proof of insurance, Board Resolution, Letters of Support, licenses/certificates, etc.) identifying each segment by corresponding number in addressing the following. Proposals that deviate from this format *will not* be considered.

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

A. Application

Using the form titled "APPLICATION" (Attachment 1) provide all requested information including original signature of agency official 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.

B. Statement of Experience [*Narrative*]

Provide a summary of your experience in providing services described in the scope of work and include the number of years in business, years of experience providing such services or equivalent or related services.

C. Qualifications *[Narrative and Attachments]*

1. Complete the Provider Questionnaire (Attachment 2) which provides general information about your facility.
2. For each key staff member that will provide services, provide brief information regarding their background (license, certification, etc.), years of experience in the field, years with your practice/facility, ability to conduct proposed services.
3. Describe how capacity will be maintained with current participating clients and future referrals (i.e. do you have adequate staff, time, rooms/beds, etc. to handle the increased workload).
4. Please advise whether you are a provider for Medi-Cal/Anthem Blue Cross and/or Medi-Cal/California Health and Wellness. You do not have to be a Medi-Cal Provider in general to be considered.
5. Provide details of any failure or refusal to complete a contract.
6. Provide an explanation of any litigation involving the prospective contractor or any principal officers thereof, in connection with any contract.
7. Proof of Insurance Coverage: Provide proof of required insurance as described in Attachment E of the sample contract posted as an addendum to this RFP on the county website.
8. 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.

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

D. Rate Schedule

Complete and attach the rate questionnaire (Attachment 3) which will provide a breakout of your rate for specific services to be provided.

IV. EVALUATION CRITERIA

The contract, if awarded, will be awarded to the Applicant(s) whose proposal is/are considered the *best value* to the County as interpreted by the County. Best value will be determined based on the following evaluation criteria and point value:

Evaluation Criteria	Possible Points
Capacity to perform required Scope of Work	25
Experience and ability to do required tasks	55
Proposal Pricing	20
Total	100

V. THE RFP SELECTION PROCESS

- A. Proposals will be reviewed by a committee for completeness and adherence to RFP instructions. The Committee will evaluate and score proposals. They may require interviews during scoring to discuss proposals.
- B. Submissions which are deemed incomplete may be eliminated as not being responsive. Responsiveness means an Applicant who has submitted a proposal that conforms to the solicitation documents in all material aspects.
- C. 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.
- D. The County reserves the right to award a contract to the applicant(s) that presents the best qualifications and whose proposal best accomplishes the desired results.
- E. Upon recommendation from the review committee and approval by the Board of Supervisors or Purchasing Agent, qualified Applicant(s) will be selected to provide services to Yuba County clients upon contract commencement date through June 30, 2019. At the County's discretion, the contracts may be renewed for additional terms based on the availability of funding and contractor's performance.
- F. 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 sample Agreement for Professional Services posted as an addendum to this RFP on the county website address listed above.
- G. The County will notify all proposers whether or not they are selected for the subject services.

- H. 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

A. County Contact

Any questions related to this RFP should be directed to the county contact person by email: 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.

B. 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 Submitter's submittal.

C. General Notices

All applicants responding to this RFP should note the following:

1. 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.
2. 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>
3. Any and all costs arising from this RFP process incurred by any applicant

shall be borne by the applicant without reimbursement by Yuba County.

4. 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.
5. 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.

VII. PROTESTS AND/OR APPEALS

Protests or Appeals with respect to the solicitation or award of the RFP will be required to follow current requirements of the California Department of Social Services Management and Office Procedures (Chapter 23-600) regarding purchase of service as well as the Yuba County Purchasing and Contract Policy Manual which states in part:

9.0 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.

9.1 Response to Protest and Appeals

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 protestants' 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 19, 2016**, to:

Doug McCoy, Director
Administrative Services
915 8th St. Suite 119
Marysville, California 95901

➤ Attachment 1 - Application

APPLICATION

(County Use Only)

RFP Application #: _____ Date & Time received: _____/_____/_____

**Yuba County Health and Human Services
Residential Detoxification Services and High/Low Intensity Residential Levels of
Care for Alcohol and Drug Abuse**

Application**Agency Name:****Date:****Mailing Address:****Contact Person:****Phone:**

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: I certify that all statements in the proposal and attachments are in all respects true and correct. Failure to provide true and correct statements and information shall entitle the county to pursue any remedy authorized by law, which shall include the right, at the option of the county, of declaring any contract made as a result thereof to be void.

In addition, by submission of a proposal, Applicant attests to having possession of a duly issued valid license issued by the State of California. Such license authorizes Applicant to contract to perform type of work required by the specifications. Should the Applicant fail to provide the number and classification of Applicant's State of California License and/or Certification, the County may reject your Proposal.

Authorized Agency Official:_____
Name and Title_____
Signature

RFP Application Submission Checklist

- ☐ Attachment 1 – Application
- ☐ Attachment 2 – Provider Qualification Questionnaire
- ☐ Attachment 3 – Provider Rate Questionnaire
- ☐ Narrative Responses from Pages 4 and 5 of the RFP
- ☐ Proof of Insurance Coverage (#13 from Qualifications Section)
- ☐ Board Resolution (*if applicable*) (#14 from Qualifications Section)

Please return all documents to Donna Clark, 5730 Packard Avenue, Suite 100, Marysville, CA 95901, **no later than 4:00 p.m. on Wednesday, June 15, 2016.**

➤ **Attachment 2 – Provider Qualifications Questionnaire*****Please complete the following.***

Name: _____

License #
and Type: _____

1. Which demographics and services does your facility provide residential accommodations to during the treatment process? (Check all that apply.)

- ☐ Adults
☐ Pregnant Women
☐ Adolescents 12-17 years of age
☐ Children between 11 and 3, *please specify youngest age:* _____
☐ Children under 3, *please specify youngest age:* _____
☐ Accommodations for one child
☐ Accommodations for multiple children

2. Which types of residential treatment services do you provide?

- ☐ Detoxification Treatment
☐ Residential Treatment
☐ Transitional Treatment

3. List all evidence-based practices you are qualified to provide:

4. Does your facility have translators available for languages other than English (including American Sign Language)?

☐ Yes ☐ No

Specify language(s) and fluency level. _____

5. Are you a Medi-Cal/Anthem Blue Cross provider?

☐ Yes ☐ No

Are you a Medi-Cal/California Health and Wellness provider?

☐ Yes ☐ No

Are you a Drug Medi-Cal provider?

☐ Yes ☐ No

Do you provide Perinatal Residential Services for up to 60 days following the birth of the infant?

☐ Yes ☐ No

6. Describe the set-up of your residential accommodations regarding the housing of men, women and children.

7. Describe your experience in providing both counseling and residential treatment services. Include the number of years in business and your experience working with a diverse clientele.

8. Does your facility have the ability to provide routine drug testing?

☐ Yes ☐ No

If yes, will you have the ability to share the results within one (1) working day upon receipt of the results?

☐ Yes ☐ No

9. What are your office hours?

Monday _____

Tuesday _____

Wednesday _____

Thursday _____

Friday _____

Saturday _____

Sunday _____

10. Does your facility provide 24-hour admission services?

☐ Yes ☐ No

11. Does your facility provide transportation for any of the following:

To accommodate any court-mandates that the client may have?

☐ Yes ☐ No

To provide transportation to the facility for client's admission?

☐ Yes ☐ No

Other?

☐ Yes ☐ No

If yes, please explain: _____

12. Will you be able to invoice us in a timely manner such as on a monthly basis?

☐ Yes ☐ No

13. Please provide a copy of your Insurance Policy.

14. Additional information/comments:

➤ **Attachment 3 – Provider Rate Questionnaire**

Please complete the following.

Fill in your rate for each service you can provide:

Services Provided	Rate	Maximum Amount Payable for Services Rendered.
Detoxification Treatment – Individual Only	\$ / day	\$100.00 / day
Residential Treatment – Individual Only	\$ / day	\$ 85.00 / day
One Child (for Residential Treatment)	\$ / day	\$ 30.00 additional / day
Second Child (for Residential Treatment)	\$ / day	\$ 20.00 additional / day
Transitional Treatment – Individual Only	\$ / day	\$ 22.00 / day
Transitional Treatment – With One Child	\$ / day	\$ 23.00 / day
Transitional Treatment – With Second Child	\$ / day	\$ 24.00 / day
Transportation – Mileage	\$ / mile	Price per mile is not to exceed the current IRS rate.
Transportation – Staff	\$ / hour	\$ 20.00 / hour

The County Of Yuba

PROBATION DEPARTMENT

JAMES L. ARNOLD
CHIEF PROBATION OFFICER



191-0516
(191-0516) Appro... - 1 of 8

(530) 749-7550
FAX (530) 749-7364

TO: Board of Supervisors

FROM: James L. Arnold *JA*
Chief Probation Officer

SUBJECT: Authorize the Chairman to execute Agreement between Sutter-Yuba Mental Health and Yuba County for professional services for a three year term.

DATE: May 10, 2016

RECOMMENDATION

Approve Agreement for Professional Services between the County of Yuba and Sutter-Yuba Mental Health. The Agreement authorizes Sutter-Yuba Mental Health to provide counseling services to non-Yuba County and non-Sutter County youth participating in the Maxine Singer Youth Guidance Center program.

BACKGROUND

Sutter-Yuba Mental Health has historically provided the therapeutic component to residents of the Maxine Singer Youth Guidance Center. With this contract, the Tri-County Juvenile Rehabilitation Facility budget will reimburse Sutter-Yuba Mental Health for the services provided to youth residing in the program from outlying counties. The cost for these services is covered by the Juvenile Probation Camp Funding received from the State of California.

DISCUSSION

Sutter-Yuba Mental Health Providers are well suited to provide the necessary aspects of drug and alcohol counseling, family counseling, individual counseling and psychiatric medication management for youth participating in the Maxine Singer Youth Guidance Center Program.

The term of the prior contract ended June 30, 2014. As a result of departmental personnel changes, the contract novation cycle was interrupted between July 1, 2014 and present. The term for the current contract covers the time laps and renews the contract for a new three year term expiring June 30, 2017. There are no fiscal increases and all terms and conditions of the contract remain intact.

COMMITTEE ACTION

No Committee action is necessary. This is an on-going three year contract for professional services since 2011.

FISCAL IMPACT:

None. Monies received from the State of California, Juvenile Probation Camp Funding for providing services to out of county youth are used to offset the cost of the services from Sutter-Yuba Mental Health.

**MEMORANDUM OF UNDERSTANDING
BETWEEN
YUBA COUNTY PROBATION
AND
SUTTER-YUBA MENTAL HEALTH SERVICES**

This Memorandum of Understanding (hereafter "MOU") is effective as of July 1, 2014, by and between the Yuba County Probation who operates Maxine Singer Youth Guidance Center, (hereafter "PROBATION") and Sutter-Yuba Mental Health Services (hereafter "MENTAL HEALTH") for the provision of mental health services to youth who are not residents of Sutter or Yuba County.

RECITALS

WHEREAS,

- a. The Yuba County Probation Department administers the Maxine Singer Youth Guidance Center (hereafter "CAMP");
- b. CAMP is a Bi-County Program operated jointly by Yuba and Sutter Counties and overseen by the Yuba County Board of Supervisors; and
- c. MENTAL HEALTH is a Bi-County Program operated jointly by Yuba and Sutter Counties and overseen by the Sutter County Board of Supervisors; and
- d. MENTAL HEALTH has the responsibility, the experience and the expertise to provide services to, and otherwise assist the mentally ill as well as those addicted to and/or abusing drugs or alcohol.

THEREFORE, PROBATION and MENTAL HEALTH hereto mutually agree as follows:

1. TERM

Commencement Date: July 1, 2014

Termination Date: June 30, 2017

Notwithstanding the term set forth above, and unless this MOU is terminated by either party prior to its termination date, the term of this MOU shall be automatically extended for ninety days. The purpose of this automatic extension is to allow for continuation of services, and to allow MENTAL HEALTH time in which to complete renewal agreement for MENTAL HEALTH and CAMP approval.

MENTAL HEALTH understands and agrees that there is no representation, implication, or understanding that the services provided by MENTAL HEALTH pursuant to this MOU will be purchased by PROBATION under a new agreement following expiration or termination of this MOU, and MENTAL HEALTH waives all rights or claims to notice or hearing respecting any failure to continue purchase of all or any such services from MENTAL HEALTH.

2. DESIGNATED REPRESENTATIVES

The Superintendent of Institutions is the representative of PROBATION and will administer this Agreement for PROBATION. The Assistant Director of Human Services for Mental Health is the authorized representative for MENTAL HEALTH. Changes in designated representatives shall occur only by advance written notice to the other party.

3. PROBATION DUTIES AND RESPONSIBILITIES

PROBATION STAFF shall:

Identify and provide incarceration and release dates for youth placed at CAMP that are not residents of Sutter or Yuba County on a monthly basis to MENTAL HEALTH.

4. MENTAL HEALTH SERVICES AND DUTIES

MENTAL HEALTH shall provide the following services at CAMP depending upon the client's needs:

Provide services to youth that are not residents of Sutter or Yuba County as appropriate, which shall include:

- 1) Clinical and risk assessments
- 2) Case planning
- 3) Counseling, including individual and/or group counseling, crisis resolution and mental health evaluation and treatment, including co-occurring substance abuse and mental health disorders.
- 4) Psychotropic Medication Management

5. FISCAL PROVISIONS

- 1) MENTAL HEALTH shall submit a detailed invoice for payment after completion of services, but no later than the thirty (30) days following the month of service.
- 2) Upon receipt of proper claims, PROBATION agrees to reimburse MENTAL HEALTH at the following rates:

MH Therapist/Substance Abuse Combined Daily Rate	\$ 18.30	per child
MH Therapist/Substance Abuse Combined Monthly Rate	\$ 549.00	per child
Psychiatrist Services:		
Evaluation	\$ 150.00	per initial evaluation
Completion of JV220 (only if meds. ordered)	\$ 150.00	per child
Follow-up Visit/Medication management	\$ 75.00	per visit

6. GENERAL PROVISIONS

- a. This MOU constitutes the entire agreement between the parties with respect to the subject matter and supersedes all prior and contemporaneous agreements and understandings of the parties. This MOU may be amended only by the written, mutual consent of both parties.
- b. This MOU may be terminated by either party upon thirty (30) days written notice.
- c. It is understood that the parties shall be subject to examination and audit of any records associated with the provision of services, claims to obtain funding and payment records for a period of six (6) years after final payment under this MOU. Therefore, the parties agree to retain such records for the recited six (6) year period.
- d. MENTAL HEALTH agrees to adhere to all health and safety standards as set forth by the State of California and/or the County of Yuba, including standards set forth in the Injury and Illness Prevention Program.
- e. This MOU reflects the contributions of both parties and accordingly the provisions of Civil Code section 1654 shall not apply to address or interpret any uncertainty.

7. NOTICES

Any notice required or permitted to be given under this MOU shall be in writing and shall be served by certified mail, return receipt requested, or personal service upon the other party. When service is by certified mail, service shall be conclusively deemed complete three (3) days after deposit in the United States mail, postage prepaid, addressed to the party to whom such notice is to be given as hereafter provided. Notices shall be addressed as follows:

If to PROBATION:
Chief Probation Officer
215 5th, Suite 154
Marysville, CA 95901

With a copy to:
County Counsel
County of Yuba
915 8th St., Suite 111
Marysville, CA 95901

If to MENTAL HEALTH:
Tony Hobson, Ph.D., Director
Sutter-Yuba Mental Health
P. O. Box 1520
Yuba City, CA 95992

With a copy to:
County Counsel
County of Sutter
1160 Civic Center Dr.
Yuba City, CA 95991

IN WITNESS WHEREOF, the parties have duly executed this MOU as of the dates of their signatures.

SUTTER-YUBA MENTAL HEALTH SERVICES

By: [Signature] Date: 3/30/16
Tony Hobson, Ph.D.
Assistant Director Human Services Mental Health

YUBA COUNTY PROBATION DEPARTMENT

By: [Signature] Date: 4-26-16
Jim Arnold
Yuba County Chief Probation Officer

SUTTER COUNTY BOARD OF SUPERVISORS

By: [Signature] Date: 4/12/14
Chair

ATTEST

[Signature]
Donna Johnston
Clerk

APPROVED AS TO FORM

[Signature]
Jean Jordon
County Counsel

YUBA COUNTY BOARD OF SUPERVISORS

By: _____ Date: _____
Chair

ATTEST

Donna Stottlemeyer
Clerk

APPROVED AS TO FORM

[Signature]
Angil Morris-Jones
County Counsel

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192-0516

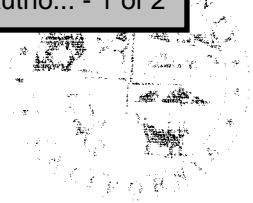
Yuba County Sheriff's Department

(192-0516) Autho... - 1 of 2

Steven L. Durfor, Sheriff-Coroner

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

Ph: 530-749-7777 • Fax: 530-741-6445



MAY 10, 2016

TO: YUBA COUNTY BOARD OF SUPERVISORS

FR: STEVEN L. DURFOR, SHERIFF-CORONER SLD/DW

RE: REMOVAL OF CAPITAL ASSETS

RECOMMENDATION:

Authorize the removal of equipment purchased in 1997 with grant funds from the Department of Parks and Recreation, Division of Boating and Waterways from the capital asset listing, as the equipment is no longer useful to the Sheriff's Department.

BACKGROUND:

In 1997 the Sheriff's Department obtained grant funding from the Department of Parks and Recreation, Division of Boating and Waterways for the purchase of two jet skis and a trailer for the Sheriff's Boat Patrol. In accordance with Title 14, 6594.7 (b) (1) of the California Code of Regulations, the Department of Boating and Waterways is the legal owner of all equipment purchased with grant funds and the grantee shall be the registered owner. Due to the age of this equipment, it is no longer useful to the Sheriff's Department, and in November 2014 the Board of Supervisors approved a contract with the Department of Boating and Waterways for grant funding to purchase two new jet skis and a trailer to replace the outdated equipment.

DISCUSSION:

In order to dispose of the outdated equipment, it must be returned to the Department of Boating and Waterways for sale at State auction. The transfer of equipment cannot be made until the items have been removed from the County's capital asset listing.

FISCAL IMPACT:

None, as the personal watercraft and trailer were purchased with grant funds.

COMMITTEE:

Committee action is not required as this item is administrative in nature.

Capital Asset Disposal Form

County of Yuba

(192-0516) Autho... - 2 of 2

Asset Number	Description	Serial Number	Asset Tag # (if applicable)
11318	1997 Polaris Jetski	PLE05967A797	11318
10874	1997 Polaris Jetski	PLE07513B797	10874
10375	Karavan PWC Trailer	186B5B127VF026773	10375

Dawn Wells

Authorized Individual (Print)

Department: Sheriff/Boat Patrol

Location: 2701

Date: 5/10/2016

Authorized Signature



Board Authorization

Date Authorized: _____

Signature: _____

Clerk of the Board _____ Date _____

Do not write in this area - Auditor use only

Date Updated in System: _____

Signature: _____

Original: Auditor-Controller

Copy: Department



RIDEOUT HEALTH

April 15, 2016

Roger Abe, Chairman
Yuba County Board of Supervisors
1160 Civic Center Blvd.
Yuba City, CA 95993

Dear Chairman Roger Abe,

National Nurses Week is May 6-12, 2016 and Rideout Health (RH) will be honoring our nurses with a week-long series of appreciation events for the more than 500 Registered Nurses and 400 nursing support staff who work at RH facilities.

We are hoping that as the Yuba County Board Chairman, you will honor our nurses with a proclamation from the Yuba County at a Board of Supervisors meeting in May. Can you help us with this request? A draft proclamation is included for your perusal.

I have included Melissa Burns, Chief Nursing Officer/Chief Operating Officer at RH and her assistant Vanessa Piatt in this email. She will arrange a nurse (or nurses) to attend the meeting and accept the proclamation should this be approved. Melissa's phone number is 749-4542. Her email address is mburns@frhg.org. Please consider her your contact at RH in this matter.

Please keep me in the loop by including me in your email response, lpummer@frhg.org

Thank you,

Linda Plummer
Marketing Manager
Rideout Health

Board of Supervisors County of Yuba Proclamation

PROCLAIMING MAY 6-12, 2016
NATIONAL NURSES WEEK

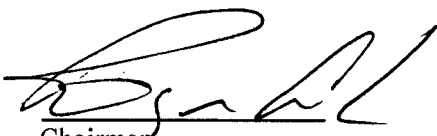
WHEREAS, the nearly 3.1 million nurses in the United States comprise our nation's largest health care profession, the depth and breadth of the nursing profession meets the different and emerging health care needs of the American population in a wide range of settings; and

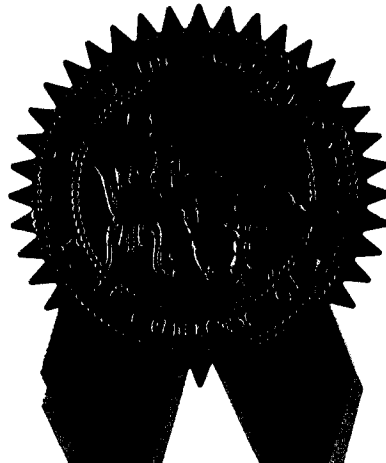
WHEREAS, professional nursing has been demonstrated to be an indispensable component in the safety and quality of care of hospitalized and home health patients and greater numbers of qualified nurses will be needed in the future to meet the increasingly complex needs of health care consumers in our community; and

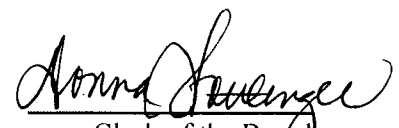
WHEREAS, the cost-effective, safe and quality health care services provided by nurses will be an ever more important component of the U.S. health care delivery system in the future. The American Nurses Association has declared the week of May 6-12, 2016 as National Nurses' Week ; and

WHEREAS, Rideout Health is celebrating National Nurses Week, *Culture of Safety. It Starts With You*, will hold a week-long series of appreciation events for the more than 500 Registered Nurses and 400 nursing support staff, working at Rideout Memorial Hospital and Rideout Cancer Center in Yuba County.

NOW, THEREFORE BE IT PROCLAIMED the Yuba County Board of Supervisors hereby declares May 6 – 12 National Nurses week and urges all residents to join in honoring the many nurses who care for all of us, celebrate their accomplishments and efforts to improve our health care system, and show our appreciation not just during this week, but at every opportunity throughout the year.


Chairman



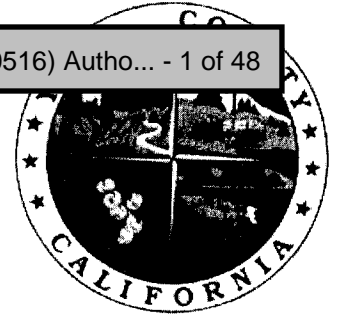

Clerk of the Board

The County of Yuba

Office of the Auditor-Controller

Richard Eberle, CPA
Yuba County Government Center
915 8th Street, Suite 105
Marysville, CA 95901

Phone: (530) 749-7810
Fax: (530) 749-7814
Email: reberle@co.yuba.ca.us



TO: Yuba County Board of Supervisors
FROM: Richard Eberle, Auditor-Controller *RE*
RE: RFP for Payroll and Timekeeping Services
DATE: May 10, 2016

RECOMMENDATION

Approve the release of an RFP soliciting bids for an upgraded payroll and timekeeping system.

BACKGROUND

Yuba County currently manages its payroll and timekeeping in a highly manual process. County Departments create timesheets in a number of ways including paper timesheets, spreadsheets, and various disparate types of software. The data accumulated using these methods are then consolidated into summary sheets that are forwarded to the Auditor-Controller's office. Payroll staff in the Auditor-Controller's office then manually inputs the data into our payroll processing software (currently ADP) from which paychecks are produced. Changes to employee data are manually prepared by departments, routed to Human Resources for input into a database, and then forwarded on to the Auditor-Controller's office for input in another database. Additionally, timekeeping data that is used for departmental grant reporting is tracked separately using various methods throughout the county.

The Auditor-Controller's office retained the services of GFOA to assist in determining the needs of county departments. Department involved in the assessment were selected because of their specific and complex needs from a timekeeping standpoint. The assessment identified the need to standardize payroll and timekeeping functions as much as possible and outlined functional requirements for a potential solution.

DISCUSSION

GFOA has prepared an RFP soliciting bids for a payroll and timekeeping solution. The RFP contains the best estimation of functional needs and requirements that a solution for Yuba County would entail. The goal of a solution would be to standardize and integrate the timekeeping software throughout the county and automate the application of payroll rules (labor agreements, federal, and state regulations) as much as possible. The result would be fewer errors in the information used to prepare payroll and reduce the resources required county-wide to process county payroll.

FISCAL IMPACT

There is no fiscal impact for the issuance of the RFP. Costs will be incurred once a vendor is selected and the implementation begins.



Request for Proposals (RFP)
For A Time Entry and Payroll Solution
For Yuba County, California

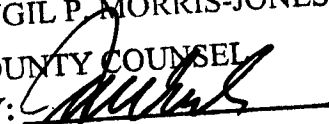
APPROVED AS TO FORM
ANGIL P. MORRIS-JONES
COUNTY COUNSEL
BY: 



Table of Contents

I.	Introduction.....	1
A.	Intent.....	1
B.	About the Project	1
C.	About the County	2
D.	Notice to Bidders.....	2
E.	Conditions	2
F.	County Rights Reserved.....	3
G.	Communication Regarding this RFP	4
II.	Scope of Project.....	5
A.	Functional Scope	5
B.	Functional Vision	5
C.	Project Scope – Implementation Services.....	7
D.	Project Scope – Implementation Deliverables	7
E.	Project Schedule.....	8
F.	Project Staffing	8
G.	Statement of Work.....	9
H.	Number of Users	9
I.	Current Applications.....	9
III.	General Submittal Instructions	10
A.	County Contacts	10
B.	Pre-Proposal Conference	11
C.	Procurement Schedule	11
D.	Proposal Submission Instructions	12
	RFP Section.....	14
	Attachment/Document	14
	Required File Format.....	14
IV.	Detailed Submittal Requirements	14
A.	Executive Summary and Introductory Materials.....	14



Request for Proposals for Time Entry and Payroll Solution
County of Yuba, California

B.	Scope of Proposal.....	15
C.	Functional and Technology Requirements.....	15
D.	Interfaces.....	17
E.	Conversions.....	17
F.	Implementation Plan.....	18
G.	Exceptions, Clarifications, Amendments.....	19
H.	Sample Documents.....	19
I.	Price Proposal.....	19
V.	Contract Terms and Conditions.....	21
A.	Key Personnel.....	21
B.	Implied and Express Warranty.....	21
C.	Express Warranty Remedy.....	21
D.	System Acceptance.....	21
E.	Milestones.....	22
F.	Additional Users and Modules.....	22
G.	Restrictions on Growth.....	22
VI.	Evaluation Method.....	23
A.	Criteria.....	23
B.	Selection Committee.....	23
C.	Evaluation Process Summary.....	24
D.	Evaluation Steps:.....	24
E.	Notice of Award.....	25
F.	Bid Protest / Appeals Process.....	25
VII.	Attachments.....	27
A.	Submittal Checklist.....	27
B.	Bidders Statement.....	28
C.	Scope of Proposal.....	29
D.	Company Background.....	30
E.	References.....	31
F.	Technical Specifications.....	32



G. Maintenance and Support.....	34
H. Functional Requirements	35
I. Interfaces.....	36
J. Conversions	37
K. Conversions	38
L. Deliverable Expectation Documents	39
M. Exceptions, Clarifications, Amendments.....	40
N. Sample County Agreement	41
O. County Confidentiality Agreement.....	42
P. Process Maps.....	43



Request for Proposals for Time Entry and Payroll Solution
County of Yuba, California

I. Introduction

A. Intent

The County of Yuba, California is issuing this Request for Proposal (RFP) for a time entry and payroll solution and related implementation services. The County will consider all deployment options, including SaaS, Hosted Solutions, or On-Premise solutions.

The functional scope for this project includes core human resources functions to support time entry and payroll, leave management, time entry and payroll. The project will serve the entire County Government (The entire group of participants will be referred to as "County" unless specified otherwise.) The County currently uses several desktop applications, commercial software, and ADP for payroll processing. The County expects to begin implementation in fall of 2016.

B. About the Project

The County initiated this project as part of its overall assessment of its time entry, payroll, and human resources systems. The County currently uses ADP as its payroll processor. The organization's time entry process relies heavily upon manual forms and spreadsheets. Some commercial software is used to help certain departments allocate time across accounts and grants. The County's goal is to improve time entry and implement an integrated time entry/payroll solution. The scope for this project also includes core human resources functions that are required to support time entry and payroll.

The County also chose this assessment as an opportunity to improve time entry and payroll processes. The County has completed current process maps and has designed future process concepts that are being used to define the scope for this project. Attachment VII.P (Process Maps) contains the process maps. The selected Vendor is required to make recommendations for best practice processes utilizing their software.

The organizational scope for this project includes all County Departments (including Enterprise Funds). The County has assigned a Payroll Technician to work on this project full-time. Other County resources will be assigned as required. (Please See Table 3 for the County Resource Assignments.) Ideally, the solution will be implemented by the beginning of the '17/'18 fiscal year; however, the County is open to other options as long as the logic is explained and is reasonable.

The County is interested in all solution deployment strategies, including: on-premises, hosted/managed services; or Anything as a Service (XaaS).



C. About the County

Yuba County is located approximately 30 miles north of the City of Sacramento. The County Seat is the City of Marysville. The County is managed by five elected supervisors; an appointed County Administrator; and seven other elected officials (Assessor, Auditor-Controller, Clerk-Recorder, District Attorney, Sheriff, Superintendent of Schools, and Treasurer-Tax Collector). This project is sponsored by the Auditor-Controller, who is responsible for the general accounting systems and payroll. The County's project manager for this project is from the Auditor-Controller's office.

Table 1
Summary County Statistics

Background Statistics	
Population, 2015 estimate	74,492
Operating Budget (General Fund)	\$38.4 Million
Approximate Number of Employees (FTE)	850
Fiscal Year	July 1 – June 30

D. Notice to Bidders

Failure to carefully read and understand this RFP may cause the proposal to be out of compliance, rejected by the County, or legally obligate the Bidder to provide more than they may realize. Information shall not be obtained by the Bidder from any officer, agent or employee of the County other than as described in Section III A (County Contacts). All questions will be distributed and posted online and Bidder shall be responsible for acknowledging all addenda. Only the format described in the RFP and the attachments included with this RFP will be accepted as compliant for the submitted proposal. Failure to completely fill out all required attachments may result in disqualification.

E. Conditions

- 1) Bidders shall make all investigations necessary, using the appropriate channels, to thoroughly inform themselves regarding this proposal. No plea of ignorance by the Bidder of conditions that exist or that may hereafter exist as a result of failure to fulfill the requirements of the contract documents will be accepted as the basis for varying the requirements of the County or the compensation to the Bidder.
- 2) In the event that all RFP requirements are not met with products and services provided by one firm, Bidders are encouraged to partner with another firm to



Request for Proposals for Time Entry and Payroll Solution
County of Yuba, California

submit a joint proposal. Failure to meet all requirements will not disqualify a firm. However, the County will evaluate each proposal to determine its overall fit in the best interests of the County.

- 3) In the event that multiple firms partner to submit a joint proposal, the proposal must identify one firm as the primary contact for all subcontractors. This primary contact will be the primary point of contact throughout the procurement process. A primary firm must also be identified for implementation. The primary firm will be held responsible for the overall implementation of all partners included in the joint proposal.
- 4) All third-party solutions proposed as part of a joint proposal are subject to the same requirements of this RFP, unless otherwise stated.
- 5) Implementation pricing must be submitted on a deliverable and "milestone" basis. For implementation services under a milestone arrangement, the County compensates the Bidder a fixed amount for the completion of major milestones. Bidders are to provide all work effort and assumptions used to calculate the fixed fee for each deliverable and milestone. The scope of the project will be defined by the statement of work and detailed functional requirements included as Attachment 8 (Functional Requirements). All firms submitting proposals are encouraged to submit the most competitive proposal possible as the failure to do so may lead to elimination prior to software demonstrations.
- 6) This RFP, its general provisions, and the terms and conditions identified in Section V (Contract Terms and Conditions) shall be incorporated in any agreement resulting from this solicitation, and the RFP and its terms and conditions, plus attachments shall control unless the Agreement expressly provides otherwise.
- 7) All proposals and any subsequent clarification or response to the County's questions shall be valid for a minimum of 120 days.
- 8) Bidders are required to state exactly what they intend to furnish to the County via this Solicitation and must indicate any variances to the terms, conditions, and specifications of this Solicitation no matter how slight. If variations are not stated in the Bidder's offer, it shall be construed that the Bidder's offer fully complies with all conditions identified in this Solicitation.

F. County Rights Reserved

- 1) The County reserves the right to select the proposal(s) which in its sole judgment best meets the needs of the County. The lowest proposed cost will not be the sole criterion for recommending the contract award.
- 2) The County reserves the right to award multiple contracts from this RFP.
- 3) The County reserves the right to reject any or all proposals and to waive technicalities and informalities when such waiver is determined by the County to be in the County's best interest.



- 4) The County may modify this RFP by issuance of one or more written addenda. Addenda will be posted on the County's Bid Website (See Section III (General Submittal Instructions))
- 5) During the selection process, the County reserves the right to meet with select Bidders at any time to gather additional information. Furthermore, the County reserves the right to remove or add functionality (i.e., modules, components, and/or services) until the final contract signing.
- 6) This RFP does not commit the County to award a contract. All proposals submitted in response to this RFP become the property of the County and public records, and as such, may be subject to public review.
- 7) The County shall not be liable for any pre-contractual expenses incurred by prospective Bidders, including but not limited to costs incurred in the preparation or submission of proposals. The County shall be held harmless and free from any and all liability, claims, or expenses whatsoever incurred by, or on behalf of, any person or organization responding to this RFP.
- 8) The County shall not be under any requirement to complete the evaluation for this RFP by any specific date and reserves the right to suspend or postpone the evaluation process should the need arise due to budget constraints, time constraints or other factors as directed by the County.

G. Communication Regarding this RFP

All communication from prospective Bidders regarding this RFP must be in writing by email to the address listed in Section III.A (County Contacts). Communication by telephone or in person will not be accepted.

Attempts by or on behalf of a prospective or existing Bidder to contact or to influence any member of the selection committee, any member of the Board or any employee of the County outside of the designated contact with regard to this RFP may lead to elimination of that Bidder from further consideration.

**Request for Proposals for Time Entry and Payroll Solution**

County of Yuba, California

II. Scope of Project**A. Functional Scope**

The functional scope consists of the processes listed in the chart below. Specific functionality within each process more thoroughly described in Section VII.H (Functional Requirements).

Table 2
Functional Scope

Functional Scope	
Human Resources Processes	Time Entry Processes
<ul style="list-style-type: none">• Core Employee Records• Employee Self-Service	<ul style="list-style-type: none">• Time Entry• Time Sheet Validation
Leave Management Processes	Payroll Processes
<ul style="list-style-type: none">• Leave Accruals• Leave Request Management• FMLA Tracking• Leave Donation	<ul style="list-style-type: none">• Salary Administration• Overtime Calculation• Special Pay• Deductions and Garnishments• Travel and Expense

B. Functional Vision

The County's functional concept for the future solution is listed below.

1) Human Resources Processes

The County's goal for this project is to implement only core human resources functions that will support time entry and payroll.

2) Leave Management Processes

The County's desired outcome for the new solution is to allow staff to request leave through the system, ideally through an employee self-service application. Electronic workflow would manage approvals and serve as the electronic signature for auditing purposes. The solution would also help manage/track employees on long-term leave.



3) Time Entry Processes

The County wants an integrated time entry solution. The solution would be intuitive for employees entering their own time. Employees could view leave balances while entering time. The solution would support positive and exception based time entry. Entered time could be allocated (including any associated benefit costs) across multiple accounts or funds. Workflow would be used to approve time. The time entry system could accept data from outside systems for employee information and other time and attendance software. The time entry solution could also export data to an external payroll processing system.

4) Payroll Processes

The future solution could be highly integrated with the time entry system. Time and leave calculation configurations could be completed by staff with little or no intervention from technology staff. Payroll could support direct deposits, special pays and employee reimbursements. Staff could view their paystubs and leave balances after each payroll run. The proposed solution could also utilize the county's existing payroll solution.



Request for Proposals for Time Entry and Payroll Solution
County of Yuba, California

C. Project Scope – Implementation Services

The following requirements are expected to be used throughout the engagement:

1) Project Management Methodology

The County expects the Bidder to follow an industry standard implementation methodology. The Bidder must implement strong project management methodology practices that will enable the Bidder to conform to the proposed project delivery schedule.

2) Reengineer Business Processes

The Bidder must make a sincere effort to propose business practice changes that can be brought to the County through the new software solution as well as practice improvements based on the functional requirements that may be associated with processes surrounding the use of the new software.

3) Leverage Standard Functionality

The Bidder must maximize the software's standard delivered functionality and look to finding creative ways to configure gaps between the County's requirements and the standard software instead of proposing customizations, unless absolutely warranted and cost-value justified. Any proposed customizations must be clearly identified and justified by the Bidder and submitted to the County for consideration. No customizations to any software are to be made by the Bidder without written approval by the County.

4) Software Installation

The Bidder shall install all proposed software, and third-party software per relevant Bidder installation requirements. Following the installation, the Bidder technical team shall continue to own, monitor and tune the environments, throughout the duration of the implementation, until the proposed and implemented solution is accepted at the end of the post-production period.

D. Project Scope – Implementation Deliverables

To ensure quality throughout the implementation, Bidders must incorporate the following deliverables into their methodology. Attachment 12 (Deliverable Expectation Documents) should be completed for each of the following deliverables as well as for any additional proposed deliverables.

- 1) Comprehensive Project Plan – Detailed listing of tasks for the entire project that includes the following for each task: due date, responsibility, predecessors. Tasks



to include on the project plan will include all implementation activity, deadlines, milestones, sign offs, review periods, and deliverables.

- 2) Technical Infrastructure Design and Implementation Plan – Design for each of the production and non-production environments proposed by the Bidder.
- 3) Design Document – Work product that identifies the business process decisions, payroll rules and system configuration decisions for each in scope business process and system feature.
- 4) Testing Scripts – Test scripts based on the functional requirements and system design document that require successfully completion of each item in scope (functional requirements) and the set-up of the system (system configuration).
- 5) Training Documentation – Complete system manual for how to use the configured system.
- 6) Cutover Plan – Complete list of activities required for Go-Live.

E. Project Schedule

The County prefers to go live with the time and payroll solution at the beginning of a calendar year. However, the County is open to other schedule recommendations and expects Bidders to recommend the best practice roll-out strategy for the proposed solution. When recommending the rollout strategy and schedule, Bidders should describe the reasons for their recommendations and clearly identify any implementation assumptions.

F. Project Staffing

The County will make every effort to staff the project appropriately and understands that staffing a project is important to its success. The following table lists resources that the County expects to be available for the project, their applicable areas of knowledge/assumed roles in the project, and the maximum participation levels in the project.

Table 3

County Staff Participation	
Assumed Role	Maximum Participation (FTE)
Project Manager/Payroll Lead	1
Time Entry/Leave Management Lead	.25
Technology Lead	.25



Request for Proposals for Time Entry and Payroll Solution
County of Yuba, California

G. Statement of Work

The County will require the development of a detailed statement of work, including a high-level project plan, prior to contract signing. The statement of work will include and describe at least the following and may include additional items the County deems necessary:

- 1) Project scope
- 2) Project milestones
- 3) Project deliverables
- 4) High level project schedule (listing of phases and go-live dates)
- 5) Project resources
- 6) Project roles and responsibilities
- 7) Project change control procedures

H. Number of Users

The following user counts identify expected users for the future solution. Proposals should include services to complete implementation and any appropriate training services to prepare all County staff for using the system. (Note: Employees are counted in multiple columns).

Table 4
Number of Users

Type of User	Estimated Number of Users	Estimated Number of Power Users
Time Entry	850	10
Payroll	75 (Time Approvers)	5
Technical/Administrative Users	NA	2

I. Current Applications

The following applications are used by the County for major business functions. Information about their replacement or interface is provided for the Bidder's convenience. The County intends to discuss the future use of these applications during solution demonstrations and contract negotiations.



Table 5
Current Applications

Functionality	Application	Primary Owner/(s)	Plan
Accounting	GMBA (SunGard)	Auditor/Controller	Interface
Time Entry	WinCAMS	<ul style="list-style-type: none">• Information Technology• Community Development and Services Agency• Administrative Services	Interface
Time Entry	PeopleTrak	Health and Human Services	Replace
Human Resources	WinCAMS	Human Resources	Interface
Payroll	ADP (Payforce)	Auditor/Controller	Replace/Interface

III. General Submittal Instructions

A. County Contacts

Administrative Services-Purchasing is managing the competitive process for this project on behalf of the County. All contact during the competitive process is to be through the Administrative Services-Purchasing Department only.

The evaluation phase of the competitive process shall begin upon receipt of sealed bids until a contract has been awarded. Bidders shall not contact or lobby evaluators during the evaluation process. Attempts by Bidder to contact evaluators may result in disqualification of bidder.

- 1) All questions regarding these specifications, terms and conditions are to be submitted by email to: TBD Administrative Technician (email: TBD@co.yuba.ca.us). All responses to questions will be posted to the County website as addenda to the RFP.
- 2) Inquiries or requests for clarification submitted prior to the deadline listed in Section III.C (Procurement Schedule) will be addressed at the pre-proposal Bidder conference. Additional inquiries or requests for clarification will be accepted until the deadline listed under Section III.C (Procurement Schedule).
- 3) Proposals may be changed or withdrawn prior to the deadline for proposals. All such changes and withdrawals must be submitted in writing and received by the



Request for Proposals for Time Entry and Payroll Solution
County of Yuba, California

County prior to the deadline for proposals. After the deadline for proposals, no change in prices or other provisions prejudicial to the interest of the County or fair competition shall be permitted.

B. Pre-Proposal Conference

A pre-proposal Bidder conference will be held on the time and date described in Section III.C (Procurement Schedule) by phone. Attendance at the pre-proposal conference is not mandatory. Bidders intending to participate in the pre-proposal conference should request meeting access information. Answers to questions submitted prior to the conference and answers to all questions asked at the pre-proposal meeting will be officially answered by addendum after the meeting.

C. Procurement Schedule

The expected procurement schedule is listed below. The County reserves the right to change the procurement schedule. If changes are made, Bidders will be notified by the County in the form of an addendum to this RFP, emailed directly to all registered Bidders and posted on:

Table 6

Procurement Schedule		
Task	Date	Description
1		Release RFP
2		Deadline for requests for clarification prior to pre-proposal conference - 2:00 PM (Pacific)
3		Pre-proposal conference – 2:00 PM (Pacific)
4		Last day to accept questions and requests for clarification on the RFP - 2:00 PM (Pacific)
5		Answers to submitted questions provided
6		Proposals due – 2:00 PM (Pacific)
7		Up to three Bidders elevated and notified for software demonstrations
8		Software demonstrations and Implementation Presentations
9		Elevate and notify semifinalist or finalist Bidder(s)
10		Complete contract negotiations and Statement of Work (SOW)
11		Award of contract by Board
12		Implementation Begins



D. Proposal Submission Instructions

Proposals are to be submitted in sealed packages by DATE at 2:00 PM (Pacific). Late submissions will not be accepted.

Submittal Address:

Time Entry and Payroll Solution
County of Yuba
Administrative Services, Purchasing Division
915 8th Street, Suite 119
Marysville, CA 95901

NOTE: LATE AND/OR UNSEALED BIDS CANNOT BE ACCEPTED. IF HAND DELIVERING BIDS PLEASE ALLOW TIME FOR METERED STREET PARKING OR PARKING IN AREA PUBLIC PARKING LOTS AND ENTRY INTO SECURE BUILDING.

- 1) Failure to comply with the requirements of this RFP may result in disqualification. Proposals received subsequent to the time and date specified above will not be considered.
- 2) Signature of the proposal by the Bidder constitutes acceptance by the Bidder of terms, conditions, and requirements set forth herein.
- 3) Bidders are required to submit TWO (2) hard copies and TWO (2) electronic copies (on memory stick) of the proposal in a sealed package that is clearly labeled with the Bidder's company name, RFP Name, and contact information. Hard copies of the technical proposal must include a submittal letter signed by an authorized agent of each firm involved in the proposal. The letter should include appropriate contact information for each firm.
- 4) All bids, whether delivered by an employee of Bidder, U.S. Postal Service, courier or package delivery service, must be received and time stamped at the stated address prior to the time designated. The Administrative Services Purchasing Division's timestamp shall be considered the official timepiece for the purpose of establishing the actual receipt of bids.
- 5) Emailed and faxed proposals will not be accepted.
- 6) Use Attachment 1 (Submittal Checklist) to ensure that all required documents, forms, and attachments have been completed and submitted as instructed.
- 7) Proprietary or Confidential Information

No part of any bid response is to be marked as confidential or proprietary. County may refuse to consider any bid response or part thereof so marked. Bid responses submitted in response to this RFP may be subject to public disclosure. County



Request for Proposals for Time Entry and Payroll Solution
County of Yuba, California

shall not be liable in any way for disclosure of any such records. Additionally, all bid responses shall become the property of County. County reserves the right to make use of any information or ideas contained in submitted bid responses. This provision is not intended to require the disclosure of records that are exempt from disclosure under the California Public Records Act (Government Code Section 6250, et seq.) or of "trade secrets" protected by the Uniform Trade Secrets Act (Civil Code Section 3426, et seq.).

All other information regarding the bid responses will be held as confidential until such time as the County Selection Committee has completed their evaluation, an intended award has been made by the County Selection Committee, and the contract has been fully negotiated with the intended awardee named in the intent to award/non-award notification(s). The submitted proposals shall be made available upon request no later than five (5) business days before approval of the award and contract is scheduled to be heard by the Board of Supervisors. All parties submitting proposals, either qualified or unqualified, will receive mailed intent to award/non-award notification(s), which will include the name of the bidder to be recommended for award of this project. In addition, award information will be posted on the County's "Contracting Opportunities" website, mentioned above.

- 8) Each bid received, with the name of the bidder, shall be entered on a record, and each record with the successful bid indicated thereon shall, after the award of the order or contract, be open to public inspection.
- 9) Organization of Proposal

The proposal must be organized into major sections defined in Section IV (Detailed Submittal Requirements). Specific instructions for each section are provided in Section IV (Detailed Submittal Requirements) of this RFP. Any required attachments must be included in the proper section as indicated by the instructions.



10) Format of Electronic Submission

Bidders must provide electronic copies of all files on a USB memory stick using the following file formats. Attachments not listed in the table below do not have a required file format and may be supplied in either the original file format or PDF.

Table 7
Submittal Forms

RFP Section	Attachment/Document	Required File Format
IV.C	Attachment 8 (Functional Requirements)	Microsoft Excel (.xls or .xlsx)
IV.D	Attachment 9 (Interfaces)	Microsoft Excel (.xls or .xlsx)
IV.E	Error! Reference source not found.	Microsoft Word (.doc or .docx)
IV.I	Error! Reference source not found.	Microsoft Excel (.xls or .xlsx)
IV.F	Attachment 12 (Deliverable Expectation Documents)	Microsoft Word (.doc or .docx)

IV. Detailed Submittal Requirements

So that proposals can be compared fairly, Bidders must assemble their proposals in strict adherence to the submittal requirements identified in this section and following the formats required by Section IV (Detailed Submittal Requirements). Failure to follow all proposal organizational requirements may result in disqualification. Proposals must address the sections and be presented in the same order.

A. Executive Summary and Introductory Materials

(Proposal Section 1.0) The introductory material should include a title page with the RFP name, name of the Bidder, address, telephone number, the date, a Letter of Transmittal, and a Table of Contents. The executive summary should be limited to a brief narrative (less than 6 pages; including Attachments 1, 2, and 4) summarizing the proposal. Please complete the following as part of the summary:

- 1) Attachment 1 (Submittal Checklist)
- 2) Attachment 2 (Bidder Statement)
- 3) Attachment 4 (Company Background)



Request for Proposals for Time Entry and Payroll Solution
County of Yuba, California

B. Scope of Proposal

(Proposal Section 2.0) This section of the proposal should include a general discussion of the Bidder's overall understanding of the project and the scope of work proposed including the following:

- 1) Attachment 3 (Scope of Proposal)
- 2) Attachment 5 (Reference Form)
- 3) Provide a statement about whether the primary Bidder's contract will/will not encompass the third-party product/service (if proposed) and/or whether the County will have to contract on its own for the product/service (if proposed).
- 4) List and describe all proposed software products that will be delivered as part of the project. If the software is sold by module, the Bidder must explicitly state the software module name and versions that are being proposed. All functional requirements that are responded to with a positive response (anything except "N") are considered to be in scope. Proposed software and any necessary services required to meet the requirements of the RFP or implement the proposed software should be included in the proposal.

C. Functional and Technology Requirements

(Proposal Section 3.0) This section describes the software and implementation scope of the overall project and the requirements for each functional area. Responses to the functional requirements should be completed to identify the capability of the software, the scope of the implementation plus if the requirement will be include under the scope of any proposed support agreement. Responses to the functional requirements shall use the following response codes:

Functional Requirements Responses	
Implementation Response: Available Responses	
Y	Requirement Met and Proposed (Standard features in the generally available product)
Y-ND	Requirement Met and Proposed (Features that are not offered as a generally available product or require custom development)
N	Requirement Not Met with Proposal
Additional Information for Y-ND: Available Responses (If Y-ND Selected In Implementation Response)	
F	Feature Schedule for Future Release in Generally Available Software
E	Feature Developed as Enhancement for this Project
Support Response: Available Responses	
S	Requirement and Feature Supported by Software Developer
TPS	Requirement and Feature Supported by Third Party
NS	Requirement and Feature Not Supported



5) Submit Attachment 8 (Functional Requirements)

- Failure to provide some requirements or excluding some requirements from scope will NOT eliminate the Bidder from contention. The County will evaluate the proposal as a whole including price/value comparisons when evaluating proposals.
- The requirements responses submitted will become part of the agreement. Bidders are expected to warrant both software and implementation of all positive responses (every response except "N").
- For requirement responses other than "N", Bidders must indicate the module or product that is required to meet the requirement.
- For requirement responses other than "N", Bidders must indicate the phase of the project that the functionality will be implemented.
- All responses which are marked Y or Y-ND will be considered to be included in the scope, and the cost proposal and all other information submitted in this proposal should reflect this. Furthermore, the module necessary to perform that functionality must be included in the scope and cost of this proposal.
- Bidders must be ready to demonstrate any requirements listed as "Y" during software demos.
- For functionality that is not currently available and not available for viewing at a demo, but that will be in scope for the project either as generally available features in a future release or as a customization, modification, or enhancement specific for this project, Bidders should indicate a response code of Y-ND and answer in the column, entitled "Additional Information for Y-ND".
- Bidders are also required to respond if the feature will be supported in the product as part of the proposed maintenance and support offering and the proposed provider of support. Support services shall include technical support, access to patches and upgrades that accommodate the requirement, and helpdesk support for the requirement.

6) Identify any licenses, hardware, or other products not included in this proposal that would be required to operate any of the proposed solutions contained in this proposal.

7) Describe the technical environment necessary for the proposed solution by completing Attachment 6 (Technical Specifications) for the proposed primary software and for each third-party software solution (if applicable).

8) Describe the proposed maintenance and support for each proposed software solution by completing Attachment 7 (Maintenance and Support).

**Request for Proposals for Time Entry and Payroll Solution**

County of Yuba, California

D. Interfaces

(Proposal Section 4.0) The County has provided anticipated interfaces in Attachment 9 (Interfaces). Bidders should indicate their plan for the interfaces using the key presented below. If additional interfaces are proposed, please add them to the form and indicate how they will be implemented using the same key.

Item	Response	Response Description
Interface Plan	Permanent, Temporary, Go-Away	Permanent – permanent interface, even after the complete solution is installed. Temporary – interface that is only required during implementation. Go-Away – interface that is no longer required as a result of the new solution.
Type of Solution	C,P	C - Configurable Solution P - Customized developed program
Estimated Consulting Hours	Number of Hours	Include the number of estimated consulting work hours to complete the interface.
Included in Price	Y,N	Indicate with a Yes or No whether or not the interface is included in the price.
Type of Support	S TPS NS	S - Requirement and Feature Supported by Software Developer TPS - Requirement and Feature Supported by Third Party NS - Requirement and Feature Not Supported
Comments	Text	Include any comments or assumptions relevant to the answers above.

E. Conversions

(Proposal Section 5.0) Bidders must provide responses to the conversion requirements in Attachment 10 (Conversions). If additional items to be converted are proposed, please add them to the spreadsheet. The following answer key shall be used when responding to the conversion requirements.



Item	Response	Response Description
Agree	Y/N	Respondents should identify whether or not your firm agrees that this item needs to be converted.
Included in Price	Y/N	If your firm agrees that this item needs to be converted, indicate with a Yes or No whether or not your firm's work effort to complete the conversion is included in the pricing schedule.
Estimated Consulting Hours	Number of Hours	Include the number of estimated consulting work hours to complete the conversion.
Comments	Text	Include any comments or assumptions relevant to the answers above.

F. Implementation Plan

(Proposal Section 6.0) This section should describe the proposed implementation plan. Bidders should reference Section II.F for listing of likely County resources devoted to this project.

- 1) Provide a detailed plan for implementing the proposed system. This information must include:
 - Proposed phasing for roll-out of proposed system
 - Explanation of advantages AND risks associated with this plan
- 2) Explain the proposed plan for implementation. This information must include:
 - Description of implementation tasks and activities
 - Description of key deliverables (and how they relate to the implementation approach and activities). Please note the required deliverables listed in Section IV.F.
- 3) Explain the proposed Bidder staffing for the project including:
 - How many staff will the Bidder have assigned to the project
 - Approximate dedication to the project of each resource and approximate time work will be completed on-site vs. off-site
 - Major roles and responsibilities for each resource
- 4) Explain proposed project management services including:
 - Role of the Bidder project manager
 - Expected role of the County project manager
 - On-Site presence of Bidder project manager
 - Proposed integration oversight methodology



Request for Proposals for Time Entry and Payroll Solution

County of Yuba, California

- 5) Provide an overview of proposed training plan/strategy, specifying how and when training is to be delivered for both on-site and off-site training and web training services for the core project team, end users, and technology personnel (if required).

Explain any roles and responsibilities the County is expected to provide for the training effort including (but not limited to) training coordination, training material development, training delivery, etc.

- 6) Complete a Deliverable Expectation Document (DED) for each of the required deliverables described in Section IV.F- Implementation Plan.

G. Exceptions, Clarifications, Amendments

(Proposal Section 7.0) Bidders may take exception to certain requirements in this RFP. All exceptions shall be clearly identified by completing Section VII.M (Exceptions, Clarifications, Amendments). The County, at its sole discretion, may reject any exceptions or specifications within the proposal.

To avoid the scenario where the County is unable to negotiate successfully with its finalist Bidder, any material exceptions to the RFP including those to the terms and conditions listed in Section V will be clarified prior to elevation for software demonstrations.

H. Sample Documents

(Proposal Section 8.0) Bidders should include sample copies of the following documents.

- 1) Sample software license agreements for all proposed software. The sample agreement should contain a completed ordering document based upon the proposed software.
- 2) Sample Implementation Services Agreement
- 3) Sample documentation of payroll rules and time entry calculations.

I. Price Proposal

(Proposal Section 9.0) - Bidders should submit their price proposal according to the format provided in Attachment 11 (Cost) to this RFP.

- 1) Identify major milestones as part of the project. It is required that costs will be invoiced upon completion of major milestones. Please provide a schedule of all payments necessary to complete the proposed scope in schedule 6. Please note: the County will be assessing a 10% retainage fee for each milestone payment. The retainage will be released upon Final Acceptance of the system.



- 2) Identify any additional costs for upgrades (if costs are not already included in the maintenance fees) in the maintenance cost schedule.
- 3) Complete and submit Attachment 11 (Cost)
 - It is important that Bidders use the format presented in this RFP even if an additional format is provided. Attachment 11 (Cost) should include total price for all software, services, and additional costs to acquire all software and services referenced in the proposal including third party prices. If third party products or services are included, do not provide separate version of Attachment 11 (Cost) for each third-party product.
 - If the Bidder is offering a SaaS solution, then Schedule 6 of the Cost sheet should be completed.
 - All pricing must be submitted as fixed by milestone. Costs listed as "to-be-determined" or "estimated" will not be scored.
 - All service costs must be provided on a task or completion basis with costs assigned to each milestone, deliverable and/or task. Bidders are required to fill in deliverables and tasks under the provided headers (project initial knowledge transfer, process analysis/system design, system build, testing, training, and closure) Additional detail may be provided to further explain deliverable/task costs.
 - Bidders should include all software modules and state any limitations on module use. If no limitations are listed, the County will consider that pricing is based on full enterprise wide access for the County.
 - Bidders must submit implementation costs as fully loaded rates that include all necessary travel or other expenses. By submitting a proposal, all Bidders acknowledge that all pricing (including travel) must be a fixed fee or included in the implementation milestones.



Request for Proposals for Time Entry and Payroll Solution
County of Yuba, California

V. Contract Terms and Conditions

Below are important contract terms and conditions that the County expects to be part of an agreement with the finalist Bidder(s). Please indicate your willingness to comply with each condition by noting any exceptions per the instructions in Attachment 13 (Exceptions, Clarifications, Amendments) of this RFP. Contract terms in the final agreement should include but will not be limited to those listed below. The County will carefully evaluate any exceptions to the terms and conditions listed below.

A. Key Personnel

The County requires assurances as to the consistency and quality of Bidder staffing for its project. Key points of the key personnel provision include:

- 1) The County shall have the ability to interview and approve key personnel proposed by the Bidder.
- 2) The County shall have the right to dismiss key personnel from the project.
- 3) Bidder key personnel may not be removed from the project without the County's approval.

B. Implied and Express Warranty

The Bidder will expressly warrant that the proposed and implemented system will conform in all material respects to the in scope requirements and specifications as stated in this RFP including the functional requirements in Attachment 8 (Functional Requirements) for a period no less than 12 months after final acceptance. The rights and remedies provided herein are in addition to and do not limit any rights afforded to the County by any other clause of this proposal.

C. Express Warranty Remedy

The County requires that the Bidder commit to repair or replace any function not working in the system during the life of the warranty. In the event a problem cannot be fixed or replaced, the Bidder will refund the full amount paid for the software, implementation and any paid hosting and/or maintenance costs.

D. System Acceptance

For purposes of acceptance of the system (or portions thereof), the County intends to use a two-staged acceptance procedure for each phase and for the entire project. Key points include:

- 1) "Conditional Acceptance" will occur at or prior to go-live. The County will have up to forty-five (45) days to test the system ("pre-live testing") before going live.
- 2) The County will have a 90-day period after Conditional Acceptance to "live test" the system. Live testing is the County's opportunity to verify that the system



complies with the functional requirements and any other written specifications delivered to the County by the Bidder during the course of the project.

- 3) If after the live testing the system performs in accordance with the system specifications (including the design document and functional requirements), the County will issue "Final Acceptance." The 90-day time frame for Final Acceptance shall be extended if problems are found in the live test. Specifically, the County expects to document the date the problem is found and the date it is certified as fixed. The acceptance period would pause when issues are reported and would restart on the date the problem is certified as fixed. The warranty period shall begin at the time of Final Acceptance.

E. Milestones

The County requires that all payments be based on successful completion of milestones. After the County's acceptance of the milestone, the Bidder will invoice for any applicable milestone payments. Milestone payment amount shall either be a fixed fee or hourly based on the amount of time spent on the milestone up to a not-to-exceed limit.

F. Additional Users and Modules

The County will require "price protection" for a minimum of two (2) years from the effective date of the agreement for additional County users and modules that are listed in the proposal but are not initially purchased.

G. Restrictions on Growth

The County requires that any proposed licenses or fees to access the software be adequate to allow the County to use the system unrestricted for all business purposes of the County. The County will not be subject to expansion fees, additional license purchases, or fees for additional users, increases in County employee count, budget size, population size, or data storage requirements for a period of 10 years from the effective date of the agreement.



VI. Evaluation Method

The County will review all proposals received as part of a documented evaluation process. For each decision point in the process, the County will evaluate Bidders according to specific criteria and will then elevate a certain number of Bidders to compete in the next level. Bidders not previously elevated may be elevated at a later date if the previously elevated Bidders lead to an unsuccessful outcome.

A. Criteria

The criteria that will be used to evaluate proposals may include, but are not limited to the following:

- 1) Submittal Compliance
- 2) Overall Understanding of the County's Needs
- 3) Cost
- 4) Functionality
- 5) Response to All Schedules in RFP
- 6) Implementation Methodology/Approach
- 7) Software Demonstrations/Implementation Interviews
- 8) Software and Implementation References
- 9) Compliance with Contract Terms and Conditions

The County reserves the right to determine the suitability of proposals on the basis of any or all of these criteria or other criteria not included in the above list.

B. Selection Committee

- 1) All proposals will be evaluated by a County Selection Committee (CSC). The CSC may be composed of County staff and other parties that may have expertise in the system needs of the Yuba County and experience in working with the County's time entry and payroll systems. The CSC will select a contractor in accordance with the evaluation criteria set forth in this RFP. The evaluation of the proposals shall be within the sole judgment and discretion of the CSC.
- 2) All contact during the evaluation phase shall be through the Administrative Services-Purchasing Division only. Bidders shall neither contact nor lobby evaluators during the evaluation process. Attempts by Bidder to contact and/or influence members of the CSC may result in disqualification of Bidder.
- 3) The CSC will evaluate each proposal meeting the qualification requirements set forth in this RFP. Bidders should bear in mind that any proposal that is unrealistic in terms of the technical or schedule commitments, or unrealistically high or low in cost, will be deemed reflective of an inherent lack of technical competence or

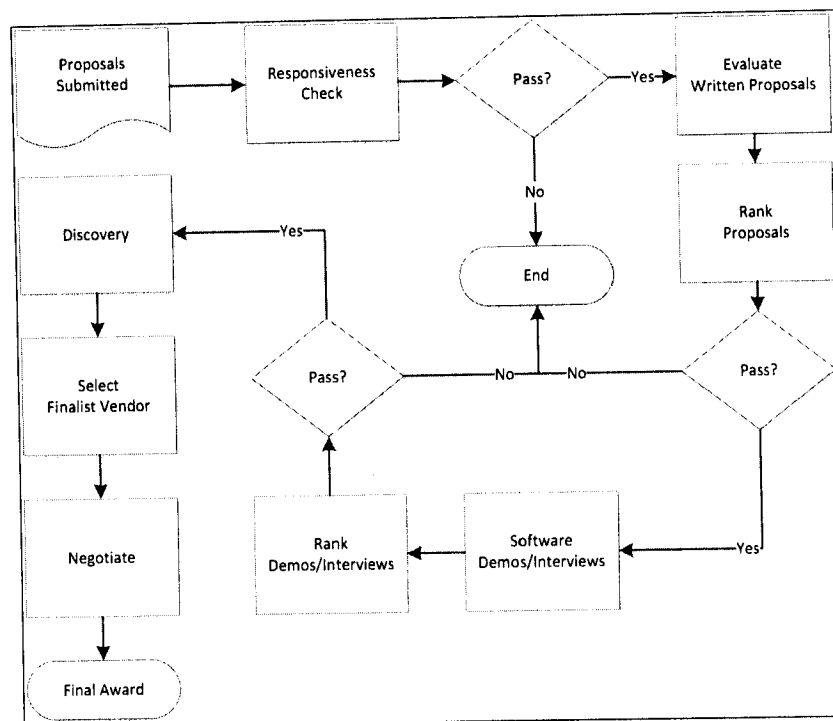


indicative of a failure to comprehend the complexity and risk of the County's requirements as set forth in this RFP.

C. Evaluation Process Summary

The County will follow the evaluation steps summarized below:

Figure 1
County Selection Process



D. Evaluation Steps:

- 1) **Proposal Opening:** Proposal submittals shall be received and publicly opened. Only the names of Respondents will be read at this time.
- 2) **Compliance:** A preliminary evaluation by the County shall determine whether each received proposal is complete and compliant with the all instructions and/or submittal requirements in the RFP. Any proposals that are incomplete or that do not comply with the instructions and/or submittal terms and conditions may be rejected and excluded from further consideration. Bidder proposals, which are compliant, are advanced to the written evaluation stage.
- 3) **Written Evaluation.** The County will evaluate Bidder's written proposals according to the criteria outlined in Section A.11 (Evaluation Criteria). The highest ranked Bidder proposals will advance to the Software Demonstration/Interview Stage.



Request for Proposals for Time Entry and Payroll Solution
County of Yuba, California

- 4) Software Demonstrations/Interviews. Bidders that are advanced to this stage will be required to provide on-site software demonstrations to County Evaluators. The County will also interview key Bidder staff to be assigned to the project. The demonstrations and interviews will be conducted in accordance to Section A.10.1. Bidder demonstrations and interviews will be evaluated by the County. Highest ranked Bidder proposals will advance to the Discovery stage. Only products that have been proposed may be demonstrated.
- 5) Discovery. Bidders advanced to this stage will be asked to make a second on-site presentation to discuss the details of the implementation strategy. The process will run in accordance with Section A.10.2.
- 6) Negotiations. Upon satisfactory completion of the Discovery process, the County will select a finalist Bidder to complete software and implementation negotiations. If third-party software is involved, the County may elect to negotiate with these Bidders first. The primary Bidder will be expected to assist with negotiations. The final contract award recommendation will be made to the County Board.
- 7) Contract Award. The County Board authorizes all County contracts. The contract for this RFP will be awarded upon signing by the County Board.

E. Notice of Award

- 1) At the conclusion of the RFP response evaluation process ("Evaluation Process"), all bidders will be notified in writing by e-mail or fax, and certified mail, of the contract award recommendation, if any, by County of Yuba Administrative Services. The document providing this notification is the Notice of Intent to Award.

The Notice of Intent to Award will provide the following information:

- The name of the bidder being recommended for contract award; and
 - The names of all other parties that submitted proposals.
- 2) The submitted proposals shall be made available upon request no later than five (5) business days before approval of the award and contract is scheduled to be heard by the Board of Supervisors.

F. Bid Protest / Appeals Process

Any actual or prospective bidder, offeror 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 to the Director of Administrative Services within five (5) working days after such aggrieved person or company knows or should have known of the facts giving rise thereto.



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

- 1) State the reason for the action taken.
- 2) Inform the protestant 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 Director of Administrative Services shall discuss with County Counsel all protests and appeals before issuing a written decision.

If so requested as set forth in Section III - P (b) above, the Clerk of the Board of Supervisors shall schedule the appeal for hearing by the Board of Supervisors at a regularly scheduled meeting within twenty (20) working days from the date of receipt of the appeal. The decision of the Board of Supervisors is final.



VII. Attachments

A. Submittal Checklist

Attachment 1

Submittal Checklist

Submittal Checklist		
Section	Item	Submitted
IV.A	Attachment 2 (Bidder Statement)	
IV.B	Attachment 3 (Scope of Proposal)	
IV.A	Attachment 4 (Company Background)	
IV.B	Attachment 5 (Reference Form)	
IV.C	Attachment 6 (Technical Specifications)	
IV.C	Attachment 7 (Maintenance and Support)	
IV.C	Attachment 8 (Functional Requirements)	
IV.D	Attachment 9 (Interfaces)	
IV.E	Attachment 10 (Conversions)	
IV.I	Attachment 11 (Cost)	
II.D	Attachment 12 (Deliverable Expectation Documents)	
IV.G	Attachment 13 (Exceptions, Clarifications, Amendments)	

**B. Bidders Statement****Attachment 2****Time Entry and Payroll Solution
BIDDERS STATEMENT**

By submitting a bid, the bidder acknowledges that he/she has acquainted themselves with the terms, scope, and requirements of the project based on the information contained in this RFP and any addendums. Any failure by the bidder to acquaint him or herself with available information will not relieve them from the responsibility of estimating properly the difficulty or cost of successfully performing the work. The County is not responsible for any conclusions or interpretations made by the bidder on the basis of the information made available by the County.

The following addendums have been acknowledged and are included in our proposal. RFPs that do not acknowledge addendums may be rejected.

Addendum Number	Initials

COMPLETE LEGAL NAME OF COMPANY

BUSINESS ADDRESS, CITY, STATE, ZIP

PRINTED NAME OF AUTHORIZED AGENT (TITLE)

SIGNATURE OF AUTHORIZED AGENT

FEDERAL IDENTIFICATION NUMBER

DUNS NUMBER

PHONE NUMBER

DATE

THIS FORM TO BE COMPLETED BY CONTRACTOR AND INCLUDED IN THE BID.



Request for Proposals for Time Entry and Payroll Solution
County of Yuba, California

C. Scope of Proposal

Attachment 3

Scope of Proposal

Identify the scope of the proposal and if the proposal contains software and services.

Software and Implementation Services:

Primary Software Product

Proposed Product

Version

Primary Implementation Firm

Third Party Products/Services

☐ Yes ☐ No

Firm

Purpose

Firm

Purpose

Firm

Purpose

Firm

Purpose

Firm

Purpose

Name of Firm Submitting Proposal

Authorized Signature

**D. Company Background****Attachment 4
Company Background**

Complete one form for each firm included in the proposal.

Company Background	
Company Name:	
Location of corporate headquarters:	
Vendor Experience	
# of years in business:	
# of years providing systems/services to public sector:	
Customer Base:	
# of clients using proposed software/services	
Last five most recent contracts	
Market Focus:	
Identify other industries that your solution serves	
User Group:	
Identify national and regional user groups	
If not Primary Vendor	
# of past projects partnering with primary Vendor	
Official Partnership status/certification (if applicable)	
About the Company	
Number of Total Employees:	
Number of Employees Providing Implementation Services (if applicable)	
Number of Employees Supporting Product (Maintenance and Support) (if applicable)	
Number of Employees Dedicated to Product Development (if applicable)	



Request for Proposals for Time Entry and Payroll Solution
County of Yuba, California

E. References

Attachment 5
References

Please provide at least five (5) references for past projects that include products and services similar in scope for a public agency that has implemented in the past five years to those proposed for this RFP. Please use the following format in submitting references. NOTE: References should be submitted for each company proposed to work on this project.

GENERAL BACKGROUND

Name of Client: _____
Project Manager/Contact: _____ Title: _____
Phone: _____ E-mail: _____
Software Program/Version: _____
Summary of Project: _____

Number of Employees: _____ Size of Operating Budget: _____

PROJECT SCOPE

Please indicate (by checking box) functionality installed:

☐ Time Entry ☐ Payroll ☐ Human Resources

TECHNOLOGY INFORMATION

Server Platform: _____ Database Platform: _____ Desktop Platform: _____

IMPLEMENTATION INFORMATION

Project Duration: _____
Initial Go-Live: _____
Describe Role on Project: _____



F. Technical Specifications

Attachment 6 Technical Specifications

Technical Specifications	
Infrastructure	
Optimal and minimum network requirements	
Optimal and minimum database requirements	
Optimal and minimum application server requirements	
Optimal and minimum database server requirements	
Optimal and minimum desktop (client) requirements	
Browser requirements	
If client software is required to be installed on the desktop, describe the application	
Reporting	
Does the software come with a report writer? (Which one)	
Does the report writer utilize a separate database?	
Security	
What security tools are provided in software?	
Does system support Active Directory?	
System Administration	
Provide a list of all system administrator tools and their functions	



Request for Proposals for Time Entry and Payroll Solution
County of Yuba, California

Provide benchmark statistics for proposed application. Benchmarks should be based on Microsoft Windows Servers and Microsoft Windows desktops	
How often are major upgrades released? How often are patches and fixes released?	

**G. Maintenance and Support****Attachment 7
Maintenance and Support**

Proposed Maintenance and Support	
Post-implementation Support:	
Days of on-site support after go-live	
Other on-site support after go-live (number of payrolls, payroll tax processing, etc.)	
Telephone Support:	
Hours available (and time zone)	
Problem Reporting and Resolution Procedures	
Response time for various levels of severity	
Third Parties:	
Support provided for third party products?	
Upgrades/Patches:	
How are upgrades delivered?	
How many versions are currently supported?	



Request for Proposals for Time Entry and Payroll Solution
County of Yuba, California

H. Functional Requirements

See Spreadsheet (ATT_8_REQUIREMENTS)



I. Interfaces

See Spreadsheet (ATT_9_Interfaces.xls)



Request for Proposals for Time Entry and Payroll Solution
County of Yuba, California

J. Conversions

See Spreadsheet (ATT_10_Conversions)



K. Conversions

See Spreadsheet (ATT_11_COST)



Request for Proposals for Time Entry and Payroll Solution
County of Yuba, California

L. Deliverable Expectation Documents

Attachment 12
Deliverable Expectation Document

DED Number:	Deliverable Name:	Phase:
Description/Objective:		
Scope:		
Format:		
Outline:		
Assumptions:		
Other Comments:		



M. Exceptions, Clarifications, Amendments

Attachment 13

Exceptions, Clarifications, Amendments

Item No.	Reference To:		Description
	Page No.	Paragraph No.	



Request for Proposals for Time Entry and Payroll Solution
County of Yuba, California

N. Sample County Agreement

The Standard Services Agreement template may be found online at:

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

The attached agreement contains standard County terms and conditions. Final contract terms and conditions will be negotiated with the awarded vendor.



O. County Confidentiality Agreement

All Contractors are required to sign the attached Confidentiality Agreement prior to commencing work.



Request for Proposals for Time Entry and Payroll Solution
County of Yuba, California

P. Process Maps

The County of Yuba

HUMAN RESOURCES and ORGANIZATIONAL SERVICES

JILL ABEL, DIRECTOR



195-0516

(195-0516) Ordin... - 1 of 12

915 8th 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: May 10, 2016
SUBJECT: Adopt ordinance to amend CalPERS contract

A handwritten signature in black ink, appearing to read "Jill Abel", is written over the "FROM:" line of the header.

RECOMMENDATION

Approve the attached ordinance adopting an amendment to the existing contract between the County of Yuba and the California Public Employees' Retirement System (CalPERS) Board of Administration to include Section 20516 (cost sharing provision) for all miscellaneous members in YCEA and Non-Represented groups, as well as miscellaneous classic members of the DDAA group, and authorize the Clerk of the Board of Supervisors to complete the required Certification of Final Action of Governing Body.

DISCUSSION

In September of 2014, your Board approved the negotiated contract between the County of Yuba (County) and the Yuba County Employees' Association (YCEA), and in October of 2014, your Board approved the policy between the County and miscellaneous Non-Represented groups which included the provision for employees to share in the employer cost of ongoing retirement contributions. YCEA and Non-Represented employees agreed to begin paying a portion of the employer's share of pension cost effective July 1, 2015, and annually thereafter. 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.

The attached ordinance is the final requirement for CalPERS to process the contract amendment and it allows the County to implement the negotiated cost sharing benefit.

COMMITTEE

None – Administrative only

FISCAL IMPACT

This action is administrative only.

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ORDINANCE NO. _____

**TITLE 3: PERSONNEL – AMENDING CHAPTER 3.40.010 AND ADDING CHAPTER
3.04.043: AN ORDINANCE ADOPTING AN AMENDMENT TO THE EXISTING CONTRACT
BETWEEN THE COUNTY OF YUBA AND THE CALIFORNIA PUBLIC EMPLOYEES’
RETIREMENT SYSTEM BOARD OF ADMINISTRATION**

The following ordinance consisting of five (5) 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 the _____ day of _____, 2016 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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

ATTEST: DONNA STOTTLEMEYER
Clerk of the Board of Supervisors

By: _____

APPROVED AS TO FORM
ANGIL MORRIS-JONES, County Counsel:

By:  _____

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

Section 1. This ordinance shall take effect immediately upon passage, pursuant to Government Code Section 25123 and before the expiration of fifteen (15) days after its passage a summary shall be published, with the names of the members voting for and against the same, once in a local newspaper of general circulation in the County of Yuba, State of California and thenceforth and thereafter the same shall be in full force and effect.

Section 2. That an amendment to the contract between the Board of Supervisors of the County of Yuba and the Board of Administration, California Public Employees' Retirement System is hereby authorized, a copy of said amendment being attached hereto, marked Exhibit, and by such reference made a part hereof as though herein set out in full.

Section 3. The Chairman of the Yuba County Board of Supervisors is hereby authorized, empowered, and directed to execute said amendment for and on behalf of the County of Yuba.

Section 4. Title III, Chapter 3.40 of the Yuba County Ordinance Code as it relates to the contract between the Board of Administration, California Public Employees' Retirement System and the County of Yuba is hereby amended to include section 3.40.010 as follows: "14. July 1, 2016 – §20516 – Employees sharing an additional cost of .37% for local miscellaneous members in the Yuba County Employees' Association (YCEA) and Non-Represented groups, and Employees sharing an additional cost of 1% for miscellaneous classic members in the Deputy District Attorney Association (DDAA) group"; and section 3.40.043 as follows: "Approval of Additional Amendment. Pursuant to Government Code §20460 et seq.,

the Board of Supervisors hereby approves an additional Amendment to Contract in the form presented to it on May 10, 2016, and on file with the Clerk of the Board of Supervisors to include Section 20516 (Employees Sharing Additional Cost) of .37% for local miscellaneous members in the Yuba County Employees' Association (YCEA) and Non-Represented groups, and an additional cost of 1% for miscellaneous classic members in the Deputy District Attorney Association (DDAA) group."

Section 5. 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.




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



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.

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.

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).

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.

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 _____
PRESIDENTIAL OFFICER

Witness Date _____

Attest:

Clerk _____

CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

Employer Account Management Division
Retirement and Social Security Contracts Unit
P.O. Box 942709
Sacramento, CA 94229-2709
(888) CalPERS (225-7377)

(195-0516) Ordin... - 12 of 12

CERTIFICATION OF GOVERNING BODY'S ACTION

I hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the

_____ of the
(governing body)

(public agency)

on _____.
(date)

Clerk/Secretary

Title

196-0576

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON D.C. 20426
April 7, 2016

OFFICE OF ENERGY PROJECTS

Project No. 2997-031—California
Camp Far West Hydroelectric Project
South Sutter Water District

Dennis Ramirez, Chair
Mechoopda Indian Tribe of Chico Ranch
125 Mission Ranch Road
Chico, CA 95926

Reference: Project Consultation with the Mechoopda Indian Tribe of Chico Ranch

Dear Mr. Ramirez:

The Federal Energy Regulatory Commission (FERC or Commission) invites your participation in the relicensing process for the Camp Far West Hydroelectric Project (Camp Far West). The project is located on the Bear River in Yuba, Nevada, and Placer Counties, California. South Sutter Water District (SSWD) owns and operates the project under a license issued by the Commission and has requested to use the Commission's Traditional Licensing Process to relicense the project. SSWD's current license for the Camp Far West Project expires June 30, 2021, and an application for a new license must be filed by June 30, 2019.

SSWD proposes no changes to existing project operations, facilities, or features, with one exception. SSWD proposes to modify its existing FERC project boundary to remove lands surrounding the 1.92-mile-long, 60-kilovolt primary transmission line for the project. The transmission line, which is owned and maintained by Pacific Gas and Electric Company (PG&E), was originally included as a project facility in the Camp Far West Project license, issued July 2, 1981. However, upon the request of SSWD and PG&E, on April 19, 1991, the Commission issued orders removing the transmission line from the Camp Far West Project license authorizing it under a separate transmission line-only license issued to PG&E for the Camp Far West Transmission Line Project No. 10821. SSWD did not amend the Camp Far West Project boundary at that time and now proposes to do so as part of the project's relicensing process.

To ensure that issues of concern to you are being addressed in the current pre-filing phase of the process, it may be appropriate for Commission staff to meet with you at this time. Any such meeting can be limited to members of our respective staff, or it

can include other tribes,¹ SSWD, or any other stakeholder(s) you wish.

Please note that once a license application is filed with the Commission, our rules generally prohibit off-the-record communications between Commission employees and those outside of the Commission, where such communications are relevant to the merits of a contested on-the-record proceeding.²

If at all possible, we would appreciate your response by May 9, 2016. The Commission strongly encourages electronic filing. Please file your response using the Commission's eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov, (866) 208-3676 (toll free), or (202) 502-8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street N.E., Washington, D.C. 20426. The first page of any filing should include docket number P-2997-031.

If you have any questions or comments, please contact Quinn Emmering at (202) 502-6382 or quinn.emmering@ferc.gov. Commission staff will contact you offline shortly to follow-up on this letter.

Sincerely,

Timothy Konnert, Chief
West Branch
Division of Hydropower Licensing

cc: Licensee
Mailing List
Public Files

¹ Commission staff is also inviting the United Auburn Indian Community, the Washoe Tribe of Nevada and California, the Greenville Ranch Tribe of Maidu Indian Shingle Springs Rancheria, Enterprise Rancheria, and Mooretown Rancheria to participate in the relicensing process.

² 18 C.F.R. § 385.2201.

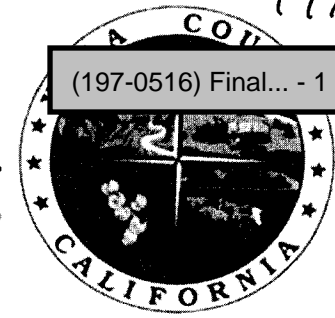
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The County of Yuba

Auditor-Controller

Richard Eberle, CPA
Yuba County Government Center
915 8th Street, Suite 105
Marysville, CA 95901

Phone (530) 749-7810
Fax (530) 749-7814
Email reberle@co.yuba.ca.us



(197-0516) Final... - 1 of 26

RECEIVED

Clerk/Board of Supervisors

April 21, 2016

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

Honorable Members:

An Independent Audit of the financial records for the following agency has been completed for the year(s) specified:

DISTRICT 10 HALLWOOD COMMUNITY SERVICES DISTRICT
DISTRICT 10 HALLWOOD COMMUNITY SERVICES DISTRICT

JUNE 30, 2013
JUNE 30, 2014

Yours truly,

C. Richard Eberle
Auditor-Controller

CRE/kmd
Filed Copy

**DISTRICT 10 HALLWOOD
COMMUNITY SERVICES DISTRICT
FINANCIAL STATEMENTS
JUNE 30, 2014 AND 2013**

**DISTRICT 10 HALLWOOD COMMUNITY SERVICES DISTRICT
JUNE 30, 2014 AND 2013
TABLE OF CONTENTS**

<u>Independent Auditor’s Opinion</u>	1
<u>Management’s Discussion and Analysis</u>	3
<u>Financial Statements</u>	
<u>June 30, 2014</u>	
Governmental Funds Balance Sheet/Statement of Net Position.....	6
Statement of Revenues, Expenditures and Changes in Fund Balances/Statement of Activities	7
<u>June 30, 2013</u>	
Governmental Funds Balance Sheet/Statement of Net Position.....	8
Statement of Revenues, Expenditures and Changes in Fund Balances/Statement of Activities	9
Notes to Financial Statements.....	10
<u>Required Supplementary Information</u>	
Budget to Actual Comparisons	17-18
<u>Communication of Significant Deficiencies and Material Weaknesses</u>	19
<u>Letter to Management</u>	21

P.O. Box 160
Lincoln, CA 95648
Office (916) 434-1662
Fax (916) 434-1090

INDEPENDENT AUDITOR'S REPORT

To the Members of the Board of Directors
District 10 Hallwood Community Services District
3511 Kibbe Road
Marysville, CA 95901

We have audited the accompanying financial statements of the governmental activities and each major fund of District 10 Hallwood Community Services District (the District) as of and for the years ended June 30, 2014 and 2013, and the related notes to the financial statements, which collectively comprise the District's basic financial statements as listed in the table of contents.

Management's Responsibility for the 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.

Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we 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 entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we 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.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

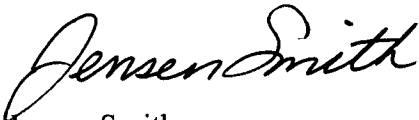
Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and each major fund of the District 10 Hallwood Community Services District, as of June 30, 2014 and 2013, and the respective changes in financial position thereof for the years then ended in accordance with accounting principles generally accepted in the United States of America and with the California State Controller's Minimum Audit Requirements and Reporting Guidelines for Special Districts.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and budgetary comparison information on pages 3 through 5 and 17 and 18 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. We 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 our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.



Jensen Smith
Certified Public Accountants, Inc.
Lincoln, California
January 15, 2016

**DISTRICT 10 HALLWOOD COMMUNITY SERVICES DISTRICT
MANAGEMENT'S DISCUSSION AND ANALYSIS
FOR THE YEARS ENDED JUNE 30, 2014 AND 2013**

(197-0516) Final... - 6 of 26

Our discussion and analysis of the District 10 Hallwood Community Services District's (hereafter referred to as the District) financial performance provides an overview of the District's financial activities for the fiscal years ended June 30, 2014 and 2013.

FINANCIAL HIGHLIGHTS

The financial statements included in this report provide insight into the financial status for the year.

Fund Financial Statements

- The District's assets exceeded its liabilities (fund balance) by \$634,623 at June 30, 2014, and \$616,682 at June 30, 2013. This is an increase of \$17,941 from June 30, 2013 to June 30, 2014, and an increase of \$13,921 from June 30, 2012 to June 30, 2013.

- The District's activities for 2013-2014 and 2012-2013 can be summarized as follows:

	2014	2013
Revenues	\$163,062	\$166,663
Expenditures	<u>145,121</u>	<u>\$152,742</u>
Surplus	<u>\$ 17,941</u>	<u>\$ 13,921</u>

For the year ended June 30, 2014, this is a decrease of \$3,601 in revenues and a decrease of \$7,621 in expenditures over the prior year. For the year ended June 30, 2013, this is a decrease of \$8,420 in revenues and an increase of \$38,649 in expenditures over the prior year.

- Resources available for appropriation, which includes the prior year's ending fund balance plus the current change in fund balances, for all governmental activities were \$634,623 at June 30, 2014 and \$616,682 at June 30, 2013.

Government-wide Financial Statements

- The District's assets exceeded its liabilities (net position) by \$711,073 at June 30, 2014, and \$659,508 at June 30, 2013. This is an increase of \$51,565 from June 30, 2013 to June 30, 2014, and an increase of \$56,747 from June 30, 2012 to June 30, 2013.

- The District's activities for 2013-2014 and 2012-2013 can be summarized as follows:

	2014	2013
Revenues	\$163,062	\$166,663
Expenses	<u>111,497</u>	<u>\$109,916</u>
Surplus	<u>\$ 51,565</u>	<u>\$ 56,747</u>

For the year ended June 30, 2014, this is a decrease of \$3,601 in revenues and an increase of \$1,581 in expenses over the prior year. For the year ended June 30, 2013, this is a decrease of \$8,420 in revenues and a decrease of \$4,177 in expenses over the prior year.

- Of the District's total net position of \$411,073 at June 30, 2014, \$307,949 was unrestricted, \$326,674 was restricted for capital improvements, and \$76,450 was invested in capital assets.

Of the District's total net position of \$659,908 at June 30, 2013, \$273,507 was unrestricted, \$343,175 was restricted for capital improvements, and \$42,826 was invested in capital assets.

Using this Annual Report - Overview of the Financial Statements

This report consists of two combined financial statements. The Governmental Funds Balance Sheet/Statement of Net Position and the Statement of Revenue, Expenditures and Changes in Fund Balance/Statement of Activities (Pages 6 and 7) illustrate how the governmental type activities were financed in the short term, as well as what remains for future spending. The columns of these statements titled Statement of Net Position, and Statement of Activities provide information about the financial activities of the District as a whole and a longer view of the District's finances.

Government-wide Financial Statements and Fund Financial Statements

The District has two governmental funds; its operating fund and its capital improvement fund. The government-wide financial statements and the fund financial statements have been combined because the District is only reporting on two governmental funds. The government-wide information is included in the columns Statement of Net Position and Statement of Activities, on pages 6 and 7, and is designed to provide readers with a broad overview of the District as a whole and about its activities for the current period. They include all assets and liabilities using the accrual basis of accounting, which is similar to the accounting methods used in the private sector. In this method, all of the current year's revenues and expenses are taken into account when earned or incurred rather than when cash is received or paid.

The funds financial statement information is included in the columns General Fund and Capital Improvement Fund. This information focuses on how money flows into and out of the funds and the balance left at period end that is available for spending. The funds are reported using an accounting method called modified accrual accounting, which measures cash and all other financial assets that can be readily converted to cash. The governmental fund information provides a detailed short-term view of the District's general government operations and the basic services it provides. Governmental fund information helps you determine whether there are more or fewer resources that can be spent in the near future.

At June 30, 2014 and 2013, the differences between the governmental activities (government-wide information) and governmental funds (fund information) consisted of fixed assets. Purchases of fixed assets are capitalized and reported as assets on the government-wide Statement of Net Position, but are reported as expenditures in the governmental funds Statement of Revenues, Expenditures, and Changes in Fund Balances.

The District's Funds - Governmental Funds

The focus of the District's governmental funds is to provide information on near-term inflows, outflows, and balances of spendable resources. Such information is useful in assessing the District's financing requirements. In particular, the unassigned fund balance may serve as a useful measure of a government's net resources available for spending at the end of the fiscal year. As the District completed the years ended June 30, 2014 and 2013, its governmental funds reported a combined ending fund balance of \$634,623 and \$616,682, respectively.

The General Fund is the chief operating fund of the District. At the end of the twelve-month periods ended June 30, 2014 and 2013, the unassigned balances of the General Fund were \$326,674 and \$273,507, respectively. These amounts constitute balances that are available for spending at the District's discretion. The Capital Improvement Fund is used to collect fire mitigation fees and funds to be used for capital improvements. Its committed fund balances at June 30, 2014 and 2013 were \$307,949 and \$343,175, respectively.

BUDGET

The District adopts a preliminary budget each year at its monthly board meeting in May per California Health and Safety Code Section 13890 for the General Fund. The final budget for the General Fund is adopted at the monthly meeting in July. For fiscal years 2013-2014 and 2012-2013, the preliminary budgets for expenditures were adopted at \$107,075 and \$106,875, respectively. No revisions were made during these years. Actual General Fund revenue for fiscal year 2013-2014 was \$160,080 and expenditures were \$106,497. Actual General Fund revenue for fiscal year 2012-2013 was \$158,665 and expenditures were \$104,745 (see pages 15 and 16 for the budget to actual comparisons).

DISTRICT FIXED ASSETS

At the end of the fiscal years 2013-2014 and 2012-2013, the District had one fixed asset which totaled \$76,450 and \$42,826, respectively. This total is listed in the category: Property and Buildings. On a per request basis, the District's Board of Directors hears requests for fire equipment for the City of Marysville Fire Department and votes for the approval, purchase, and final distribution to the City of Marysville Fire Department. During the years ended June 30, 2014 and 2013, the District expended \$105,000 in each year per the contract with the City of Marysville towards the purchase of fire equipment for the City.

CASH BALANCES

The District's funds are held on deposit with the County of Yuba. Interest generated by these funds is automatically deposited into the account. For the year ended June 30, 2014 and 2013, the District's general cash operating accounts showed an increase of \$17,076 and \$14,175, respectively, during the fiscal years. The total balance in these accounts at June 30, 2014 and 2013 was \$685,716 and \$668,640, respectively.

ECONOMIC FACTORS AND NEXT YEARS BUDGET

The District expects no significant changes in economic factors that would affect revenue in the upcoming year. Property tax revenues are historically estimated to increase 2-3% per year.

CONTACTING THE DISTRICT'S FINANCIAL MANAGEMENT

This financial report is designed to provide our citizens, taxpayers, customers and creditors with a general overview of the District's finances and to show the District's accountability for the money it receives. Any questions about this report or requests for additional information may be directed to the District Secretary at 3511 Kibbe Road, Marysville, CA 95901.

(197-0516) Final... - 9 of 26

DISTRICT 10 HALLWOOD COMMUNITY SERVICES DISTRICT
GOVERNMENTAL FUNDS BALANCE SHEET/STATEMENT OF NET POSITION
JUNE 30, 2014

GOVERNMENTAL FUND TYPES

	<u>General Fund</u>	<u>Capital Improvement Fund</u>	<u>Total</u>	<u>Adjustments</u>	<u>Statement of Net Position</u>
<u>Assets</u>					
Assets:					
Cash in County Investment Pool	\$ 378,418	\$ 307,298	\$ 685,716	\$ -	\$ 685,716
Interest Receivable	756	651	1,407	-	1,407
Fixed Assets, Net of Accumulated Depreciation	-	-	-	76,450	76,450
Total Assets	<u>\$ 379,174</u>	<u>\$ 307,949</u>	<u>\$ 687,123</u>	<u>-</u>	<u>763,573</u>
<u>Liabilities & Fund Balances</u>					
Liabilities:					
Accounts Payable	\$ 52,500	\$ -	\$ 52,500	-	52,500
Total Liabilities	<u>52,500</u>	<u>-</u>	<u>52,500</u>	<u>-</u>	<u>52,500</u>
Fund Balances:					
Committed	-	307,949	307,949	(307,949)	-
Unassigned	326,674	-	326,674	(326,674)	-
Total Fund Balances	<u>326,674</u>	<u>307,949</u>	<u>634,623</u>	<u>(634,623)</u>	<u>-</u>
Total Liabilities & Fund Balances	<u>\$ 379,174</u>	<u>\$ 307,949</u>	<u>\$ 687,123</u>		
Net Position:					
Invested in Fixed Assets				76,450	76,450
Restricted				326,674	326,674
Unrestricted				307,949	307,949
Total Net Position				<u>\$ 711,073</u>	<u>\$ 711,073</u>

See accompanying notes

DISTRICT 10 HALLWOOD COMMUNITY SERVICES DISTRICT
STATEMENT OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCES/ STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED JUNE 30, 2014

(197-0516) Final... - 10 of 26

	General Fund	Capital Improvement Fund	Total	Adjustments	Statement of Activities
Revenues:					
Current Secured Property Taxes	\$ 8,089	\$ -	\$ 8,089	\$ -	\$ 8,089
Current Unsecured Property Taxes	392	-	392	-	\$ 392
Property Taxes Prior Unsecured	6	-	6	-	6
Current Supplemental	69	-	69	-	69
Direct Assessments	146,554	-	146,554	-	146,554
Direct Assessments - Prior Years	2,206	-	2,206	-	2,206
Homeowners Property Tax Reduction	152	-	152	-	152
Fire Mitigation	-	1,998	1,998	-	1,998
Interest	2,612	1,775	4,387	-	4,387
Unrealized Gains (Losses)	(416)	(375)	(791)	-	(791)
Total Revenues	<u>159,664</u>	<u>3,398</u>	<u>163,062</u>	<u>-</u>	<u>163,062</u>
Expenditures:					
Current General Governmental:					
City of Marysville					
Contract Payments	100,000	-	100,000	-	100,000
Reimbursable Equipment	-	5,000	5,000	-	5,000
Secretary and Bookkeeper	2,200	-	2,200	-	2,200
County Services	10	-	10	-	10
Election Costs	500	-	500	-	500
Insurance	2,287	-	2,287	-	2,287
Prof Services - Audit	1,500	-	1,500	-	1,500
Capital Outlay	-	33,624	33,624	(33,624)	-
Total Expenditures	<u>106,497</u>	<u>38,624</u>	<u>145,121</u>	<u>(33,624)</u>	<u>111,497</u>
Excess of Revenues over Expenditures	53,167	(35,226)	17,941	(17,941)	-
Change in Net Position					51,565
Fund Balances/Net Position:					
Beginning of the year	273,507	343,175	616,682	-	659,508
End of the year	<u>\$ 326,674</u>	<u>\$ 307,949</u>	<u>\$ 634,623</u>	<u>\$ -</u>	<u>\$ 711,073</u>

(197-0516) Final... - 11 of 26

DISTRICT 10 HALLWOOD COMMUNITY SERVICES DISTRICT
GOVERNMENTAL FUNDS BALANCE SHEET/STATEMENT OF NET POSITION
JUNE 30, 2013

GOVERNMENTAL FUND TYPES

	<u>General Fund</u>	<u>Capital Improvement Fund</u>	<u>Total</u>	<u>Adjustments</u>	<u>Statement of Net Position</u>
<u>Assets</u>					
Assets:					
Cash in County Investment Pool	\$ 325,517	\$ 343,123	\$ 668,640	\$ -	\$ 668,640
Interest Receivable	661	777	1,438	-	1,438
Fixed Assets, Net of Accumulated Depreciation	-	-	-	42,826	42,826
Total Assets	<u>\$ 326,178</u>	<u>\$ 343,900</u>	<u>\$ 670,078</u>	<u>-</u>	<u>712,904</u>
<u>Liabilities & Fund Balances</u>					
Liabilities:					
Accounts Payable	\$ 52,671	\$ 725	\$ 53,396	-	53,396
Total Liabilities	<u>52,671</u>	<u>725</u>	<u>53,396</u>	<u>-</u>	<u>53,396</u>
Fund Balances:					
Committed	-	343,175	343,175	(343,175)	-
Unassigned	<u>273,507</u>	<u>-</u>	<u>273,507</u>	<u>(273,507)</u>	<u>-</u>
Total Fund Balances	<u>273,507</u>	<u>343,175</u>	<u>616,682</u>	<u>(616,682)</u>	<u>-</u>
Total Liabilities & Fund Balances	<u>\$ 326,178</u>	<u>\$ 343,900</u>	<u>\$ 670,078</u>		
Net Position:					
Invested in Fixed Assets				42,826	42,826
Restricted				343,175	343,175
Unrestricted				<u>273,507</u>	<u>273,507</u>
Total Net Position				<u>\$ 659,508</u>	<u>\$ 659,508</u>

See accompanying notes

DISTRICT 10 HALLWOOD COMMUNITY SERVICES DISTRICT
STATEMENT OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCES/ STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED JUNE 30, 2013

(197-0516) Final... - 12 of 26

	General Fund	Capital Improvement Fund	Total	Adjustments	Statement of Activities
Revenues:					
Current Secured Property Taxes	\$ 7,900	\$ -	\$ 7,900	\$ -	\$ 7,900
Current Unsecured Property Taxes	441	-	441	-	\$ 441
Property Taxes Prior Secured	750	-	750	-	750
Property Taxes Prior Unsecured	5	-	5	-	5
Direct Assessments	144,199	-	144,199	-	144,199
Direct Assessments - Prior Years	1,998	-	1,998	-	1,998
Homeowners Property Tax Reduction	158	-	158	-	158
Fire Mitigation	-	2,658	2,658	-	2,658
Interest	2,825	4,102	6,927	-	6,927
Unrealized Gains (Losses)	745	882	1,627	-	1,627
Total Revenues	159,021	7,642	166,663	-	166,663
Expenditures:					
Current General Governmental:					
City of Marysville					
Contract Payments	100,000	-	100,000	-	100,000
Reimbursable Equipment	-	5,000	5,000	-	5,000
Secretary and Bookkeeper	2,200	-	2,200	-	2,200
Supplies, Postage, etc.	377	-	377	-	377
County Services	138	-	138	-	138
Insurance	2,201	-	2,201	-	2,201
Prof Services - Audit	-	-	-	-	-
Capital Outlay	-	42,826	42,826	(42,826)	-
Total Expenditures	104,916	47,826	152,742	(42,826)	109,916
Excess of Revenues over Expenditures	54,105	(40,184)	13,921	(13,921)	-
Change in Net Position					56,747
Fund Balances/Net Position:					
Beginning of the year	220,902	383,359	604,261	-	604,261
Prior period adjustment	(1,500)	-	(1,500)	-	(1,500)
End of the year	\$ 273,507	\$ 343,175	\$ 616,682	\$ -	\$ 659,508

See accompanying notes

DISTRICT 10 HALLWOOD COMMUNITY SERVICES II
NOTES TO THE FINANCIAL STATEMENTS
JUNE 30, 2014 AND 2013

(197-0516) Final... - 13 of 26

NOTE 1 – NATURE OF THE ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Description of the Organization

The District 10 Hallwood Community Services (the District) is a special district organized by the residents of the District 10 and Hallwood areas to provide fire prevention and suppression, emergency rescue, and related services for the community.

The District's primary source of revenue is property taxes collected by Yuba County. The Yuba County Auditor-Controller's office acts as a fiduciary for the District's funds and disburses these funds at the direction of the District's Board of Directors. Yuba County also maintains the District's accounting records.

The District is administered by a Board of Directors that acts as the authoritative and legislative body of the entity. The Board is comprised of five board members. Board members do not receive compensation for services, travel, or attendance of board meetings.

Basis of Presentation and Accounting

Government-wide and Fund Financial Statements

The District has a single program and therefore combined the government-wide and fund financial statements. The government-wide financial statements information (i.e., the statement of net position and the statement of activities) reports information on the primary government (District) as a whole.

Measurement Focus, Basis of Accounting, and Financial Statement Presentation

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Grants and similar items are recognized as revenue as soon as all eligibility requirements by the provider have been met.

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose the District considers revenues to be available if they are collected within the sixty days after the end of the current fiscal year. Expenditures generally are recorded when a liability is incurred as under accrual accounting.

DISTRICT 10 HALLWOOD COMMUNITY SERVICES I
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2014

(197-0516) Final... - 14 of 26

NOTE 1 – NATURE OF THE ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continued

Fund Accounting

The District uses funds to maintain its financial records during the year. A fund is defined as a fiscal and accounting entity with a self-balancing set of accounts. At June 30, 2014 and 2013, the District had two governmental funds; the general fund and the capital improvement fund.

The General Fund is used to account for all the other operations of the District.

The Capital Improvement Fund is used to collect fire mitigation fees and for the purchase of equipment to be used by the City of Marysville.

Governmental Funds

Governmental funds are those through which most governmental functions typically are transacted. Governmental funds reporting focuses on the sources, uses and balances of current financial resources. Expendable assets are assigned to the various governmental funds according to the purpose for which they may or must be used. Current liabilities are assigned to the fund from which they will be paid. The difference between governmental fund assets and liabilities is reported as fund balance.

Fund Balances

The Government Accounting Standards Board (GASB) has issued Statement No. 54 *Fund Balance Reporting and Governmental Fund Type Definitions* (GASB 54) This Statement defines the different types of fund balances that a governmental entity must use for financial reporting purposes.

GASB 54 requires the fund balance amounts to be properly reported within one of the fund balance categories as noted below.

- **Nonspendable –**

This category includes elements of the fund balance that cannot be spent because of their form, or because they must be maintained intact. For example

- Assets that will never convert to cash, such as prepaid items and inventories of supplies;
- Assets that will not convert to cash soon enough to affect the current period, such as non-financial assets held for resale; or
- Resources that must be held intact pursuant to legal or contractual requirements, such as revolving loan fund capital or the principal of an endowment.

DISTRICT 10 HALLWOOD COMMUNITY SERVICES
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2014

(197-0516) Final... - 15 of 26

NOTE 1 – NATURE OF THE ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continued

Fund Balances - continued

- **Restricted –**

This category includes resources that are subject to constraints that are externally enforceable legal restrictions. Examples include:

- Funding from the state, federal entities, or foundations that are legally restricted to specific uses. For example, funds advanced by a federal entity under specific agreements for services, or matching funds for specific initiatives.
- Funds legally restricted by county, state, or federal legislature, or a government's charter or constitution.
- Amounts collected from non-spendable items, such as the long term portion of loan outstanding, if those amounts are also subject to legal constraints.
- Funding that has been designated for legally enforceable contracts but not yet spent.

- **Committed –**

Two criteria determine the District's fund balance:

1. Use of funds is constrained by limits imposed by the government's highest level of decision making. The highest level of decision making for the District would be the Board of Directors.
2. Removal or modification of use of funds can be accomplished only by formal action of the authority (i.e., Board of Directors) that established the constraints.

Both commitments and modifications or removal must occur prior to the end of reporting period; that is, the fiscal year being reported upon.

- **Assigned –**

The assigned portion of the fund balance reflects the Districts' intended use of resources, which is established either by the Board of Directors, a body created by the Board, such as a finance committee, or an official designated by the Board. The "assigned" component is similar to the "committed" component, with two essential differences, shown in the following table:

Key Differences Between Committed and Assigned Fund Balance		
	Committed	Assigned
A decision to use funds for a specific purpose requires action of the Board of Directors	Yes	No
Formal action of the Board of Directors is necessary to impose, remove or modify this constraint and formal action has taken place before end of reporting period	Yes	No

DISTRICT 10 HALLWOOD COMMUNITY SERVICES
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2014

(197-0516) Final... - 16 of 26

NOTE 1 – NATURE OF THE ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continued

Fund Balances - continued

- **Assigned – continued**

Another key difference is that the purpose of the assignment must be narrower than the fund itself. Resources that fit into this category include:

- Appropriation of a portion of existing fund balance sufficient to eliminate a projected deficit in the subsequent year's budget.
- Resources assigned to a specific program or project or organization for which the District has approved a plan or budget
- Resources approved by the District for a long range financial plan where formal approval is not required to modify the amount.

- **Unassigned –**

This category includes the fund balance that cannot be classified into any of the other categories.

If situations arise where there is a possibility of assigning an expense into more than one category, the restricted amount will be reduced first, followed by committed, assigned, and then unassigned amounts.

Net Position

In the government-wide financial statements, net position is classified in the following categories:

Invested in Capital Assets, Net of Related Debt: This category records capital assets net of accumulated depreciation and reduced by any outstanding balances of bonds, mortgages, notes or other borrowing attributable to the acquisition, construction or improvement of capital assets.

Restricted Net Position: This category represents the net position of the District which is restricted by external sources such as banks or by law. When assets are required to be retained in perpetuity, this non-expendable net position is recorded separately from expendable net position.

Unrestricted Net Position: This category represents the net position of the District which is not restricted for any project or other purpose.

If situations arise where there is a possibility of assigning an expense into more than one category, the restricted amount will be reduced first, followed by unrestricted amounts.

DISTRICT 10 HALLWOOD COMMUNITY SERVICES I
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2014

(197-0516) Final... - 17 of 26

NOTE 1 – NATURE OF THE ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continued

Budget

The Board provides for a budget for the General Fund expenses for the fiscal year in accordance with Chapter 7 of the Fire Protection District Law of 1987 as contained in the Health & Safety Code Sections 13890 and 13895, inclusive. The Board prepares a preliminary budget in May and adopts a final budget in July. Supplemental appropriations are adopted throughout the year as necessary.

Estimates

The preparation of 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 disclosure of contingent assets and liabilities at the date of the financial statements and the reported amount of revenues and expenses during the reporting period. Actual results could differ from those estimates.

Fixed Assets

Capital assets are capitalized at acquisition cost. Improvements are capitalized; the cost of normal maintenance and repairs that do not add to the value of the asset or materially extend the asset's life are not. Depreciation for the government-wide financial statements is calculated using the straight-line method over the estimated life of the asset.

All fire protection services are met by a contract between the District and the City of Marysville. The District receives requests for fire equipment from the City of Marysville Fire Department, which the Board of Directors votes on as to whether or not to fulfill the request. The District then purchases equipment, and donates the equipment to the City of Marysville Fire Department. During the years ended June 30, 2014 and 2013, the District expended \$105,000 in each year, in accordance with a contract with the City of Marysville to be used towards the purchase of fire equipment for the City. Of these amounts, \$52,500 was payable to the City of Marysville as of June 30, 2014 and 2013, respectively.

Cash

All cash at June 30, 2014 and 2013 is pooled for investment purposes and held by Yuba County. Interest is apportioned to the District based on the average daily balance on deposit with the County of Yuba.

DISTRICT 10 HALLWOOD COMMUNITY SERVICES
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2014

(197-0516) Final... - 18 of 26

NOTE 2 – SPECIAL TAX COLLECTIONS

Taxes are levied on November 1 of the fiscal year and can be paid in two equal installments. The first and second installments are due November 1 and February 1, respectively, and are considered delinquent if not paid before the close of business on December 10 and April 10, respectfully. After June 30, delinquent taxes are in tax default and a property lien attaches to the secured property the following fiscal year on March 1. Tax default property can be sold after five years.

NOTE 3 – CREDIT RISK, CARRYING VALUE, AND MARKET VALUE OF INVESTMENTS

All cash at June 30, 2014 is pooled for investment purposes and held by Yuba County. Interest is apportioned to the Commission based on the average daily balances on deposit with the County of Yuba. The Yuba County Treasury is an external investment pool for the District and the District is considered an involuntary participant. The investments made by the Treasurer are regulated by the California Government Code and by the County's investment policy. Investments are monitored by the Treasury Oversight Committee established by the County. The District adopted Governmental Accounting Standards Board (GASB) Statement No. 31 "Accounting for Financial Reporting and Certain Investments and for External Investment Pools" during 1998. This statement requires investments be carried at fair value if the difference between carrying value and fair value is material. Fair value is based on quoted market prices.

The District does not own any specific identifiable investments in the pool. The carrying amount and fair value of investments as of June 30, 2014 and 2013 are as follows:

Pooled Investments, 2014:	Carrying Amount	Fair Value	Difference
Yuba County	\$683,653	\$684,268	\$ 615
Pooled Investments, 2013:	Carrying Amount	Fair Value	Difference
Yuba County	\$665,787	\$662,934	\$ 2,835

NOTE 4 – PRIOR PERIOD ADJUSTMENT

A prior period adjustment was recorded as of June 30, 2013 to properly state the beginning balance of net position. In the fiscal year ended June 30, 2013, professional services were overstated by \$1,500, due to the inclusion of a payment made for a service received in the fiscal year ended June 30, 2012.

The total effect on net position as of June 30, 2012 is as follows:

DISTRICT 10 HALLWOOD COMMUNITY SERVICES
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2014

(197-0516) Final... - 19 of 26

NOTE 4 – PRIOR PERIOD ADJUSTMENT - continued

	Net Position
As Reported	\$ 604,261
Prior Period Adjustment	(1,500)
As Corrected	<u>\$ 602,761</u>

NOTE 5 – SUBSEQUENT EVENTS

Events subsequent to June 30, 2014 and 2013 have been evaluated through January 15, 2016, the date at which the District's audited financial statements were available to be issued. No events requiring disclosure have occurred through this date.

REQUIRED SUPPLEMENTARY INFORMATION

DISTRICT 10 HALLWOOD COMMUNITY SERVICES DIST
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
BUDGET TO ACTUAL (NON-GAAP BUDGETARY BASIS)
GENERAL FUND
JUNE 30, 2014

(197-0516) Final... - 21 of 26

	Original and Final Budget	Actual	Variance (Unfavorable)
Revenues			
Current Secured Property Taxes	\$ 8,089	\$ 8,089	\$ -
Current Unsecured Property Taxes	392	392	-
Property Taxes Prior Unsecured	6	6	-
Current Supplemental	69	69	-
Direct Assessments	146,554	146,554	-
Direct Assessments - Prior Years	2,206	2,206	-
Homeowners Property Tax Reduction	152	152	-
Interest	2,612	2,612	-
Total Revenues	<u>160,080</u>	<u>160,080</u>	<u>-</u>
Expenditures			
Secretary and Bookkeeper	2,200	2,200	-
Supplies, Postage, etc.	275	-	275
County Services	-	10	(10)
Election Costs	-	500	(500)
Professional Services	1,900	1,500	400
Insurance	2,500	2,287	213
Miscellaneous	200	-	200
Fire Protection Costs:			
Contract with City of Marysville	<u>100,000</u>	<u>100,000</u>	<u>-</u>
Total Expenditures	<u>107,075</u>	<u>106,497</u>	<u>578</u>
Excess of Revenues Over (Under) Expenditures	<u>\$ 53,005</u>	<u>\$ 53,583</u>	<u>\$ 578</u>
	Budget Basis	\$ 53,583	
	Change in Revenue Accruals		
	Change in Expenditure Accruals	-	
	Unrealized Gains	(416)	
	GAAP Basis	<u>\$ 53,167</u>	

See notes to the financial statements.

DISTRICT 10 HALLWOOD COMMUNITY SERVICES DIST
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
BUDGET TO ACTUAL (NON-GAAP BUDGETARY BASIS)
GENERAL FUND
JUNE 30, 2013

(197-0516) Final... - 22 of 26

	Original and Final Budget	Actual	Variance (Unfavorable)
Revenues			
Current Secured Property Taxes	\$ 7,900	\$ 7,900	\$ -
Current Unsecured Property Taxes	441	441	-
Property Taxes Prior Secured	750	750	-
Property Taxes Prior Unsecured	5	5	-
Direct Assessments	144,199	144,199	-
Direct Assessments - Prior Years	1,998	1,998	-
Homeowners Property Tax Reduction	158	158	-
Interest	3,214	3,214	-
Total Revenues	<u>158,665</u>	<u>158,665</u>	<u>-</u>
Expenditures			
Secretary and Bookkeeper	2,200	2,200	-
Supplies, Postage, etc.	275	344	(69)
Professional Services	1,700	-	1,700
Insurance	2,500	2,201	299
Miscellaneous	200	-	200
Fire Protection Costs:			
Contract with City of Marysville	<u>100,000</u>	<u>100,000</u>	<u>-</u>
Total Expenditures	<u>106,875</u>	<u>104,745</u>	<u>2,130</u>
Excess of Revenues Over (Under) Expenditures	<u>\$ 51,790</u>	<u>\$ 53,920</u>	<u>\$ 2,130</u>
	Budget Basis	\$ 53,920	
	Change in Revenue Accruals	(389)	
	Change in Expenditure Accruals	(171)	
	Unrealized Gains	745	
	GAAP Basis	<u>\$ 54,105</u>	

See notes to the financial statements.

P.O. Box 160
Lincoln, CA 95648
Office (916) 434-1662
Fax (916) 434-1090

Communication of Significant Deficiencies and Material Weaknesses

To the Board of Directors
District 10 Hallwood Community Services District
Marysville, CA

In planning and performing our audit of the financial statements of the governmental activities and each major fund of District 10 Hallwood Community Services District (the District) as of and for the years ended June 30, 2014 and 2013, in accordance with auditing standards generally accepted in the United States of America, we considered the District's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the District's internal control. Accordingly, we do not express an opinion on the effectiveness of the District's internal control.

Our consideration of internal control was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and therefore material weaknesses or significant deficiencies may exist that were not identified. However, as discussed below, we identified a deficiency in internal control that we consider to be a material weakness.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected, on a timely basis. We consider the following deficiency in internal control to be a material weakness:

14-01 Reliance upon Auditor for Generally Accepted Accounting Principles **(Uncorrected from prior year)**

Condition: To assure compliance with generally accepted accounting principles, management relies on the auditor to recommend footnote disclosures for the financial statements and to suggest for approval the adjusting entries to convert the organization's financial statements from the cash basis of accounting to the accrual basis of accounting.

Criteria: Auditing standards state that the auditor may not be part of the District's internal control system. Someone in the District must be knowledgeable in generally accepted accounting principles and capable of preparing financial statements in conformity with generally accepted accounting principles.

Cause: The District does not have either an employee educated in generally accepted accounting principles or an accounting firm engaged to prepare full-disclosure financial statements in conformity with generally accepted accounting principles.

Effect: District must rely on auditor to draft financial statements in conformity with generally accepted accounting principles.

Recommendation: Whenever financial statements are required to be issued prior to the audit, we recommend that Management consider the cost benefit of hiring an accountant familiar with generally accepted accounting principles or hiring an independent CPA firm to compile financial statements in conformity with generally accepted accounting principles.

Response: The District does not have the financial resources to hire an accountant educated or trained in generally accepted accounting principles and does not see a cost benefit to having its financial statements compiled by such an accountant prior to the annual audit. The District will continue to rely on the auditor to suggest the journal entries and footnote disclosures as part of the audit process. The District understands that without professional assistance it might release financial statements which would not be in conformity with generally accepted accounting principles and will seek such assistance should it need to issue financial statements to a third party prior to the audit of those financial statements.

This communication is intended solely for the information and use of management District 10 Hallwood Community Services District, and others within the organization, and is not intended to be, and should not be, used by anyone other than these specified parties.



Jensen Smith
Certified Public Accountants, Inc.
Lincoln, California
January 15, 2016

P.O. Box 160
Lincoln, CA 95648
Office (916) 434-1662
Fax (916) 434-1090

January 15, 2016

To the Board of Directors of
District 10 Hallwood Community Services District
Marysville, California

Dear Ladies and Gentlemen,

In planning and performing our audit of the financial statements of District 10 Hallwood Community Services District (the District), as of and for the years ended June 30, 2014 and 2013, we considered the District's internal control in order to determine our auditing procedures for the purpose of expressing an opinion on the financial statements and not to provide assurance on internal control.

We reported on the District's internal control in the preceding letter. This letter does not affect our report on the financial statements of the District dated January 15, 2016.

As you can see from the reports, there is a repeat finding related to the practice of relying on the auditor to prepare for approval the accrual basis financial statements and footnote disclosures for the District. Do expect to see this finding repeated in future years unless (1) the District determines there is a cost benefit to hiring an accountant capable of preparing full disclosure financial statements, or (2) the District obtains a board member who is capable of preparing full disclosure financial statements in accordance with generally accepted accounting principles.

Feel free to contact us if you have any questions.

Sincerely,



Jensen Smith
Certified Public Accountants, Inc.
Lincoln, California

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Lake Francis CSG #745
PO Box 76
Dobbins, CA 95935

APR 29 2016

Clerk/Board of Supervisors

Not affiliated with the National Grange or the Grange of the State of California's Order of Patrons of Husbandry Chartered

April 27, 2016

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

Honorable Supervisors:

At our regular meeting for April we discussed a potential impact on public safety by the proposed new development code. In our foothill and mountain communities many areas are accessed by a single two lane road. Basically the concerns expressed related to the fact that only one way out exists for evacuation during major wildfires. This limitation, imposed by the single access route, can impede or possibly make safe evacuation impossible. During the north wind events that are common during the summer months in our foothill and mountain areas the worst possible wildfire behavior will at some point occur. Our primary concern is that safe evacuation in a direction toward a fast moving wind driven fire that is headed toward the area being evacuated can be impossible.

Our understanding is that the changes that will result from implementing the proposed development code include zoning that will allow reduced parcel sizes and clustered housing in areas currently zoned for 20 acre and larger parcel sizes. A consequence will likely be an increase in population densities in areas already unsafe in terms of limited available egress. This places new residents in a potentially dangerous situation and further degrades the possibility of safe evacuation for existing residents. The increased traffic during evacuations, while suppression resources are being deployed in an opposite direction, will just make a bad situation worse.

Our meeting attendees expressed the opinion that, for safety concerns, it is unwise at this juncture to incorporate circumstances that can attract increased population densities in areas where egress for safe emergency evacuation is already inadequate. We believe that provision of a second egress route capable of safely accommodating emergency evacuations for planned population densities should be required prior to setting the stage for the existence of those population densities. We therefore respectfully request that you consider the existence of adequate egress, in terms of safely evacuating residents, as mandatory prior to considering any policies, zoning or codes having the potential to attract increased population densities.

Respectfully,

Arlyce Baker, President
Lake Francis CSG #745

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The County of Yuba

Community Development & Services Agency

Kevin Mallen, Director

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



BUILDING
749-5440 • Fax 749-5616

CODE ENFORCEMENT
749-5455 • Fax 749-5464

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

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

PLANNING
749-5470 • Fax 749-5434

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TO: Board of Supervisors

FROM: Kevin Perkins, Planner III
Kevin Mallen CDSA Director

DATE: May 10, 2016

SUBJECT: Record Appeal of the Planning Commission's decision to approve Administrative Design Review Permit (DRC2016-0002)

RECOMMENDATION

Uphold the Planning Commission's decision to approval Administrative Design Review Permit (DRC2016-0002)

BACKGROUND

On January 19, 2016, the Embree Group filed an application for an Administrative Design Review Permit (DRC2016-0002) that would allow the construction of a 9,100 square foot Dollar General retail store at the intersection of Loma Rica Road and Smith Road (APN: 040-220-039) on a Rural Commercially zoned property in the community of Loma Rica. In the Rural Commercial zoning district general retail stores are a principally permitted use, but require the approval of an administrative design review permit.

On March 16, 2016 the Planning Commission, after receiving the Planning Department's staff report and hearing public testimony, adopted a resolution finding the project exempt from CEQA environmental review and approved DRC2016-0002 subject to the project conditions of approval by a 5-0 vote

On March 28, 2016, The Law Offices of Raj S. Chima, submitted a letter to the Board of Supervisors appealing the decision of the Planning Commission (Attachment 1).

ATTACHMENTS

1. Letter of Appeal to the Board of Supervisors
2. Proposed Planning Commission minutes for March 16, 2016
3. Written Correspondence Received at Planning Commission Meeting
4. Planning Commission Revised Conditions of Approvals
5. Planning Commission Staff Report
6. Planning Commission Power Point Presentation

YUBA COUNTY CALIFORNIA



**CERTIFICATION OF THE OFFICIAL RECORDS OF THE
PLANNING DEPARTMENT OF THE YUBA COUNTY
COMMUNITY DEVELOPMENT SERVICES AGENCY**

IN THE MATTER OF THE RECORD APPEAL

**OF THE DECISION OF THE YUBA COUNTY PLANNING COMMISSION
APPROVING THE DESIGN REVIEW PERMIT FOR
THE DOLLAR GENERAL STORE AT LOMA RICA ROAD**

I, **KEVIN MALLEN** hereby certify that attached documents are the True Correct Copy of the original request, reports and documents which were read, heard and considered by the Planning Commission at the Hearing held on March 16, 2016 and are on file in the Planning Department of the Community Development Services Agency of the County of Yuba, State of California.

I hereby certify that the foregoing is true and correct to the best my knowledge under penalty of perjury under the laws of the State of California.

DATED: April 27, 2016



Kevin Mallen, Director
Community Development Services Agency



Attorney At Law

RECEIVED

MAR 28 2016

Clerk/Board of Supervisors

March 28, 2016

Yuba County Board of Supervisors
915 8th Street, Ste. 109
Marysville, CA 95901

RE: Appeal of Planning Commission Approval of the General Dollar Application Number-DRO2016-0002

Clerk of the Board, Chairman Abe and Supervisors:

My client, Loma Rica Local, a non-profit organization whose members are comprised of mostly Loma Rica residents devoted to preservation of rural community values and the promotion of locally owned and operated businesses, is officially requesting an appeal of the planning commission's conditional approval of the above application for design review. We feel that the site of the application for approval is not in an appropriate location and that a full CEQA analysis was not performed. The potential negative impact on the local environment is unknown. Additionally, there is no evidence of any immediate and significant economic benefit and in fact, the chances of long term economic harm are apparent and clear. The potential for economic harm in the long term outweighs the potential for economic benefit in the short term to the local residents of Loma Rica. Furthermore, the design is in stark contrast with the existing local community characteristics. Lastly and in many aspects most importantly, the majority of the residents of Loma Rica simply do not want a Dollar General Store built in their community. This fact is evidenced and supported by the petition opposing the project which was already signed by over 900 residents at the time, and previously provided to the board. Since that time, many additional residents have signed the petition and joined the effort to oppose this application.

There are also significant issues with development that have not been addressed, including if the property can adequately handle the health and sanitation system. The ground upon which Dollar General has applied to construct is not suitable for or capable of sustaining the proposed septic system. Past owners of the parcel/property have attempted to obtain permits to construct upon the same land. Those application(s) were denied by the county, at least in part, because the applicant could not pass a percolation test. Unless the ground has somehow changed, it is only reasonable to call into question the accuracy of the percolation test results supplied by Dollar General. A related issue is the adequacy of the existing water table, the rate and direction of water being discharged from the property, as well as concerns with fire suppression.



Attorney At Law

The area surrounding the proposed construction site was not designed for, or capable of, handling the increased traffic in such a condensed area. Without further study, the negative impact on the roads, safety, and traveling conditions experienced by local residents of Loma Rica is completely unknown. The hazards of the traffic impact and the resulting safety concerns have not been studied, and therefore this application is incomplete and not appropriate for approval until all basic code requirements are met.

The construction of the proposed Dollar General Store in Loma Rica will not increase the amount of sales taxes collected in Loma Rica, nor will it increase the number of goods or services available for the community in Loma Rica as the vast majority of items offered by Dollar General are already offered in the identical or comparable (usually higher quality) forms by the Golden Eagle Market at competitive prices.

The Board of Supervisors does not have to look beyond the bounds of Yuba County in order to find a prime example of the potential harm the introduction of a large corporate retail outlet can have on a small market community economy. The most probative and foretelling example is that of Mervyn's and its introduction to the Marysville market in the early 1980's. Marysville's current economic situation and lack of "business" can be more attributed to the opening and eventual closing of Mervyn's than any other single locally confined factor.

The values held by the members of the Loma Rica Community are in stark contrast to those of Dollar General. As a publicly traded corporation, Dollar General's prime objective is to obtain as much of the market place in which it is competing, the low quality and cheapest end of the retail market knowing full well that the presence and operation of even unprofitable locations still results in an increased corporate stock evaluation due to the overall share of the national market being serviced by its stores. The Dollar General is ranked amongst the worst employers in America by several creditable publications and nearly all jobs offered are minimum wage.

For these varied reasons my clients are appealing the planning commission approval, and are asking the Board of Supervisors to deny this application and send it back to staff to address the problems with the proposed application.

Respectfully Submitted,

Raj S. Chima
Attorney At Law

A PROCEEDING BEFORE THE YUBA COUNTY PLANNING COMMISSION

IN MATTER OF THE RECORD APPEAL)
OF THE YUBA COUNTY PLANNING)
COMMISSION'S DECISION)
APPROVING THE DESIGN REVIEW)
PERMIT FOR THE DOLLAR GENERAL)
STORE LOCATED AT LOMA RICA)
ROAD IN YUBA COUNTY.)

CASE NO. DRC2016-0002

HEARING TRANSCRIPT

MARCH 16, 2016

**CERTIFICATION OF OFFICIAL TRANSCRIPT OF A PROCEEDING
BEFORE THE YUBA COUNTY PLANNING COMMISSION**

I, ANTHONY M. GON, hereby certify that I listened to the tape recording of the following proceeding:

TYPE OF PROCEEDING: Public Hearing

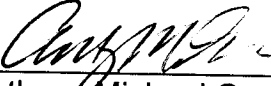
PROJECT NAME: Request to approve a Design Review Permit
By: Dollar General Store
DRC2016-0002 (Dollar General)

HEARING DATE: March 16, 2016

I, further certify that I typed a verbatim transcript of the tape recording of the March 16, 2016, Public Hearing held by the Yuba County Planning Commission on the matter for approval of a Design Review Permit for Dollar General Store to be located at Loma Rica and Smith Road in Yuba County, completely and correctly to the best of my ability.

I hereby certify that the foregoing is true and correct to the best my knowledge under penalty of perjury under the laws of the State of California.

DATED: April 27, 2016



Anthony Michael Gon
Planner I
Yuba County Planning Department

PLANNING COMMISSION MEETING MINUTES
DRC2016-0002 DOLLAR GENERAL

1 Commissioner Lindman – Staff will go ahead and present the report and the presentation for the Dollar
2 General design review permit DRC2016-0002.

3 Kevin Perkins, Planner III – Through the Chair, I am Kevin Perkins, Yuba County Planning Department. So
4 we are here today, the applicant, the Embree Group, is proposing is seeking approval of a design review
5 permit that would allow them to construct a 9,100 square foot retail store proposed as Dollar General at
6 the corner of Loma Rica Road and Smith Road. It is actually the southwestern corner of Loma Rica Road
7 and Smith Road. The property has an APN number of 040-220-039. This slide right here kind of gives you
8 an idea of the proposed project site is in the community of Loma Rica which is the eastern foothill region
9 of the County. So this right here gives you an aerial of where the project site is. So I am going to be brief
10 with my presentation so I can answer any questions you guys have once I'm done. So right here is an
11 actual site plan proposal. As you can see there is two accesses proposed for the site. There is one off of
12 Loma Rica Road, which would be their main access and then there is a secondary access located off of
13 Smith Road. Loma Rica Road is rated a rural collector road by the Public Works Department, which is the
14 largest sized road that we have in the rural community in the foothills system or the foothill area of the
15 County. The level of service of Loma Rica Road is Level A, which means it's designed one for a lot of
16 traffic and two the level of service has a rating of A to F, A being the highest level of service, F being the
17 worst and Loma Rica Road is an A. Smith Road is a rural local road and it has a level of service standard
18 of A as well. So access comes in either off of Loma Rica and/or Smith Road. There is a proposed parking
19 lot that meets all of the County's parking requirements. The site again is 9,100 square feet, retail stores
20 are parked at one space per every three hundred square feet of square footage. So it would require 30
21 spaces. Dollar General or the Embree group is proposing 31 spaces for the site, so it meets our
22 requirements for parking. Additionally, in terms of utilities on the site as your commission knows there
23 are no public septic or sewer systems and there is limited potable water systems in the foothills so
24 onsite water and wastewater would come from wells and septic system. There is also a proposed
25 detention pond in the back of the proposed Dollar General that would collect any sort of run off,
26 drainage from the site as well. So I'm going to move on to a couple of, one more slide, showing the
27 landscaping. A landscape plan was submitted to the County, it meets all our landscape requirements.
28 The State last June 1st of 2015 mandated that all new landscaping in the state needs to be meet water
29 efficient requirements. The landscape plan does meet water efficient requirements mandated by the
30 State. It also meets County shading requirements. Right now for parking lots the County requires that
31 50% of the parking lot is shaded at the time of trees maturation and everything in terms of screening,
32 shading and water efficiency wise the landscape plan meets. Next we are going to go to the four
33 proposed elevations of the design review permit. Again I do want to let you know that the with the
34 update in the County development code there was a design review section that was added to the
35 development code that did not exist before. Previously the only section in the County that had design
36 review was the Plumas Lake Specific Plan, the Olivehurst Avenue Specific Plan and the East Linda Specific
37 Plan. Now with the development code the Board of Supervisors adopted a general design review
38 chapter that covers a lot of different zoning districts. One of which is rural commercial, which this
39 property is zoned rural commercial. So where I'm getting at now is with the development code design
40 review guidelines have not been, design review standards have not been adopted by the Board of
41 Supervisors. It was the intention that once we got through the development code that staff was going to

PLANNING COMMISSION MEETING MINUTES
DRC2016-0002 DOLLAR GENERAL

1 come back and come bring to your committee to make recommendations on design review standards
2 for the County. That has not yet happened. So staff's analysis right now has just been on the
3 development standards that we have in the development code, which are parking, landscaping,
4 screening, drainage those sorts of things. So as you can see right here this is, this is a copy of the
5 elevations. The top elevation would be the front elevations which would be seen from Loma Rica Road.
6 They're proposing essentially masonry blocks, if you can see my pointer, from the ground level up to
7 about two thirds of the building and then from then from where the block ends up would be a pre-
8 engineered steel building. Effectively the building is a pre-engineered steel building with block in front.
9 This entrance right here, this glass entrance, is the main entrance into the building. There is only one
10 entrance for customers. There are a couple other entrances for deliveries and staff that I will get to in a
11 second. The colors are on your color list. The block is called lite stone and the top darker, looks like a
12 black, is called burnish slate. The next elevation would be seen from, which is the side elevation, this one
13 where my pointer is, this can be seen from Smith Road. Again the building has a man door that would
14 provide access for staff to go in and out of the building and it is the, would be lite stone in color. The
15 third elevation where my pointer is would be the rear elevation. This again would be seen from Smith
16 Road it's not actually adjacent to Smith Road as you're driving up which would be north on Smith Road
17 you would see this elevation. It is proposing steel from the ground up to here, which we like stone and
18 then from this point up there would be a parapet wall that would be galvalume in color. In the last
19 elevation which is on the bottom, would be the western elevation or a side elevation and again here it's
20 really similar to the elevation that is adjacent to Smith Road. One difference that you will see that this
21 door right here would be the door where deliveries would come in and out of and any trash that was
22 coming in and out of the building would come in this door. So next what I want to do before I open it up
23 for your commission to ask me any questions, I just want to go over the actual what's out in Loma Rica
24 right now. You know I know that one of the Commissioners is from the foothill district and has a pretty
25 good idea of what it is but I want to make sure that the other Commissioners that represent the valley
26 area have an idea of what the existing Loma Rica Road corridor looks like in terms of other commercial
27 buildings and institutional buildings. So right here this is on Loma Rica Road facing south. This is actually
28 the project site and where, the project site is 10 acres in size, the proposed project is seeking to be on a
29 2 acre footprint. So it's not going to take up the entire 10 acres it's only going to be on 2 acres located
30 on the corner of Smith and Loma Rica Road. So this is looking south as you can see there is a cell phone
31 tower I think your commission approved in 2013 that's on a neighboring parcel. This is the corner of
32 Smith and Loma Rica Road, so let me take one step back, this right here would be near where the
33 entrance from Loma Rica Road would be from this picture. The next picture is the corner of Smith Road
34 and Loma Rica Road you can see these big eucalyptus trees and this car parked on the side of the road.
35 The entrance on Smith Road would be on the other side of these larger trees. This insurance business is
36 located nearly across the street which would be to the south or to the north, excuse me, on Loma Rica
37 Road, there is also, excuse me, there was a recycling business that was operated in this building. This is
38 at the corner of Fruitland Road and Loma Rica Road which is just a little bit northeast of the proposed
39 project site. This is Loma Rica Elementary and this again is the intersection, the other side kitty corner of
40 Loma Rica School, the intersection of Fruitland Road and Loma Rica Road there is a vacant building and
41 then there's what is called the Loma Rica Store. Moving up going northeast on Loma Rica Road next up
42 is a vacant commercial office building this building right here is a barber shop and this is the Grange Hall

PLANNING COMMISSION MEETING MINUTES
DRC2016-0002 DOLLAR GENERAL

1 where there is some dance studio or some dance classes or other community events are occasionally
2 held there as well. This is actually directly across the street from the proposed project site it's the Loma
3 Rica Church. The church consists of the main church which is right in front of you and then there is
4 various out buildings that they have that they use for youth activities and things of that nature and you
5 know this again is part of the church and this is where some youth activities occur. Right next to the
6 proposed site there is an existing 8,700 square foot retail market. This is the elevation looking south
7 from Loma Rica Road, the market is the Gold Eagle Market. It has some gas pumps; it's a smaller retail
8 grocery store. Here again is another of the pictures looking south of Gold Eagle Market from Marysville
9 Road or Loma Rica Road, excuse me. And this is Smith Road looking east to the Gold Eagle Market, you
10 can see the side of the building, the gas pumps, over here is where they receive deliveries and over
11 where my pointer is, over here is where their garbage can and where the cell tower that I showed in the
12 first picture is located. With that Staff recommends that your commission adopt the attached resolution
13 approving Design Review Permit 2016-0002 subject to the conditions of approval contained in your staff
14 report. I'm here to answer any questions your commission might have. There are representatives from
15 the Embree Group that are here to answer any questions you might have of them or questions that I
16 cannot answer.

17 Commissioner Lindman – Thank you Kevin.

18 Commissioner Rasmussen – Through the Chair, Mr. Perkins could we go back to the, to the slide that,
19 this one.

20 Kevin Perkins, Planner III – Oh the site plan, yes.

21 Commissioner Rasmussen – So the couple of questions I have, the water tank out front out there on the
22 corner. What physical size would that be? Is that like 40 feet tall? 10 feet tall?

23 Kevin Perkins, Planner III – That I don't know, I defer that question to a representative of the Embree
24 Group, if they have that. I didn't get dimensions on the height of the water tank.

25 Commissioner Rasmussen – Is it 35 feet in diameter? Can anybody help us with that?

26 Sean Minard, MHM Engineer – The fine details of the actual water tank size haven't been resolved we
27 have to work with the Fire Chief or the Fire Marshall out there. But the normal size when we've had
28 other projects in other communities, Yuba City, Sutter County, where they have to have this
29 requirement. They are usually about 12 to 15 feet in diameter and about 15 feet tall, they're not, they're
30 not very, they're not real big and they are like the clear plastic ones and it's just to meet the minimum
31 fire code. I don't know the exact size on this one because those are the details we will continue to work
32 through as part of the building permit.

33 Commissioner Rasmussen – So what is the function of the tank?

34 Kevin Perkins, Planner III – Through the Chair, the function of the water tank and I apologize for not
35 bringing this up earlier, is to support fire sprinklers that are required as part of the building code for the
36 building. So because there is not public water, like OPUD or Linda County Water, in the foothill region

PLANNING COMMISSION MEETING MINUTES
DRC2016-0002 DOLLAR GENERAL

- 1 water tanks are required to store water that would then be pumped into the building in case of a fire
2 and the fire sprinklers going off. So it's entirely a storage tank for fire sprinklers.
- 3 Commissioner Rasmussen – And that is what the fire pump building next to it would be, would house
4 the pump for the fire sprinklers?
- 5 Kevin Perkins, Planner III – That is correct.
- 6 Commissioner Rasmussen – My only thought is that, does that, so it's not for fire departments to come
7 and hook up their fire trucks to and pump water out of in case there is a fire? My only concern is the
8 location. Does it have to be right out front?
- 9 Kevin Perkins, Planner III – Through the chair, there isn't a building code requirement that requires it to
10 be located a certain distance from a building. Calfire does require that it be in a location where they can
11 readily access the tank if needed. So they typically want it close to something paved. So if it was in your
12 commission's purview to move that to another location so it wasn't as visible, you guys could do that
13 but it would need to be located some place where Calfire can access it readily.
- 14 Commissioner Rasmussen – So if it is along Smith Road somewhere maybe behind the building still could
15 be possibly a function.
- 16 Kevin Perkins, Planner III – Yes that is correct.
- 17 Commissioner Phillips – Let me ask a question. Through the Chair, if this is being used as an automated
18 charging system for the fire sprinkler system then its mixed purposes to mingle it in a location where
19 Calfire may be trying to pump from because Calfire pumps from the tanks that have no discharge
20 purpose other than for them to hook and draw the water from. If this is setup in size to support the fire
21 sprinkler system then the question is should Calfire even have any access to it cause they'll drain the
22 system and your fire sprinklers won't be working.
- 23 Kevin Mallen, CDSA Director – If I could, through the Chair, I don't think it was to access it from the
24 standpoint of hooking up to a truck. It was to access it to ensure that if there is an issue with the fire
25 pump system itself in pumping the water from the tank to the building that they had access.
- 26 Commissioner Phillips – It seems like is an architectural feature in the middle of a commercial
27 development. A fairly sizable tank sitting there is kind of an eyesore. Unless you are going to paint very
28 nice murals on it or something like that. But it just seems to be poorly placed. I mean it should be
29 somewhere if they have to access it if they want to be able to get to it provide that provision but don't
30 put it right out in front of your building.
- 31 Kevin Mallen, CDSA Director – So if I could, through the Chair, this is a good example of where it could
32 be within the Planning Commissions purview to insist that it be screened better and maybe in a better
33 location but it needs to also be consistent with requirements of the fire department and the building
34 code but that is something through the building permit process ensure that it meets those criteria as
35 well as the Commissions desire to maybe screen it a little better from public view.

PLANNING COMMISSION MEETING MINUTES
DRC2016-0002 DOLLAR GENERAL

- 1 Commissioner Phillips – I have a couple other questions if we are done with that subject.
- 2 Commissioner Rasmussen – Maybe we have some more input I don't know.
- 3 Brian Berry, The Embree Group – If I may I just wanted to say, I am Brian Berry, the Embree Group, I
4 represent the developer for Dollar General. The location there initially was because there are some
5 existing large trees on that corner and this tank actually sets up right next to those existing trees so the
6 idea was it would be naturally screened by those trees. We have no problem with relocating the tank to
7 a different location or screening it better provided we meet all the codes from the fire department.
- 8 Commissioner Phillips – Looks like somewhere in this discussion there is a solution.
- 9 Brian Berry, The Embree Group – Absolutely.
- 10 Commissioner Phillips – I had a couple other questions I wanted to throw out if nobody else is ready to
11 jump in. As we looked at the conditions and the concept of architectural design that's kind of in keeping
12 of the character of the area, we don't have an a real strong architectural design flavor out there but it
13 looks to me like even just the extension of the veranda type roof more like to the buildings across the
14 street would soften the exterior look to that building a little bit. Because right now it's just a large metal
15 building with a minimal canopy right at the front. If that could be say extended to the easterly corner
16 then maybe slightly around the corner much like the Loma Rica Gold Eagle store did it would rake the
17 appearance of the building a little and I'll just move right on to the next discussion. I noticed the Public
18 Works Department is not reviewing anything on this or set no conditions on it. Seems to me that they
19 should be looking at the approaches to the parking lot since it is a commercial site and making sure that
20 they set standards for that.
- 21 Kevin Mallen, CDSA Director – If I could, through the Chair, two separate items. The ministerial act of
22 issuing a building permit, part of that process is circulating it through the Public Works Department to
23 ensure it meets not only grading, onsite grading, storm water quality, access, and the access is where
24 you are going to get in to ensuring they have the proper driveway widths. So that will all be handled
25 through the building permit but tonight really what's before you is really just focused on the design
26 review.
- 27 Commissioner Phillips – Well I am glad you brought storm water quality up because that was my last
28 question. Noting that they had provided a detention basin which by its very nature means it detains it
29 doesn't retain. So whatever spills out of that question was where was it going and since it's a parking lot
30 discharge is it seeing some kind of treatment before the portion of it leaving the site would go and I
31 hope it doesn't drain into the BVID system because that's a terminating drain system that ditch goes
32 down and dumps on people's property. As oppose to the road side ditch, I guess, which is the logical
33 place to put it. That was unclear as I looked at the conditions as well.
- 34 Kevin Mallen, CDSA Director – Those are all excellent questions that will be addressed through the
35 building permit process.
- 36 Commissioner Phillips – As long as you guys got them.

PLANNING COMMISSION MEETING MINUTES
DRC2016-0002 DOLLAR GENERAL

1 Commissioner Correa – I also have a question, through the Chair, I noticed is there any lighting in the
2 front of this that I am not seeing. Sconces or anything?

3 Kevin Perkins, Planner III – I apologize for that, through the Chair, there are some lights that you can see
4 in the front of the building and on the side of the building that are on the building. In terms of the
5 parking lot they have not submitted a lighting plan to the County. There is a condition of approval that
6 prior to the issuance of building permit that they will need to submit a lighting plan to the County that
7 meets all the requirements that are discussed in the development code. I think there's two sections, one
8 in the parking lot section and then there is another section that actually talks about lighting and it goes
9 over what type of lights are allowed and what type of lights are not allowed to limit light spill over onto
10 other properties.

11 Commissioner Barker – I had a comment, through the Chair, just reading I know there has been
12 questions regarding entrance into the store and exiting out with it being, and on the second page of
13 comments about Loma Rica Road is considered the main transportation and commercial corridor for the
14 community designated a major rural, is that considered by the planning department they have given it
15 that label because I know with the concerns over the roads and the coming and going and then I'm
16 moving forward to where I know we have the new development code that has not yet been completed.
17 I'm just wondering when the Board was going to complete that and I would imagine it's going to be met
18 before anything is approved on from the Board of Supervisors. The new County standards have not been
19 developed but since the design review is a new process created in the recently adopted development
20 code. What do we think when that would be completed through the Board of Supervisors?

21 Kevin Mallen, CDSA Director – So on the two parts. So the first part on Loma Rica Road, it's actually a
22 federally designation, there is a federal functional classification that's assigned by the Federal Highway
23 Administration based on vehicle traffic, size of roads and so that's where that designation came from for
24 Loma Rica Road and that's the designation that Public Works adopts and follows and that dictates you
25 know standards for driveway design, it dictates standards across the board. It actually even dictates the
26 type of funding we receive to maintain the road. On the second part on design review, that is a process
27 that we plan to initiate in the near future here. It will actually be a process that will start with the
28 Planning Commission and work through the Planning Commission's recommendations on design
29 guidelines that will then will be presented to the Board of Supervisors for adoption. And actually we will
30 see under public comment tonight but it might be something that we think about considering do we
31 have each rural community provide some input on the type of design they would like to see for their
32 individual community or is it going to be one of those where they all have a similar feel and so those are
33 the type and similar standards and so those are things that we would really like to hear from the public
34 and see what they would like to, how they view their community and what kind of identity do they want
35 reflected in future designs.

36 Commissioner Barker – Thank you and if I can repeat what you said earlier with Commissioner Phillips,
37 you said tonight's item here is more about the design of the building. That is our main concept here we
38 are dealing with.

PLANNING COMMISSION MEETING MINUTES
DRC2016-0002 DOLLAR GENERAL

1 Kevin Perkins, Planner III – Through the Chair, I didn't really make this clear in my presentation and I
2 apologize but the zoning of the property is Rural Commercial and a retail store is a permitted use in the
3 Rural Commercial zoning designation. With the development code update design review is required and
4 needs to be approved prior to the issuance of building permit. So they are coming forward with the
5 design review application for their principally permitted use in the Rural Commercial zoning district.

6 Commissioner Barker – Thank you.

7 Commissioner Rasmussen – Through the Chair, back to the water tank. I don't know if we, it certainly
8 would be my recommendation, I don't know if it's the rest of the Commissioners that we either look at
9 changing that placement or because it seems like those large trees were maybe just along Smith Road I
10 don't know how it would be blocked on Loma Rica Road but either to relocate it or I don't know how
11 you would screen it to make it so it's a little more appealing but it just seems like that is a true eyesore
12 right out in the middle or right out in the front so, I'm not sure how we move forward with that but
13 certainly is my recommendation.

14 Commissioner Barker – I have no more questions.

15 Commissioner Lindman – I think I just had one question which was about existing trees, I think all the
16 other Commissioners have asked similar questions that I had which is, it sounds like a lot of the existing
17 vegetation will stay then?

18 Kevin Perkins, Planner III – Through the Chair, all of it, there is one tree that will need to be removed as
19 part of the construction of the project. Other than that all the existing trees, the ten acre parcel isn't
20 really heavily wooded compared to some of the other parcels in the foothills, so there is one tree that
21 will be removed. Right now the County does not have a tree ordinance and there is not any
22 requirements in terms of what can or cannot be removed in terms of trees. There is a general plan
23 policy that says trees of a certain size should be maintained but it's not a shall so we don't have the
24 enforcement teeth on that. Excuse me there are two trees.

25 Commissioner Lindman – Thank you. Commissioners are there any other questions?

26 Kevin Mallen, CDSA Director – If I could maybe, through the Chair, before we open it up, there was one
27 comment from Commissioner Phillips, so the slide that showed the side profile of the Gold Eagle
28 Market, well maybe we'll start with this slide then we can go to that slide. So your question about the
29 parapet wall?

30 Commissioner Phillips – Looks back at the slide that shows the Loma Rica store. See how they basically
31 both have profiles building from the side. While they are doing a canopy type roof on this property, in
32 fact this is fully over the area in front of the doors. If that was at least extended it would break that mass
33 profile just as it has there. The buildings aren't vastly different in size and area ... (inaudible)... but that
34 tones down the size of the building. It has always kind of been an issue with the community that there is
35 this massive building but not really any bigger than the Loma Rica or Gold Eagle store and it's just the
36 appearance, it's what that roof does for that appearance it's a pretty subtle change. I know when we

PLANNING COMMISSION MEETING MINUTES
DRC2016-0002 DOLLAR GENERAL

1 first started this there was discussions that we were kind of tied to a building type and footprint and
2 construction material and that was what they did everywhere. Well I've since noticed they are trying to
3 suit their buildings a little more look just different style ability you can get a little more creative...
4 (inaudible)...

5 Kevin Mallen, CDSA Director – Thanks, I just wanted to make sure that was understood by the other
6 Commissioners and we can discuss it after public comment.

7 Commissioner Lindman – Is that something we are going to talk about after, okay. Okay we are going to
8 go ahead and open the public hearing for the Dollar General Design Review Permit DRC2016-0002.

9 Charnel James, Attorney – Hi, my name is Charnel James I'm an attorney here in Marysville and I am
10 working in conjunction with the law office of Raj Chima. I believe you have already received an objection
11 letter. We represent the Loma Rica Local which is a large group of citizens in the Loma Rica area that is
12 opposed to this store in general and specifically in the design that it has. Our first major concern that we
13 want to bring to your attention is that what's not talked about in the staff report is that there has been
14 two other businesses at least, if not three, that have not been able to be approved because either the
15 perc test failed for the leach lines and the sewer systems or because of the lack of water on the
16 property. What you will notice in those pictures is that no other business has a 15 foot water tank and
17 the reason for that is because every other business has a working well that will provide what needs to
18 have happen on that property. This property is unique in the fact it doesn't have the infrastructure that
19 is necessary for a commercial development. Also of concern to us is the exception for on the CEQA
20 environment for them to determine that it is exempt from further environmental review. Part of the
21 environmental review process includes such things as visual impact. It also includes such things as traffic
22 impacts. Here you're talking about a rural road where almost all of the residents drive on and now you
23 are increasing that by having large trucks for delivery and other impacts. A traffic study should have
24 been done as part of this before the exemption for the CEQA was issued. It's possible that given both
25 the visual impact of the development itself and the issues with water and the issues with sewer and the
26 lack of perc tests that pass, the chances are this site would not be exempt from the CEQA act and would
27 require a more extensive review. The fact there is no design review requirements out here is
28 concerning. There isn't a rush to have another store out there, there's already two stores that service
29 the people, that both of them were brought to the attention by the Planning staff. Rushing to avoid
30 having design review in place by the County before its done is premature. The design of the building
31 right now is meant to deceive it is designed exactly like the Golden Eagle Market which is across the
32 street from them. Its not designed like a unique individual commercial development in that area. Again
33 the biggest concern is about the economic impact it has on this very rural community that has very
34 specific businesses that address the needs of the residents that are present. This Commission should
35 take into consideration the fact that there are already enough services to provide for the residents and
36 the residents don't want this there. That type of impact has a significant effect on everyone in the area.
37 Because this property has a history of commercial buildings being denied it should also make you
38 concerned but that wasn't brought up in the staff report and it certainly wasn't brought up in the fact
39 that they have to have this huge water tank, which a 15 foot tall water tank is significant in that area.
40 The brief passing over of building lights and the impact on neighboring properties is also a concern that

PLANNING COMMISSION MEETING MINUTES
DRC2016-0002 DOLLAR GENERAL

1 would addressed under a CEQA study. That impact could make a difference for rural properties that are
2 located in the area. The Loma Rica Elementary School and the church that are right nearby have
3 significant traffic anyone that has dropped off a child knows that. These are all impacts that were not
4 considered in this design for this building. That rural road is very heavily trafficked and I have been out
5 there and seen the great number of cars that go down it. Because of that one of the things you should
6 take into consideration is the way they have the entrance and exits of this property set up. That is part
7 of the purvey of what you can decide on, on how this design is done. And finally the issue with
8 landscaping again was very minimally passed over but one of the parts that is important to remember is
9 that landscaping needs water. There's already a problem with getting a deep enough well and strong
10 enough well to support the commercial use of the building to begin with and the fact that it has an
11 added requirement that the fire department will require a fire, water tank should make you worry. We
12 ask at this time that you don't approve this project. Either send it back to staff for further design and
13 further review for CEQA or deny it completely. Thank you.

14 Wesley Adams, Olivehurst – Hi, my name is Wesley Adams I live on Twain Drive in Olivehurst, California.
15 I'm presently I am working on putting a property up in the foothills and building a house up there. One
16 of the things that I did notice was the, what this gentleman brought out, was regarding the fire tank.
17 Now I had to put in a fire tank, I spent a lot of money putting in that fire tank, it's a 3,000 gallon tank for
18 the size of the house, which I think is standard. I'm not sure what's the difference between residential
19 and commercial, however, my fire tank is six feet tall and it's about approximately six feet in diameter. I
20 am not sure what commercial calls for which seems kind of like wow that's a huge tank. However the
21 purpose of me putting in the fire tanks was purely for access by the fire department to have access for
22 defense of that of my property with that fire tank. A fire tank of that size, that's a tremendous amount
23 of gallons. If I take a six feet by six feet in diameter is 3,000 gallons your talking somewhere in the
24 neighborhood of what 10,000 gallon tank, that's a lot of water. Now I'm not sure what is going on with
25 the water issue or whatever that may be up there I'm not certain. I assume the engineer designed it that
26 way, however as for the discussion regarding the impact of Dollar General. I live in Olivehurst off of
27 Twain Drive there's a Dollar General that's directly next to Tower Market. I didn't see their business, I
28 mean if there is a study of the impact of the Dollar General going next to a Tower Market what was the
29 impact to their business. They have a gas station, Tower Market has a gas station, they were selling food
30 etcetera, etcetera, etcetera. I'm not sure of that impact, I do use that dollar market. I'm not sure
31 whether I will use the one up there or not I don't know but it remains to be seen. However, I think that if
32 the Board, if the Commission is going to limit what, if they follow the rules and they put this thing in and
33 they do all the, dot their I's cross the T's, I don't understand what would be the issue in any building if
34 you want to bring business to the foothills what's the purpose of you know they would bring business to
35 the foothills. The whole issue is about what one store does versus another store does, I think it's just a
36 matter of competition. But as for that fire tank, I highly doubt if that thing is 15 feet tall, I mean jeez
37 that's a tremendous amount of water for a store, you know, like I said I put my in which is totally for
38 defense which I end up putting it in because the neighbors they don't have that they grandfathered
39 those tanks in but now they have access to my water which I don't even need. So I'm not sure how that
40 works but you know I think that's a consideration to look at you know regarding the size of that tank I

PLANNING COMMISSION MEETING MINUTES
DRC2016-0002 DOLLAR GENERAL

1 don't think that's a huge issue and the fire department has to have access to that tank for their water
2 tankers cause if they don't have that they can't defend the space. So, thank you.

3 Commissioner Lindman – Thank you.

4 Kathy Theland, Loma Rica Local – Hi, I'm Kathy Theland with Loma Rica Local also. Zach Cross and I were
5 in at the Board of Supervisors on February 9th. We handed the Board almost 1,000 signatures from
6 people that live up in the foothills, that do not want Dollar General up there. We have an additional
7 about 250 to turn into the Board as well, I don't know if you have been informed of that or not. The
8 people up there do not want it up there. The Dollar, the Golden Eagle Market is our post office, it's a gas
9 station, and it's our market and the gentleman that own that store will do anything for any residence if
10 there's a special need we have. I smoke a certain brand of cigarettes, shame on me, they didn't carry
11 them, I asked them to, they do now. If this Dollar General comes in you're looking at any impact that
12 which is why the impact study needs to be done because if we lose the Golden Eagle Market you're
13 going to try to figure out then where to put a post office as well as the citizens will be locked into where
14 they are going to get gas on those emergency days when you forget to put gas in your car and you can't
15 make it to Marysville Road to the Chevron or you can make it into town, so there is impact on people.
16 We are a small community. I would ask what kind of septic system is going to be put on this property.
17 Because I know most of us that have been building in the foothills we're required to put in a sand
18 filtration system. I'm not sure what system they are going to be using there. That land has not passed a
19 perc test in forever, so we are kind of waiting to see the statistics and the numbers on the perc test. And
20 I'm going to leave you with this, we are all old enough here to remember the 7-11 days. Remember
21 when the 7-11's come out and there was one on every corner. Look at those corners now. 7-11's aren't
22 there, we don't see 7-11's very much anymore. So when they put this big building in at Smith and Loma
23 Rica and the community decides I won't be using a Dollar General but we decide not to use it. What are
24 we going to be left with when these nice gentlemen leave town. We are going to be left with a big
25 building on the corner of Loma Rica and Smith Road that's going to become an eyesore. Those are the
26 things in small communities, I moved up from Sacramento 11 years ago, when I want to come to the city
27 I want to get in my vehicle, I want to drive 30 or 40 minutes to get there. I don't need a Dollar General in
28 my neighborhood that's not why most of us move up there and now that we have turned in about 1,250
29 signatures and we stopped collecting signatures we're not even going about it anymore because people
30 were just ready to sign. So in a matter of a couple of months this is what we did. So you've got people
31 saying we don't want this and look at the building design you are going to put a nice new modern
32 building up there in the middle of country town and I'm sure that there are going to be other people
33 that come up here and speak that are going to let you know what impact it's going to have on them as
34 well. We appreciate your time in talking to us and if the process moves forward we would like to be part
35 of the process, we are that community but we are asking that you don't approve it and let's get people
36 involved in it.

37 Commissioner Lindman – Thank you.

38 Kathleen Rose, Rackerby – Good evening, my name is Kathleen Rose and I actually live in Rackerby, I
39 don't live in Loma Rica and though I understand my neighbors concerns about where this Dollar General

PLANNING COMMISSION MEETING MINUTES
DRC2016-0002 DOLLAR GENERAL

1 is going I have a concern over the fact we have a lack of industry in that neighborhood, in that neck of
2 the woods. We have, as I am sure you guys are aware, the highest rates as far as single mothers on
3 welfare and unemployment per capita compared to the rest of the state. Where I live its 20 minutes
4 everywhere, if I want to work I'm looking at a 50 mile round trip. Maybe this isn't the right spot but I do
5 think the Board of Supervisors should take into consideration that some of us would really appreciate a
6 job up that neck of the woods where we don't have to spend an extra hour and a half a day away from
7 our families to make a living to pay our bills. Thank you.

8 Commissioner Lindman – Thank you.

9 Dave Adams, Property Owner – My name is Dave Adams and I am one of the land owners to the north of
10 that property. My questions are where you going to get the water for this damn tank, from my well and
11 what are you going to do when we empty the wells which has been happening up there. Because there
12 is not enough water, we are still in a drought and what's going to happen to our property taxes when
13 this building goes in. Are we going to be paying more for property taxes? Also I am worried about the
14 light pollution, I like to run my telescope in the back yard which happens to be near the church. I have
15 problems enough with Gold Eagle Market now you're going to add more light to it. And what about
16 water runoff coming from the driveway going toward the church? Are you going to pave it so it all goes
17 into that little pond or is it going to be on Loma Rica Road? And what are we going to do about the kids
18 that constantly run across that road, from the church, the schools going to the stores, how many kids
19 are we willing to see killed because we have city drivers up there driving too fast?

20 Commissioner Lindman – Thank you.

21 James Ahrens, Property Owner – Hi my name is James, I own the property to the south of it,
22 immediately bordering this proposed Dollar General. I'm concerned about the runoff you guys had the
23 picture of the drainage pond area you want. You want a 9,100 square foot building Dollar, Gold Eagle is
24 only 8,700 feet. That ponds going to be big compared to the drawing you have and on my property right
25 coming across downstream from your guys pond is where I have a little creek coming into my property
26 where I have an acre and a half pond full of bass fish, wildlife, birds, you name it. So what kind of runoff
27 from the parking lot, the septic, all their chemicals is going into my pond and kill everything. Not to
28 mention where my nephews come and play, my dogs play, so what kind of stuff is that going to bring.
29 Also I am concerned about the environmental determination, I got this letter about this hearing tonight
30 and it said that it was exempt from the California Environmental Quality Act. How is it exempt when
31 people in our area can't even get a well, can't get a septic system approved yet they are totally exempt.
32 Dig deep enough to find hundred dollar bills, I don't understand how you guys do that. And yeah as for
33 work in the area I live in Loma Rica I commute to Elk Grove every day. I used to live five minutes from
34 my work I now live an hour and a half from my work. I made that choice because I want to live in the
35 country away from all these big box stores and I don't really care if I have to drive to Oroville, to Grass
36 Valley, to Marysville, that's part of living in the country, that's why you're there. As for having a big steel
37 building on the corner, if I knew this was going to pop up, I would have never bought property there, the
38 people who just moved in behind me they would have never bought property there. No one in the
39 community wants this. Thank you.

PLANNING COMMISSION MEETING MINUTES
DRC2016-0002 DOLLAR GENERAL

1 Commissioner Lindman – Thank you.

2 Jill Simmons, Property Owner – My name is Jill Simmons, 4824 Bevan Road in Loma Rica. I am submitting
3 a letter to the Commission and I think I might have time to go through it a little bit. Dear Planning
4 Commission Chair Lindman and Planning Commissioners. I want to emphasize that you are also being
5 asked to find that this project is exempt from CEQA and most of our letter addresses that but there are
6 also two criteria that you are being asked to address that we have some specific things to say about.
7 Criteria (I) you are asked to state that the lighting plan and lighting fixtures are designed to complement
8 buildings and etcetera but you don't have a lighting plan in front of you. I know they said its coming and
9 part of subsequent things that they turn in but you do not have it in front of you. Okay, in our letter we
10 go through all the reasons why we think an EIR should be done. I'd like to concentrate on traffic. In
11 discussing the traffic situation at this location, the County staff report calls this Loma Rica Road at this
12 point LOS "A" but I looked in the General Plan EIR and in Appendix E it's listed as LOS "B". It also appears
13 that traffic calculations were performed in 2007 almost ten years ago. The population of Loma Rica at
14 the 2010 census was 2,368 people. We can surmise that the project proponent intends to draw people
15 and traffic from other areas since that number of people cannot support this store. Therefore a traffic
16 study must be done and the traffic study should include traffic that will be generated by the build out of
17 the entire ten acre parcel. The County staff report for this project calls this the Loma Rica Commercial
18 Corridor, we are unable to find reference to this planning designation for Loma Rica Road in the Yuba
19 County General Plan or Final EIR. So we are just wondering where that term comes from and since we
20 don't know we don't have any ability to evaluate what it means. There are extremely poor sight
21 distances at the intersection of Loma Rica Road and Smith Road from the east and from the west at the
22 proposed driveway location on Loma Rica Road. These poor sight distances create a dangerous situation
23 for those trying to make turns at these locations especially with additional traffic generated by the
24 project. In fact the County staff report for the Dollar General design review permit states, "pedestrian
25 traffic is not encourage by County staff due to the lack of sidewalks and road shoulders, high speed of
26 vehicular travel, long distances between locations and changing road elevations and curves which limit
27 visibility." The weight limit on Loma Rica Road between Iowa City Road and Marysville Road is 22 tons
28 and signs are posted at Loma Rica Road and Highway 20 and also at Iowa City Road. We don't know
29 anything about truck weights so but we are just asking. What will be the truck weights of the delivery
30 trucks and the construction vehicles and how will the County make sure these standards are met? What
31 size trucks does Dollar General use? Today I took this picture behind the Marysville Dollar General. It
32 was you know backed up to the loading gates or loading doors and its huge. Also it's clear to those of us
33 who live here that delivery trucks after delivering at this location if going on to Nevada County will travel
34 down Smith Road to Virginia to Fruitland to Marysville Road and then up State Route 20. If going on to
35 Butte County they may travel up Fruitland to La Porte and on down through Honcut to Highway 70. It's
36 important to think about things like that the travel of their trucks that we really don't know about
37 because it hasn't been studied. We also echo the concerns about septic and water. The County staff
38 report says that BVID irrigation is available, we were wondering if you have a letter from BVID stating
39 that. We're worried about drainage and water quality. There is a road side ditch that goes along side
40 Loma Rica Road on that side of the road and it goes straight to Prairie Creek. Additionally we have
41 personal concerns. We don't want to lose the post office, we don't want to lose the gas pumps and the

PLANNING COMMISSION MEETING MINUTES
DRC2016-0002 DOLLAR GENERAL

1 Gold Eagle Market sells fresh fruits, vegetables and fresh meat. They sell many healthy items, they stock
2 things like low salt, low fat, and they're just a great resource for people trying to take care of
3 themselves. Thank you for listening.

4 Commissioner Lindman – Thank you.

5 From the audience – Excuse me is there a limit on public commentary time just out of curiosity?

6 Jason Kopping, Planning Commission Secretary – Yes there is.

7 Arlene Van Meter, Property Owner – My name is Arlene Van Meter, I live in Loma Rica, I live on
8 Fruitland Road. I'm over from Loma Rica Road. I am concerned is my property value going to go down
9 now that we are going to have Dollar General and as far as you people you are telling us that it's going
10 to be different, country looking, no I have been to Oroville, been to Olivehurst, I've been to all the super
11 Dollar General stores they all basically look the same. Outside of their stores, if any of you care to drive
12 by Marysville, you'll see their clothing hanging outside, you will see other odds and ends hanging outside
13 it looks very professional. We didn't move up to Loma Rica to be in town, we moved up there to be far
14 away from town not far enough that we couldn't get to town if we had to. We're bringing town right up
15 to us now. We don't want this, none of us want this, Dollar General wants this only because they will
16 have a write off because it's not going to work in our area. If nobody goes we have an empty building
17 nobody tears it down it just sits there and collects dirt, dust and trash. We talk about the water runoff,
18 I'm concerned because they haven't talked about anything on Smith Road which is not worth going
19 down that road is all torn up, it is uneven and it's going to have to be repaved if they want to do
20 anything to it you cannot make a left turn onto Smith Road without hitting a ditch or something. That's
21 not a good road I don't care what all you people are saying, maybe you should come up spend a couple
22 of days, maybe you should of came up through the rain season. Do you know that Hill Road was flooded
23 coming down off the road first time in 40 years I have ever seen that happen and we're saying we have a
24 good drainage system going to go off here, I don't think so, I think it's all going to just go like he said into
25 his property and kill everything there. The lighting, we haven't discussed any of the lighting, people live
26 behind there we don't want lights shining off into our area. We have enough lights, if we wanted lights
27 we would put in our own outside lights. Security, what kind of security are they going to offer? I see
28 homeless we might not get homeless in our area I think if we did we would probably do something for
29 them but I see everywhere else and it brings all kinds of people into our area that we really don't want.
30 If you want more Dollar Generals bring them down into town other than that we will live where we are
31 and thank you.

32 Commissioner Lindman – Thank you.

33 Clarence Van Meter, Property Owner – My name is Clarence Van Meter, I live in Loma Rica, I have lived
34 there over 40 years. You guys screwed us once putting a church in beside us and you guys held it up
35 where you guys had enough votes to pass it and that's been a long time ago and you guys okayed it and
36 their runoff goes right into their well. So I think before you guys pass anything you should go up there
37 and look at things cause none of you all live up there, not one of you. Even the people building it I doubt
38 if they even live in this County. So why should we have something up there that's going to be butt ugly.

PLANNING COMMISSION MEETING MINUTES
DRC2016-0002 DOLLAR GENERAL

1 Going to be too many people, we don't have enough people up there to have another store. The stores
2 we got can't even make it, they are always going in the hole, I know it, they don't say it but they do
3 because there is not enough people that lives up there. You put a Dollar General up there, we don't
4 need it. Put it in town if they want the dang thing we don't need it because they won't be there and if
5 you do pass it and they fail make them tear it down, put it back to natural. Instead of having an ugly
6 building up there cause it won't last a year. Where they going to get the people to work there, they're
7 not going to hire one person that lives up there because their rule for their employees must live 17 miles
8 away from the building. You cannot work there if, we live up there, we cannot work there so why do
9 want another building up there. So think about before you guys go and get your money from these guys,
10 I know you do, everybody else knows. So you guys are just like the Supervisors they don't listen to
11 nobody I'm hoping you guys will cause we don't need them and we don't want them. If we wanted
12 another business up there I'd put one in myself but we don't have enough business up there for
13 anything. So thank you.

14 Commissioner Lindman – Thank you.

15 Sean Minard, MHM Engineering – Hello, I'm Sean Minard, 1204 E Street, Marysville. I just wanted to
16 clarify on the storage tank. I checked into the size, roughly it's estimated at 2,500, 25,000 gallons and it
17 has nothing to do with there being a water well there or no water well there, it's simply the fire code
18 has changed. We did a project in Sutter County just recently for a bus yard for Yuba City Unified. We had
19 to put two 25,000 gallon tanks which probably only needed one but again it's not anything to do with
20 there being a water well, there will have to be a water well there they need domestic water. So at a 25
21 foot diameter which is shown on the drawings it would be 8 foot tall. You know if you wanted to make it
22 20 foot diameter maybe it goes to 10 feet tall. But the way it's currently drawn its 20 foot diameter, its 8
23 foot tall. It will have it will supply the sprinkler system in the building but it also has what they call a fire
24 department connection and FDC and it has to be a certain distance away from the building for the FDC
25 connection cause when the fire trucks, they will hook up to it, I know that was a question and that will
26 supplement their water in their fire trucks if needed. It will actually support the neighbors also if they
27 needed water too but the reason they are doing it is because of the current fire code and the FDC has to
28 be a certain distance away from the building. So we do have some flexibility to move it but we do have
29 to follow all the rules and the fire code and setbacks from the building. I just wanted to clarify that, that
30 was one of the questions that...

31 From the audience – So where you getting the water from for this tank from my well? From his well?

32 Sean Minard, MHM Engineering – It will be filled from the onsite water well. So if you have any
33 questions.

34 From the audience – So you are stealing from our water table to put that thing in?

35 Sean Minard, MHM Engineering – So if you have any other questions I'll try to answer any technical
36 ones.

PLANNING COMMISSION MEETING MINUTES
DRC2016-0002 DOLLAR GENERAL

- 1 Commissioner Phillips – You are intending then to actually charge it from your well so that has to be a
2 pretty good sized well then isn't it to charge 25,000 gallons?
- 3 Sean Minard, MHM Engineering – You charge it between, Kevin might be able to entertain because this
4 goes on all throughout the County.
- 5 Commissioner Phillips – I thought that there had been some discussion about charging that tank with
6 BVID water but that's not there all season if I recall correctly.
- 7 Kevin Mallen, CDSA Director – If I could, through the Chair, it's not a continuous use it's not like you are
8 using 25,000 gallons its only if the building is on fire. So for most of its life that water is just going to sit,
9 it will just be a static water storage.
- 10 Sean Minard, MHM Engineering – And just like the gentleman mentioned on his house even if you build
11 some houses you don't have the well, ten minute gallon, you fill it at night its filled before the next fire
12 event. Hopefully you don't have a fire every two days, you have time to fill it back up.
- 13 Commissioner Phillips – You won't be putting water through the tank to serve the building for regular
14 use, tank storage will be just static and adjacent to this.
- 15 Sean Minard, MHM Engineering – They usually set up as a static water source but they have to make
16 sure it's hooked to the system. It won't be hooked to the domestic water system because you would
17 have problems, being an engineer you know that it could go have water quality issues, so it's not hooked
18 to the domestic water system at all.
- 19 Commissioner Phillips – Same way I handled mine at my property it's just full in the winter time, I don't
20 take water out or in unless I need it.
- 21 Sean Minard, MHM Engineering – And that's what this would be so if you have any other questions I can
22 try to answer them.
- 23 Commissioner Rasmussen – Through the Chair, 25 foot diameter by how high?
- 24 Sean Minard, MHM Engineering – Well for the 25,000 gallons at 25 foot diameter it would be
25 approximately 8 foot tall.
- 26 Commissioner Correa – Through the Chair, so there is going to be a well that supplies the water for that
27 area?
- 28 Sean Minard, MHM Engineering – They would have to just like any new home or building or they would
29 construct a new water well as part of this project and I believe we show it on the site plan and it has to
30 be 100 foot away from the septic just like all other projects and so that will be part of the project. Again
31 that's not part of the what we're here for design review but it's part of something we are reviewing
32 working with staff on the building permit.

PLANNING COMMISSION MEETING MINUTES
DRC2016-0002 DOLLAR GENERAL

1 Commissioner Lindman – I have a different question not related to the water tank. In regards to the
2 runoff being contained on site and the pond being I'm sure sized accordingly for large rain events I just
3 wanted to kind of get your input on that. There is obviously some concern about runoff.

4 Sean Minard, MHM Engineering – Again that's something that we will continue to work with County
5 staff through the building permit process but the detention ponds add, you now mitigate the peak and
6 what it was historically runoff the property and what it does after you develop and create impervious
7 areas. So that pond is sized to handle that plus you put features in the pond for water quality to address
8 concerns the neighbors have and what's been brought up tonight. Again to meet all the water quality
9 requirements there's also in the drain inlets in the parking lot and other area they have features in the
10 drain inlets all those things, the new SWPPP requirements and best management practices address all
11 the water quality issues and we will have to meet those like every other project.

12 Commissioner Lindman – And does that include the septic and leach field as well then in terms of water
13 quality.

14 Sean Minard, MHM Engineering – Well the septic will have to meet the Yuba County Environmental
15 Health standards just like any other project.

16 Commissioner Lindman – Thank you.

17 Phillip Simmons, Property Owner – Thank you. I'm Phillip Simmons another Loma Rica resident. I
18 appreciate the opportunity to bring our concerns this is the first chance we've had really to say anything
19 about it. I know you are looking at the color of the building but you can sense the emotion in this room.
20 The residents of this community a thousand people signed that petition. The residents of this
21 community are adamantly opposed to this project. I just ask you to do one or two things before you
22 make a judgment on this. If you could go there and stand on the corner of Smith Road and Loma Rica
23 Road, despite the presentations, I think you would look at that area and say this is not a good fit for this
24 business. If it was a local business, if it was money that was staying in our community, if it was a
25 business that provided a service or a product that we needed I wouldn't be here and if I talked to my
26 neighbors everyday which I do and they were all in favor of it I wouldn't be here either. But please go
27 there, look at it. You know this semi-truck that's going to bring this stuff to the store it couldn't turn on
28 to Smith Road without veering into the left hand lane of Loma Rica Road and using all of Smith Road.
29 Smith Road is from here to the flag wide, unimproved doesn't even cover it. So please take a look at it. If
30 you can go into a Dollar General see what they offer and if you can come to the Gold Eagle and see what
31 they do for our community, try the homemade potato salad. So apparently if the citizens not wanting
32 this, if that's not enough then we are going to be looking hard at all the things that we home owners
33 have to put up with. You heard the people talking about the water tank, any permit in the County, which
34 is a concrete pad bigger than ten by ten is a \$2,000 water tank that you have to put on your property. I
35 live less than a mile away. The drainage, the perc tests, the septic tank, it costs \$40,000 to put in a new
36 septic system up there and we're going to be watching every little thing if the fact that the residents
37 don't want it and don't need it isn't enough. If you check out Nevada County you're going to see the
38 same exact thing people don't want it and they're raising hell about it. Hallwood that would be better,

PLANNING COMMISSION MEETING MINUTES
DRC2016-0002 DOLLAR GENERAL

the Chevron at Marysville Road that would be better, it's on Highway 20, Loma Rica Road is not a big corridor of any kind it's small and if you go up there take a look I think a lot of your questions would be answered and I think as Planning Commissioners you would say this could use a bit more planning.
Thank you.

Commissioner Lindman – Thank you.

Josh Shirts, Property Owner – Good evening, my name is Josh Shirts, I live on Smith Road. I have been there for a little over a year, my parents have been there a little over 11 years. Again we moved up here to get away from Sacramento away from the hustle and bustle of city life and everything that that includes. I don't know if you guys have been down Smith Road but it's barely a one lane road. My son's bus stop is right there at Smith and Virginia. So these big trucks are going to be right around where my son gets dropped off or gets picked up for school. The fact that where's the water going to come from. Loma Rica Elementary for the last year has had a dry well they've had to bring in bottled water every single day to provide water for that entire elementary school. Where is that water going to come from. How many more dry wells are there going to be when they pump in 25,000 gallons. The fact that this water tank is right there at Smith and Loma Rica, how many people are going to die in car accidents because they can't make a left hand turn on to Loma Rica without seeing down the road, because people do fly down Loma Rica Road 60, 70 miles per hour. You go to creep out there just a little bit you've got a fatality car accident. These are things that need to be discussed these are things that need to be addressed. Thank you.

Commissioner Lindman – Thank you.

Shannon Laura Sullivan, Property Owner – Madam Chair, members of the Board, my name is Shannon Laura Sullivan, I live at 9671 Joyce Lane, Marysville, CA, that's Las Quintas in Loma Rica. I also own Country Corners Veterinary Hospital in Oregon House and I come here today as a citizen but I also come here as a business owner and a woman and I got to tell you I am a little disturbed I think that one of the things that today has shown you or should have shown you is that this project has had little or no community input. You guys are being asked to be make recommendations and judgments on a plan that isn't even a plan with all due respect four sides of a building and a plot map is not good enough. I have not heard what type of septic tank is going to be there, I have not heard how you are going to screen this water collection pond so that little kids don't drown in it and we don't have to see it. I haven't heard what you are going to screen this business from the neighbors who live less than an eighth of a mile away, paid good money for their land and now it's probably not going to be worth a god damn dime. With all due respect how are you going to mitigate the light and the sound? With all due respect I've almost run over little kids coming across from Gold Eagle going over to the church and I drive carefully. Smith Road is a one vehicle road. Last week Smith Road was impassable for half of its distance between Smith and Virginia because of flooding and that is not an uncommon occurrence and it's not due to our el nino that happens all the time, why, how do I know this I drive that every day. If you are going to put in this Dollar General I would suggest that you have setbacks on that property that allow for a dedicated turn lane in and out of those parking lots or you'll allow the traffic come into the lot itself and then enter the parking without egressing anywhere near the exits and entrance for Gold Eagle or that church.

PLANNING COMMISSION MEETING MINUTES
DRC2016-0002 DOLLAR GENERAL

1 You're asking for a little kid to be smashed into the pavement. I would also ask that you would put in
2 traffic signals and you would ask for Dollar General to pay for that. Let's talk about the water. This pond
3 okay that's a great idea this little swimming pool pond that ya'll all are putting in, it looks pretty big too
4 and you're going to mitigate it for water quality. Okay what happens when the pond overflows? How's
5 this pond going to be lined? How are you going to make sure none of that water escapes? Because guess
6 what every summer my lifetime fishing license allows me fish in Prairie Creek and I do I fish for bass and
7 I fish for crawdads but I'm not going to be able to fish in there if its contaminated with a bunch a junk
8 coming off a 9,100 square foot business. That's Prairie Creek and its all downhill from this plot site to
9 Prairie Creek that is a permanent riparian corridor the Department of Fish and Game says should be
10 preserved. This sure doesn't look like preservation to me it looks like you are avoiding CEQA. It makes
11 you look bad. This is not transparency in government. I would hope that you would hold your heads a
12 little higher. I have a lot more respect for you than that. I hope you would live up to it. Let's talk about
13 what it means to be rural commercial. I put in a veterinary hospital. I rehabbed a 3,000 square foot
14 facility and by the way before I go any further I would like to ask that your board extend the public
15 comment period from today out. I'd like to have the chance to sit down and write a letter about all the
16 things I think and allow all these other people to really tell you what they think. This, whatever couple
17 hours, three minutes it's not enough this is a bad problem of project. What's Dollar General going to
18 sell? Alcohol? Tabacco? I'm a veterinary hospital I had to pay \$5,000 to get a special use permit.
19 Veterinary hospital that was needed. This is a 9,100 square foot building there is no permitted required
20 as far as special use you just come in put in a 9,000 square foot box call it good. Not okay not fair. You
21 said yourself Kevin we don't even have a design process anymore. The Board of Supervisors are
22 supposed to put that in place. According to what I heard today you all are not even supposed to find on
23 this because you don't have any way to make a measured decision you're not the appropriate people to
24 be making this decision, the community is. We kind of left the community out didn't we and see the
25 community up there it's not the community we have down here. It took me an hour to get here today,
26 I'm sorry I was late but it took me an hour. I didn't see two hours' worth of appointments I lost that
27 revenue as a business person because I feel so strongly about this. I don't want a Dollar General. I want
28 to be able to look north and see Pikes Peak okay I don't want this, I don't think it's a good thing. And I
29 really do not think that you guys are, this CEQA, no way, no how 9,100 square foot and you're not going
30 to have an environmental impact report, no traffic study, you're not even going to say how much waste
31 water they are going to generate. There's nothing even to say what kind of well they are going to have if
32 they are going to have a well cause they don't even know if they are going to have a well or where that
33 water is going to go maybe it might go into the tank. I'm sorry I'm very strongly opposed to this and as
34 far as the quality of this project I have a couple of things I am going to leave with you guys. I want you to
35 think about the kind of business you are bringing in. This business has a reputation of being the worst
36 employer in the United States. This business in the last five years had to pay almost half a million dollars
37 in OSHA violations, last five years folks. There was another lawsuit filed back in December, okay, not a
38 nice corporation. I'm leaving these for you. I would ask that you guys would extend the comment period
39 and bring it to full community comment.

40 Commissioner Lindman – Thank you. Are there any additional public comments?

PLANNING COMMISSION MEETING MINUTES
DRC2016-0002 DOLLAR GENERAL

1 Sandy Ahrens, Property Owner – Alright, Sandy Ahrens, 11832 Smith Road, right next to where you guys
2 want to put the Dollar General. In case you didn't know there is already a Dollar General in Marysville
3 literally 15 minutes away for where they want to put that one. Why does there need to be two I don't
4 understand. Also being right next to where they want to put that, that property is higher than ours and
5 like my husband James brought up the drainage, the septic, the water, everything. I have a business
6 there too, a boarding kennel, Blue Willow Haven. You know we have dogs out there that play, I'm
7 worried about the noise, the lighting disrupting dogs, dogs barking, people over there, you know all that
8 stuff. It just really does not fit in. You showed the pictures like how does that Dollar General fit in with all
9 the other businesses, it doesn't. It doesn't look anything like it. I mean we are not opposed to something
10 going there but we don't want commercial crappy Dollar General there. I don't want to look out my
11 kitchen window and look at that building every damn morning. I mean come on we moved here from Elk
12 Grove three years ago and Elk Grove, I mean when I first moved to Elk Grove 20 years ago the four
13 corners of let's see Elk Grove, Florin and Calvine, there was nothing there. You bring in one commercial
14 building what happens, what happens, exactly, it's not going to stay the same. It's not going to be rural
15 someday. So I just you know please take all that into consideration, the people don't want it, the
16 neighbors don't want it, the community doesn't want it. I mean it's just heart breaking it really is, thank
17 you.

18 Commissioner Lindman – Thank you.

19 Wesley Adams, Olivehurst – As I said my name is Wesley Adams, I live on Twain Drive in Olivehurst and
20 I'm building a house up in the foothills. I understand you know the reservations...

21 From the audience – He has already had his three minutes.

22 Wesley Adams, Olivehurst – Well she had six, I'm taking my other three. I understand what a, you know
23 how people feel.

24 Kevin Mallen, CDSA Director – Sir could you keep it brief.

25 Wesley Adams, Olivehurst – I can only do one time?

26 Kevin Mallen, CDSA Director – Yes it's a onetime deal.

27 Wesley Adams, Olivehurst – I should of done six the first time huh darn it.

28 Brian Berry, The Embree Group – Good evening Commissioners, thank you for your time this evening.
29 Again my name is Brian Berry I am with the Embree Group and we are the developer for Dollar General
30 and I just wanted to say briefly that we have met with staff, County staff a couple of times to discuss the
31 requirements and the codes set forth by the County and we are adhering to those codes and those
32 requirements with our project. You know Dollar General is well liked in some other communities and I
33 understand that some people have concerns here in this community but they will generate jobs I just
34 wanted to address, I did want to address that one comment but I have heard from Dollar General,
35 straight from those executives and folks that work there. That they do source jobs locally and so I am
36 not sure where that came from but they've also you know contributed millions of dollars to the literacy

PLANNING COMMISSION MEETING MINUTES
DRC2016-0002 DOLLAR GENERAL

1 funds for the communities surrounding their stores and communities here in California specifically. So I
2 don't want to get into too much of that, I just want to say that I am here for questions happy to answer
3 questions and I hope that you'll see that we have met our requirements set forth by the County. Thank
4 you.

5 Commissioner Lindman – Thank you. Are there any additional public comments at this time? Okay if
6 there are no additional comments we will go ahead and close the public comment period. I don't know
7 if staff can address the existing infrastructure comments on the ability of having a well out there, people
8 mentioning dry wells, drought, I know it's addressed in your staff report but if you wouldn't mind saying
9 a few words about that.

10 Kevin Mallen, CDSA Director – Sure if I could, through the Chair, Kevin Mallen, Community Development
11 Director, the Environmental Health Department will be the department that will permit the onsite well
12 and onsite septic system. I did want to address, I had heard a comment about wells going dry,
13 specifically at Loma Rica School, which is less than a mile from this location. It was not a dry well, they
14 have a water quality issue, actually with their own infrastructure onsite and so that's why they have a
15 bottled water issue, it's not because they don't have a quantity issue, it was a quality issue. But I don't
16 believe it was from the ground water itself, it was from their distribution system within the school. As
17 far as the septic system, there were some other comments on about what type of system, I believe their
18 preliminary design is a sand filter system, which is a very familiar system for that area. Most of the Loma
19 Rica Browns Valley area has shallow soils. If you have less than 8 feet of depth of soil on your site it
20 requires an engineered system and so that's pretty typical up there and different engineered systems
21 depending on soil depth, that are typical in that area are pressure dose and sand filter or pressure dose
22 and sand filter combination and that's, I believe, that's what preliminary is proposed but those are,
23 water and septic issues are really something that will be handled by the Environmental Health
24 Department through their permitting process in requiring the development to meet their the County
25 standards and it is not really part of the design review process but I did want to make sure that some of
26 the questions from the public are answered.

27 Commissioner Lindman – Thank you. Would you mind also making some comments about the
28 environmental review and traffic study public comments that were made in that respect.

29 Kevin Mallen, CDSA Director – Yes, if I could and I might have Kevin Perkins help me with this but getting
30 back to the rural commercial designation, there was a comment about Loma Rica Commercial Corridor
31 and so what was meant by that in the staff report is that the majority of the parcels that are zoned
32 commercial in the Loma Rica area reside along Loma Rica Road along this corridor, roughly from the
33 Smith Road area up to Fruitland Road and those are some of the properties that were shown in the
34 photographs but for example at the intersection of Smith and Loma Rica Road, all four corners of that
35 intersection, well its Bevan actually to the north, but all four corners of that intersection are zoned rural
36 commercial, they have been zoned rural commercial for decades and one of the principally permitted
37 uses on a commercial zone is a commercial retail establishment and so that I wanted to make sure that
38 was clear as well. Which is why this process is really just focused on the design and not really the merits
39 of whether or not a commercial building should be constructed on a commercially zone property. And so

PLANNING COMMISSION MEETING MINUTES
DRC2016-0002 DOLLAR GENERAL

getting back to traffic, so those rural commercial parcels they've been designated they were designated actually in the 1996 General Plan through the zoning that resulted from the 1996 General Plan as well as when the County updated its General Plan in 2011 and the zoning map that was updated in just this past year in 2015 and so both those general plans had environmental review. They both had extensive EIRs, traffic studies were done County wide to take a look at things exactly like this where the commercial concentration happens in each of these rural communities and how that effects traffic and so that was looked at on a County wide basis though the general plan and that was used to support the basis for the zoning that was established that is established this rural commercial designation.

Commissioner Lindman – And so there was a discrepancy on the level of service for Loma Rica.

Kevin Mallen, CDSA Director – Yes and so that comment I don't have everything in front of me but the general plan that was adopted by the Board in 2011 the traffic counts that were used to support the traffic analysis I believe were from the 2007 era and actually traffic has gone down in a lot of areas there has actually been a little bit of a dip, so that might be why it went from an A or from a B previously to an A in the report but regardless an A or a B is both an acceptable level of service. It's not til you get to a level of service D or E that there really is a concern. Kevin is there anything you wanted to add?

Kevin Perkins, Planner III – No, I do not have anything that I want to add, Director Mallen did address accurately the relationship between the EIR, the zoning ordinance and creating areas that have permitted uses because it was determined by larger general plan EIRs that those areas were suitable for commercial or residential or industrial uses.

Commissioner Lindman – Thank you. I also had some questions about Smith Road, I did notice how narrow it was and they've mentioned that there was some significant flooding and that the road is not in very good condition. I was a little bit concerned having that second access point on this narrow road that's not in good shape and may experience some flooding.

Kevin Mallen, CDSA Director – The flooding that was described in the public comment was to the south of there but and I'm not sure you can pull up the picture Kevin if you want but the driveway would be right across from the driveway that's used currently by Gold Eagle Market on their western boundary. So it's already, that section of road is already in use by commercial traffic. I think it was that, was it the next one?

Kevin Perkins, Planner III – This one?

Kevin Mallen, CDSA Director – I guess that really doesn't show the road that just more of their parking area. But they will be required through their the building permit process for the Public Works to ensure that they have adequate driveway entrances which also includes tapers on the road so there will be some minor road widening in the area of the driveways to accommodate for example the commercial truck traffic turning movements in and out of the project.

Commissioner Lindman – Okay so the road way improvements would strictly be those for the driveway?

Kevin Mallen, CDSA Director – Yeah directly related to their access points.

PLANNING COMMISSION MEETING MINUTES
DRC2016-0002 DOLLAR GENERAL

1 Commissioner Lindman – Okay. Thank you.

2 Commissioner Phillips – Are there fee structures that go along with building permits that would set aside
3 funds for intersection improvements? Say turn lanes probably not necessary now but the day will come
4 when that's required.

5 Kevin Mallen, CDSA Director – Right as part of every building permit issued in the County for a new
6 commercial building and a new residential structure there is an impact that's collected for actually
7 County facilities as well as County traffic impacts and so that is set aside in a fund and then those funds
8 are used to improve our roads at key intersections for example to make sure they are accommodating
9 future traffic based on the development. So getting back to Commissioner Phillips comment those
10 impact fees where they are spent is actually designated through the results of the traffic analysis that
11 was performed in the general plan. That traffic analysis looked at where there would be a breakdown in
12 the future of key intersections or whether or not roadways needed to be widened, traffic signals needed
13 to be installed and so those were identified through the EIR process in the general plan and then those
14 projects are proposed to funded by these impact fees that will be collected on each building permit and
15 so this particular project will pay that impact fee that will go towards future improvements that need to
16 be addressed not only in this particular area of the County but County wide its cause it's a County wide
17 program.

18 From the audience – Who's going to pay for this road to be widened? The tax payers or is it going to be
19 Dollar General?

20 Kevin Mallen, CDSA Director – If that's a question that the Chair would...

21 Commissioner Lindman – Yeah if you wouldn't mind.

22 Kevin Mallen, CDSA Director – Just to make it clear, future improvements that are needed on County
23 roads as a result of development are paid by the development through impact fees.

24 Commissioner Lindman – Thank you.

25 Commissioner Rasmussen – Through the Chair, Mr. Mallen, would also the school system be getting
26 some builder fees from that?

27 Kevin Mallen, CDSA Director – So yes and I am not sure of the rate is for commercial development for
28 Marysville Joint Unified School District but I believe there is a fee assessed per square foot of building
29 constructed.

30 Commissioner Rasmussen – Thank you. Through the Chair, I also had some thoughts on procedural
31 things that we are doing now and earlier Mr. Mallen you had mentioned that it's our challenge today to
32 take a look and review the permit itself and not so much as the merit to the project. In the process
33 moving forward where does the merit portion come in?

PLANNING COMMISSION MEETING MINUTES
DRC2016-0002 DOLLAR GENERAL

1 Kevin Mallen, CDSA Director – So the merit really originates back with the general plan and the County's
2 overall vision on where it sees these rural communities growing in the future or not growing and really
3 that where the participation from the community comes in to decide what they want to see for the
4 future and that implementation occurs through the zoning or the development code and the zoning
5 designation and so really at this point the entitlement is already there. For example on this particular
6 property you know it's always been envisioned, I shouldn't say always, but for the last few decades it's
7 been envisioned as commercial and so a property owner has the right to come forward with a
8 commercial project that's consistent with that zoning. But from a public participation on where they
9 would like to see commercial in the future that's something that really needs to originate through the
10 general plan process.

11 Commissioner Rasmussen – Thank you very much.

12 From the audience – Inaudible question about the retention pond and kids...

13 Commissioner Lindman – That was one of my questions I was kind of curious about the liability and the
14 potential screening or fencing that would be required?

15 Kevin Mallen, CDSA Director – So if I could, through the Chair, it's not a pond in the conventional
16 thought of retaining water year around its essentially where water will be held temporarily during a
17 storm event and then metered out actually during and then after the storm event. So for a majority of
18 the time it will be a dry area and it won't be retaining water. I'm not sure if the applicants engineer
19 wants to, Sean is there anything you want add to that on the detention pond design?

20 Sean Minard, MHM Engineering – The slopes on the pond are slopes such that it is 3:1 or 4:1 to allow,
21 it's not vertical so when you fall in you can walk out. That's another feature we have done, also it's
22 easier for maintenance. So it's standard ponds you'll see throughout the County.

23 Kevin Mallen, CDSA Director – So maybe to just kind of complete the pond discussion the ultimate
24 design of the pond and ensuring that it meets both the storm water volume as well as filtering from a
25 storm water quality standpoint will be addressed with the Public Works Department though the building
26 permit process.

27 Commissioner Lindman – I'm sorry what was that? Is that indeed wastewater management?

28 Kevin Mallen, CDSA Director – No, no that's a separate issue but perc and mantle is associated with the
29 septic system and that will be handled though the Environmental Health Department.

30 Commissioner Lindman – So it doesn't sound like this is a liability even if it is full for a week or
31 something that is not a potential liability because of the slopes then, is that, that is my understanding.

32 Kevin Mallen, CDSA Director – That's something that's not, there is currently no requirement for fencing
33 by the County through our standards.

PLANNING COMMISSION MEETING MINUTES
DRC2016-0002 DOLLAR GENERAL

- 1 Commissioner Lindman – Okay. And in terms of, is there a comment period associated with this project
2 or it didn't.
- 3 Kevin Perkins, Planner III – Through the Chair, the noticing of the project was per state law, it was ten
4 days from the time legal notices were sent out to all neighbors within a 1,000 feet. We also noticed it in
5 the Appeal Democrat and that timeline is the timeline for the noticing of the project.
- 6 Commissioner Lindman – Okay. Thank you.
- 7 Kevin Perkins, Planner III – Through the Chair, we have a computer system that takes property owner
8 information from the Assessor's Department and we're able to run a 1,000 foot radius notice or
9 whatever distance we need to run. We do have a copy of the legal notice and the list of people that
10 were sent the notice in our file.
- 11 From the audience – Curious, how many people were sent notices?
- 12 Kevin Perkins, Planner III – I can go to my desk and get it I don't have that portion of the file with me but
13 typically, typically for a design review application it says we need to notice strictly for design review 300
14 feet, we went out to 1,000 feet which is consistent with requirements for projects outside the Valley
15 Growth Boundary which would be the foothills, District 10 area and you know other regions in the
16 County that aren't in the Valley Growth Boundary.
- 17 Commissioner Lindman – Okay, thank you. Do any of the Commissioners have any other questions?
- 18 Commissioner Correa – No.
- 19 Commissioner Lindman – Is there a motion to adopt or to adopt the attached resolution approving
20 Design Review Permit DRC2016-0002 Dollar General? Okay I will make the motion to adopt the attached
21 resolution approving Design Review Permit DRC2016-0002 Dollar General. Is there a second?
- 22 Commissioner Barker – I'll second that motion but also commenting that I believe we had ten people up
23 here standing and speaking as citizens, I'd like all of that to be recognized to the Board of Supervisors. As
24 we stated we are here to talk about the design of the building and it does meet the County standards as
25 of right now. The community needs to be a part of this process and it was suggested that we extend the
26 public comment. I hope the Board of Supervisors would consider that also along with many other notes I
27 have taken regarding traffic study, lighting, runoff water, the well meeting all standards. I am hoping the
28 Board of Supervisors will be listening to all comments made by everybody here. Thank you.
- 29 Kevin Mallen, CDSA Director – Commissioner Barker I did want to make something clear and I think
30 Counsel will make in regards to the process.
- 31 John Vacek, Deputy County Counsel – Right, there was a motion on the floor and you really can't, you
32 can make a motion to amend that motion but the motion is as stated here whatever that was and if the
33 person making the motion wants to amend it consistent with your request she can do that but what we
34 are dealing with right now is the motion that is on the floor.

PLANNING COMMISSION MEETING MINUTES
DRC2016-0002 DOLLAR GENERAL

1 Commissioner Lindman – Okay, yes I would like to amend the motion to include Commissioner Barker's
2 comments that the public's comments be sent to the Board and acknowledged. I completely agree that
3 with this particular project it meets all land use designations and zoning and so this is really about
4 looking at the design of the building and not the merits.

5 Kevin Mallen, CDSA Director – So staff just wants to make sure that the Commission is clear that this
6 project you are the final hearing body there is no, in the process, your decision can be appealed but that
7 there is no automatic forwarding to the Board of Supervisors but if what the Commission is asking is for
8 staff to gather up the comments that were received tonight and present that to the Board from an
9 informational perspective we can definitely do that.

10 Commissioner Barker – Yes.

11 Kevin Mallen, CDSA Director – Okay I just wanted to make sure we're clear.

12 Commissioner Lindman – You what I'm sorry, in terms of I guess there were additional conditions that
13 we would want. We had spoke about locating the water tank possibly in a better location. I don't know if
14 we could add that on as well as possibly extending that canopy that's over the front door around the
15 building to visually break up the building and provide a similar look.

16 Kevin Mallen, CDSA Director – So the water tank was something I believe the applicant previously
17 nodded we could work on that as long as it conforms to the building code and the requirements of the
18 fire department. In regards to the architectural changes to the front of the building I would prefer if the
19 applicant could respond back as far as what they are comfortable with or not comfortable with in terms
20 of modification to the awning or the parapet on the front of the building.

21 Brian Berry, The Embree Group – So yeah, I mean, my understanding is that the elevations as they stand
22 now meet the requirements of the County and our preference is not to change the look of the building.
23 So I guess, is there, I'm asking that we leave the building as it looks now.

24 Commissioner Phillips – As we look, through the Chair, as we look at the buildings in the area there is a
25 certain, as limited as it is, kind of an architectural look that the store across the street establishes and
26 we thought that would at least make this new project blend with the other one. Is that within the
27 preview of our design review?

28 Kevin Mallen, CDSA Director – That is something that can be entertained as staff when we initiated the
29 presentation there isn't a set standard and so this is a little bit of a kind of back and forth discussion
30 between the applicant and the Commission as far as what the Commission would be comfortable with
31 from an architectural standpoint and what the applicant would be comfortable with providing as far as
32 any modifications. Just make sure we're clear, currently there is an overhang that is proposed but it
33 does not wrap around to the side elevations, was that the concern?

34 Commissioner Phillips – The one across the street does. It starts at the location of the far set of doors
35 runs along the front of the building turns the corner and runs a short distance. Something of that nature

PLANNING COMMISSION MEETING MINUTES
DRC2016-0002 DOLLAR GENERAL

- 1 it's not the whole sides of the building, it's not the entire front but something just to break that Smith
2 Road side, massive look of the large metal building down a little bit would be helpful.
- 3 Kevin Mallen, CDSA Director – So the, what color is that called, Burnish Slate parapet color if you
4 wrapped on to the side elevations that appearance say for the first, I don't know what percentage of the
5 building, maybe the first 10 feet or 15 feet, I'm not sure, to match kind of a similar architectural style to
6 what's across the street where there is a wrap to break up the side profile of the building I think is what
7 the Commissioner is after.
- 8 Commissioner Phillips – And being Loma Rica there must be some hitching posts for the horses. Sorry I
9 can never resist that comment.
- 10 Brian Berry, The Embree Group – If you, as I understand it, what Kevin said is that you would like to see
11 the Burnish Slate parapet wall wrapped around the side of the building, I can do that. I think you are
12 right I think that would break up the side elevations a bit and give it actually a nice look on the corners, I
13 can do that to the building sure.
- 14 Commissioner Phillips – We're trying not to burden you too much but we're just looking for some subtle
15 variations.
- 16 Brian Berry, The Embree Group – Sure and that's actually a really good suggestion so I actually like the
17 way that sounds.
- 18 Commissioner Phillips – Thank you.
- 19 Brian Berry, The Embree Group – Thank you.
- 20 Commissioner Lindman – So that would not be to extend the canopy but to extend the Burnish Slate
21 right?
- 22 Brian Berry, The Embree Group – The parapet wall on the front there.
- 23 Commissioner Lindman – Do the other Commissioners have any other additions to that or comments to
24 that? Is that sufficient? Okay. So the motion was made then to adopt the attached resolution approving
25 the Design Review Permit DRC2016-0002 with the additional elements of locating the water tank and or
26 screening it as well as extending the parapet, is that what we are calling it, the metal panel around to
27 the side of the building and also as well as Commissioner Barkers comments.
- 28 Brian Berry, The Embree Group – If I could just add, I just want to make sure that the condition on the
29 fire tank allows us to, the flexibility to meet the code and requirements of the fire department.
- 30 Commissioner Lindman – Yes absolutely.
- 31 Brian Berry, The Embree Group – Thank you.
- 32 John Vacek, Deputy County Counsel – Okay you have a motion, do we have a second?

PLANNING COMMISSION MEETING MINUTES
DRC2016-0002 DOLLAR GENERAL

- 1 Commissioner Barker – I'll second that motion.
- 2 Jason Kopping, Planning Commission Secretary – We will go ahead and vote at this time. Commissioner
- 3 Correa?
- 4 Commissioner Correa – Yes.
- 5 Jason Kopping, Planning Commission Secretary – Commissioner Barker?
- 6 Commissioner Barker – Yes.
- 7 Jason Kopping, Planning Commission Secretary – Commissioner Lindman?
- 8 Commissioner Lindman – Yes.
- 9 Jason Kopping, Planning Commission Secretary – Commissioner Rasmussen?
- 10 Commissioner Rasmussen – Yes.
- 11 Jason Kopping, Planning Commission Secretary – Commissioner Phillips?
- 12 Commissioner Phillips – Yes.
- 13 Jason Kopping, Planning Commission Secretary – Thank you.

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RECEIVED

MAR 23 2016

March 18, 2016

COMMUNITY DEVELOPMENT
& SERVICES AGENCY

Dear Mr. Mallen:

Please place this letter into the record of the Public Hearing regarding Design Review Permit DRC2016-0002 (Dollar General), held during the March 16, 2016, Planning Commission meeting. This letter was delivered to the Planning Commission during the public hearing.

As noted in our letter, we have requested to be notified of all CEQA actions regarding the proposed project and the parcel it is situated on. If you have filed or will file a Notice of Exemption, we are requesting a copy.

Sincerely,



Philip and Jill Simmons

March 16, 2016

Dear Planning Commission Chair Lindman and Planning Commissioners:

These are our comments on Design Review Permit DRC2016-0002 (Dollar General), the criteria for approval you have been given by county staff, and the findings you are being asked to make.

Criteria E: You are being asked to find that this project will not have an effect on neighboring properties, yet you have not been provided with a map locating residential or other neighbors or property lines. Therefore, the project description is incomplete, and you cannot make this finding.

Additionally, the staff reports states that, "The project has been designed to meet the intention of the Rural Commercial zoning district which was to create 'commercial uses within a limited and appropriate area of the rural community.'" However, the complete description of the Yuba County Rural Commercial District is as follows:

Rural Commercial (RC). This zone district is primarily located within rural communities, but is also an allowed zoning designation in the Natural Resource areas of the County when located along major roadways consistent with the overall purpose of the Rural Commercial designation. **The purpose of the RC district is to:**

1. Provide for the location of commercial uses within a limited and appropriate area of a rural community.
2. **Enhance rural community identity.**
3. Create standards that increase rural residents' access to retail products and services and reduce the need for residents of remote communities to drive long distances to meet basic needs.

Clearly to us, as residents of the Yuba foothills, a small-box mass merchandiser will not enhance rural community identity.

Criteria I: You are being asked to find that lighting and lighting fixtures are designed to complement buildings, be of appropriate scale, provide adequate light over walkways and parking areas to create a sense of pedestrian safety, and avoid creating glare. But you have not been provided with a lighting plan with which to make this finding. The staff report states, "Prior to issuance of final Certificate of Occupancy for the construction of the proposed project, the project Applicant will be required to submit a lighting plan that will ensure the walkway and parking lot areas have adequate light and that no lighting will spill across property lines. We note that the Marysville Dollar General store has free-standing lights. You cannot make this finding without a lighting plan with which to evaluate the adequacy or compliance of the proposed lighting.

The site plan indicates a monument sign is part of the design. County staff mentions the sign above the retail establishment door, but not the monument sign along Smith Road. What will be the size of the sign? We request that it not be an internally lit sign as that would be the first sign of this nature on this road, and is not compatible with neighboring development or neighborhood character.

Project is not exempt from CEQA

The county staff report states that this design review is to ensure that the development will be compatible with the existing development and "potential development of the surrounding area." Therefore, this project has growth-inducing impacts and future growth on the 8 acres is reasonably foreseeable. Environmental impacts and cumulative impacts of development of the entire 10 acres are not discussed in the county staff report. This interferes with the public's and decision makers' ability to analyze the project's environmental impacts. We are not being told what the future plans for the other eight acres are.

Biological Resources

The county staff report states, "... the proposed project site does not contain any sensitive wetland areas and/or riparian habitat." Who reached this conclusion, by what method, and where is their report stating their findings? This is not included in the county staff report. The Yuba County General Plan EIR did not discuss fish and wildlife in Loma Rica specifically. An EIR is in order to disclose any possible damage to fish and/or wildlife or habitat.

Transportation and Traffic

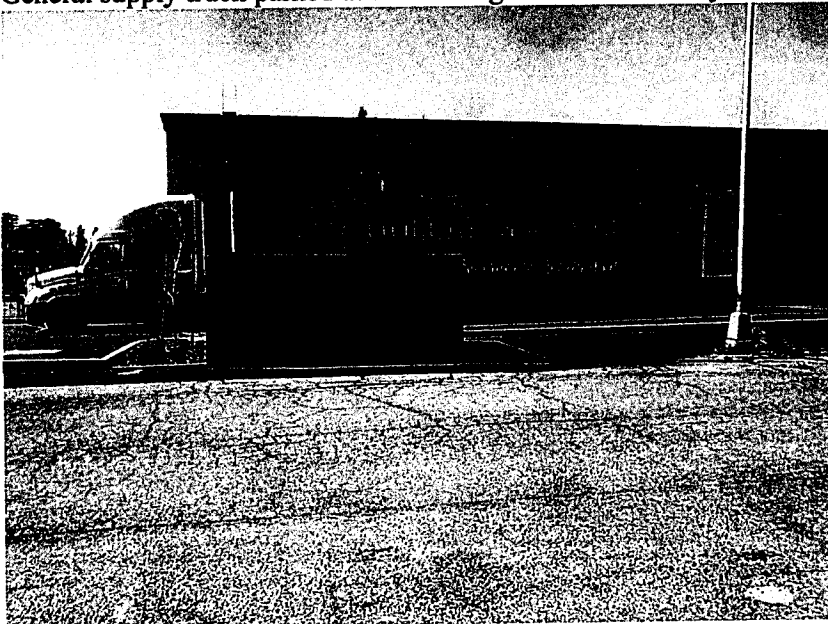
In discussing the traffic situation at this location, county staff states that Loma Rica Road has a level of Service of "A." However, in the Yuba County General Plan Final EIR, Appendix E, the LOS of Loma Rica Rd. between SR 20 and Fruitland Rd. (which includes the proposed project location) is LOS B, not A. It also appears that traffic calculations were performed in 2007, almost ten years ago.

The population of Loma Rica at the 2010 census was 2368 people. We can surmise that the project proponent intends to draw people and traffic from other areas since 2368 people cannot support this store. Therefore, a traffic study must be done, and the traffic study should include the traffic that will be generated by the buildout of the entire 10 acre parcel.

The county staff report for this project calls this the "Loma Rica commercial corridor." We are unable to find reference to this planning designation for Loma Rica Rd. in the Yuba County General Plan or Final EIR. This planning designation appears to be made up for the purposes of this project, and since it is not discussed in the planning and environmental documents, the public and decision makers have no facts with which to evaluate what this means.

There are extremely poor sight-distances at the intersection of Loma Rica Rd. and Smith Rd. from the east, and from the west at the proposed driveway location on Loma Rica Rd. These poor sight distances create a dangerous situation for those trying to make turns at these locations, especially with additional traffic generated by the project. In fact, the county staff report for the Dollar General Design Review Permit states, "...pedestrian traffic is not encouraged by County staff due to the lack of sidewalks and road shoulders, **high speed of vehicular travel, long distances between locations and changing road elevations and curves which limit visibility.**"

The weight limit on Loma Rica Rd. between Iowa City Rd. and Marysville Rd. is 22 tons (county ordinance 9.25.020) and signs are posted at Loma Rica Rd. at SR 20 and Loma Rica Rd. and Iowa City Rd. Truck weights of delivery trucks and construction vehicles must meet these standards. How will the county make sure that these standards are met? What size and weight of delivery trucks does Dollar General use? Here is a photo of A Dollar General supply truck parked at the loading doors of the Marysville Dollar General taken today.



It is clear to those of us who live here that delivery trucks after delivery at this location, if going on to Nevada County, will travel down Smith Rd., to Virginia Rd., to Fruitland Rd., to Marysville Rd., and then up SR 20. If going on to Butte County, they may travel up Fruitland Rd., to La Porte Rd. and on down through Honcut to Highway 70. The travel of large delivery trucks on these rural residential and agricultural roads is unacceptable.

Soil Studies and Water

County staff states that a septic system design has been submitted and is currently under review. Historically, this parcel has the reputation locally of not being able to perc. All soil studies performed on the 10-acre parcel and septic plan should be part of your consideration of this project and part of an EIR.

In his letter included in the staff report, the attorney for Loma Rica Local states that, historically, property owners on this parcel have been unable to drill a well. Do we know that a well will be able to be drilled on the project parcel, and if not would a well be able to be located elsewhere on the 10-acre parcel? These concerns must be addressed by soil and water studies in an environmental study.

Do you have a letter from BVID stating that irrigation water is available at that property?

Drainage and Water Quality

The applicant proposes to build a drainage pond near Smith Road behind the proposed building. What will be the method and direction of drainage outflow of the drainage pond? Current drainage at the front of the property travels down Loma Rica Rd. by road-side ditch to Prairie Creek. What will be the quality and quantity of the run-off and drainage, as environmental risks to Prairie Creek from parking lot run-off are not discussed. If the drainage will be directed toward the south, will the drainage affect other properties or bodies of water?

Additional Concerns

Additionally, we are concerned that if the proposed store puts the Gold Eagle out of business, the community will lose its U.S. Post office, which is located inside the Gold Eagle. We would also lose the gas pumps that serve the community.

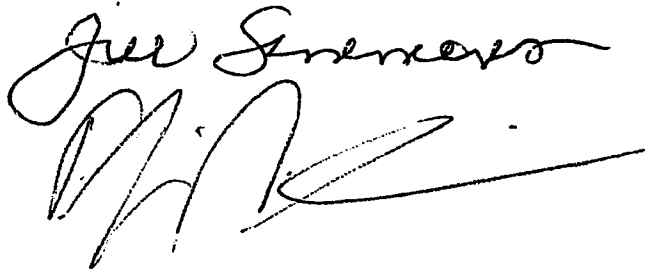
The Gold Eagle also stocks fresh fruits and vegetables, fresh meat, and deli meals. We can always find special diet offerings that are important to the health of our community. We are highly concerned that we will lose a convenient and close-by resource for healthy food options, like low-salt, low-sugar, low-fat and heart healthy grocery items. The Gold Eagle sells single serving sizes of scratch-made meals at the deli.

By contrast, Dollar General will not sell fresh fruits and vegetables or fresh meat. "A new study conducted by researchers at the University of North Carolina at Chapel Hill has determined that consumers are increasingly making packaged food purchases (PFPs) at warehouse clubs, mass merchandisers, and convenience stores. These outlets offer a selection of foods that have poor nutrient profiles, with higher calories and more sugar, sodium, and saturated fat compared to grocery stores. This represents a potential U.S. public health concern. Their results are published in the American Journal of Preventive Medicine." (Science Daily, October 5, 2015)

We request to be notified of all CEQA actions related to this project.

Sincerely,

Philip and Jill Simmons

The block contains two handwritten signatures. The top signature is in cursive and appears to read 'Jill Simmons'. The bottom signature is also in cursive and appears to read 'Philip Simmons'. Both signatures are written in black ink.

cc: Kevin Perkins, Planner
Kevin Mallen, CDSA Director
Randy Fletcher, Supervisor, District 5



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Violation Tracker Parent Company Summary

Parent Company Name: Dollar General

Ownership Structure: publicly traded

Headquartered in: Tennessee

Industry: retail-discount stores

Penalty total since 2010: \$454,146

Number of records: 22

Notes:

The penalty dollar total above may be adjusted to account for the fact that the list of entries below may include both agency records and settlement announcements for the same case; or else a penalty covering multiple locations may be listed in the individual records for each of the facilities. Duplicate penalty amounts are marked with an asterisk in the list below.

Associated Names:

DOLGENCORP DBA DOLLAR GENERAL STORE 2810; DOLLAR GENERAL; DOLLAR GENERAL #09587; DOLLAR GENERAL #12340; DOLLAR GENERAL #4730; DOLLAR GENERAL CORPORATION; DOLLAR GENERAL CORPORATION #9517; DOLLAR GENERAL CORPORATION, STORE #4800; DOLLAR GENERAL STORE #11579; DOLLAR GENERAL STORE #4329; DOLLAR GENERAL STORE #7495; DOLLAR GENERAL STORE #9393; DOLLAR GENERAL STORE#12501

Links:

For an overview of this company's accountability track record, read its Corporate Rap Sheet [here](#).

Subsidy Tracker data on financial assistance to this company by federal, state and local government agencies can be found [here](#).

Read more about this company's state and Federal tax payments (or lack thereof) on its CTJ-ITEP Corporate Tax Dodgers [page](#).

Individual Penalty Records:

Download results as [CSV](#) or [XML](#)

<u>Company</u>	<u>Facility State</u>	<u>Year</u>	<u>Agency</u>	<u>Penalty Amount</u>
DOLLAR GENERAL CORPORATION	Delaware	2014	OSHA	\$122,100
DOLLAR GENERAL CORPORATION, STORE #4800	Georgia	2014	OSHA	\$49,830
DOLLAR GENERAL CORPORATION	New York	2014	OSHA	\$33,000
DOLLAR GENERAL	Mississippi	2014	OSHA	\$32,000
DOLLAR GENERAL	California	2014	OSHA	\$27,920
DOLLAR GENERAL #09587	Ohio	2013	OSHA	\$27,500
DOLLAR GENERAL STORE #7495	Arkansas	2013	OSHA	\$17,000
DOLLAR GENERAL	Illinois	2012	OSHA	\$16,500
DOLLAR GENERAL CORPORATION	Kansas	2011	OSHA	\$16,100
DOLLAR GENERAL #4730	Texas	2011	OSHA	\$13,000
DOLLAR GENERAL STORE #11579	Arkansas	2013	OSHA	\$12,920
DOLLAR GENERAL CORPORATION	Pennsylvania	2011	OSHA	\$12,000
DOLLAR GENERAL STORE#12501	Texas	2014	OSHA	\$10,500
DOLLAR GENERAL STORE #4329	Delaware	2010	OSHA	\$10,000
DOLLAR GENERAL CORPORATION	Pennsylvania	2015	OSHA	\$9,000
DOLLAR GENERAL	North Carolina	2014	OSHA	\$8,306

<u>Company</u>	<u>Facility State</u>	<u>Year</u>	<u>Agency</u>	<u>Penalty Amount</u>
<u>DOLLAR GENERAL</u>	Texas	2010	OSHA	\$7,000
<u>DOLLAR GENERAL #12340</u>	New Jersey	2011	OSHA	\$7,000
<u>DOLLAR GENERAL CORPORATION</u>	Oklahoma	2013	OSHA	\$6,220
<u>DOLLAR GENERAL CORPORATION #9517</u>	Texas	2012	OSHA	\$8,000
<u>DOLLAR GENERAL STORE #9393</u>	Virginia	2014	OSHA	\$5,250
<u>DOLGENCORP DBA DOLLAR GENERAL STORE 2810</u>	Indiana	2014	OSHA	\$5,000

Download results as [CSV](#) or [XML](#)

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Note: our definition of "penalty" includes not only federal cash fines but also related state fines as well as the cost of supplementary environmental projects companies are often compelled to undertake as part of settlements.

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Dollar General: Corporate Rap Sheet

Dollar General

by Philip Mattera

Dollar General is one of the biggest players in the dollar store sector of U.S. retailing, which targets consumers with incomes so low they can't afford to shop at discounters such as Wal-Mart. It operates more than 11,000 "small-box" outlets, mostly in small towns and rural areas, and has annual revenue of more than \$17 billion.

Dollar General has sought to capture a greater share of the spending of low-income families on consumables by introducing more food products, including some fresh and frozen items, but that spending has been hampered by cuts in the food stamp benefits on which many of those families depend.

Along with the other dollar-store chains, Dollar General has been involved in controversies of over the sale of hazardous products (including Chinese-made toys containing lead) and the denial of overtime pay to store managers who perform a great deal of non-administrative work. The company, whose workforce of about 100,000 is entirely non-union, has been targeted in some of the wage protests by retail worker groups.

Dollar General's position as the undisputed leader of the deep-discount sector came to an end in 2015 when Dollar Tree won a takeover battle for Family Dollar.

History

Dollar General dates back to 1956, when the J.L. Turner & Son dry goods wholesale business in Kentucky opened a retail outlet to dispose of a large quantity of lingerie. Turner added other merchandise but kept prices of all items under \$1. The concept was well-received, and during the 1960s the Dollar General chain spread rapidly throughout the southeastern United States.

After taking over the company from his father in 1968, Cal Turner accelerated the growth through the acquisition of other chains such as P.N. Hirsch and Eagle Family Discount. That approach ended up stretching the chain too thin, and in the late 1980s Turner

decided to focus exclusively on internal expansion, especially in small towns overlooked by giant discounters such as Wal-Mart. He added some items above \$1, while keeping most below \$5, and he relied on limited direct mail and word-of-mouth rather than advertising.

In 2001 the Securities and Exchange Commission launched an investigation into Dollar General accounting irregularities that inflated reported earnings. Dollar General had to restate ^[1] its financial results for three years, and Cal Turner had to step down ^[2]. The company also paid \$162 million ^[3] to settle a shareholder lawsuit and later paid a \$10 million civil penalty ^[4] to the SEC. Turner and three other former executives also paid individual fines totaling about \$2.6 million (see here ^[4] and here ^[5]).

Despite the scandal, Dollar General, along with other dollar stores, benefited from the expanding demand for low-cost goods, even among middle-income consumers. The company introduced Dollar General Market stores, larger outlets with more food, including fresh produce and refrigerated and frozen items. Including these offerings allowed the chain to begin accepting food stamps.

In 2007 the private equity firm Kohlberg, Kravis & Roberts took over Dollar General for about \$7.3 billion, including the assumption of about \$380 million in debt. Among KKR's plans was a stronger push into urban markets, where Dollar General had lagged behind its competitor Family Dollar.

In 2009 KKR arranged for Dollar General to go public once again, offering about 12 percent of the company to investors. In 2013 KKR and its private equity partner Goldman Sachs sold their holdings in Dollar General.

In 2014, after rival deep discounters Dollar Tree and Family Dollar announced a merger plan, Dollar General launched a hostile takeover bid for Family Dollar. But the other companies, arguing that antitrust regulators would never approve Dollar General's deal, went ahead with their plan and Dollar General eventually backed down.

Recalls and Product Safety

Dollar General has been involved in numerous recalls of hazardous products sold in its stores. Here are examples from the past ten years.

July 2011: Pilgrim's Pride recalled ^[6] 18,000 pounds of chicken nuggets believed to be contaminated with Listeria that were shipped to Dollar General stores in nine states.

February 2011: Atico International USA and the Consumer Products Safety Commission recalled ^[7] about 92,000 radiant heaters sold exclusively at Dollar General stores because of a fire hazard.

February 2010: Dollar General and the CPSC recalled ^[8] about 9,600 Chinese-made toy gun sets because of a piece that could be removed and pose a choking hazard for small children.

July 2009: Dollar General was fined ^[9] \$100,000 by the CPSC for selling children's products containing lead paint.

October 2008: Dollar General and the CPSC recalled ^[10] about 200,000 Chinese-made battery-operated toy speed boats because of overheating and burn hazards.

September 2008: Dollar General and the CPSC recalled ^[11] about 223,000 retractable dog leashes because the metal clasp connecting the leash to a dog's collar could bend or break while in use, posing a serious risk of injury.

February 2008: Dollar General terminated ^[12] sales of a Pokemon Valentine's day product which combined lollipops and cards after a metal object was found in one of the lollipops.

November 2007: Dollar General and the CPSC recalled ^[13] about 51,000 Chinese-made children's sunglasses because they contained excessive levels of lead paint.

November 2007: Dollar General and the CPSC recalled ^[14] about 380,000 Chinese-made pull-and-release toy cars because they contained excessive levels of lead paint.

October 2007: Dollar General and the CPSC recalled ^[15] about 63,000 Frankenstein-style children's tumblers because they contained excessive levels of lead paint.

April 2007: Dollar General and the CPSC recalled ^[16] about 396,000 children's key rings because they contained excessive levels of lead paint. The recall was later expanded.

September 2005: Dollar General and the CPSC recalled ^[17] about 455,000 units of costume jewelry because they contained excessive levels of lead.

May 2005: Dollar General and the CPSC recalled ^[18] about 80,000 heart-shaped pendants because they contained excessive levels of lead.

February 2005: Dollar General and the CPSC recalled ^[19] about 180,000 weighted dive sticks because of the risk that children could fall or land on upright dive sticks in shallow water and suffer impalement injuries.

Environmental Issues

In 2007 the U.S. Environmental Protection Agency proposed ^[20] a penalty of \$800,000 against the company for selling a product called Krazy String containing an ozone-depleting substance banned by the Clean Air Act. The company challenged the penalty and negotiated ^[21] a reduction to \$155,823.

In February 2015 a coalition called the Campaign for Healthier Solutions began pressing ^[22] Dollar General and other dollar store chains to adopt comprehensive chemical management plans to identify, disclose and remove hazardous substances from their supply chains and from all products in their stores. The campaign published the results ^[23] of research in which 81 percent of a group of 164 products sold in dollar stores were found to contain dangerous chemicals such as phthalates, polyvinyl chloride plastic, and toxic metals such as lead.

Occupational Safety and Health Issues

Among the most serious occupational safety cases brought against Dollar General in recent years are the following: In November 2014 OSHA proposed ^[24] \$51,700 in penalties in connection with four repeat violations at a store in Brooklyn, Mississippi. The violations involved the company's failure to ensure that that exit routes, fire extinguishers and electrical access panels were not blocked by merchandise, display racks or supplies. In January 2015 OSHA proposed ^[25] \$55,000 in fines for similar violations at a store in Wolcott, New York.

Overtime Litigation

In 2002 a proposed class action lawsuit was filed ^[26] in federal court in Alabama alleging that the company improperly designated store managers as exempt employees to make them ineligible for overtime compensation. The court denied the plaintiffs' motion to have the case proceed as a nationwide class action but allowed it to continue as a collective case. In 2006 the company settled ^[27] the matter for amount that it did not disclose. Additional manager overtime cases followed in various states. Dollar General managed to prevent class certification in some instances, though it settled ^[28] one case for \$8.5 million.

Employment Discrimination Issues

In 2006 a complaint was filed in federal court in Alabama alleging that Dollar General discriminated against female store managers in its compensation practices. After the court approved a nationwide class certification, the company moved to settle ^[29] the case for \$18.75 million.

In 2011 the U.S. Equal Employment Opportunity Commission announced ^[30] that Dollar General subsidiary Dolgencorp would pay \$50,000 to settle sexual harassment charges brought on behalf of three workers in North Carolina.

In 2013 the EEOC announced ^[31] that Dolgencorp would pay \$47,500 to settle disability discrimination charges involving an employee in Indiana.

In 2013 the U.S. Equal Employment Opportunity Commission filed suit ^[32] against Dollar General for using criminal background checks to screen out job applicants and to fire existing employees. The matter has not yet been resolved. The company also faced a private lawsuit over the issue, which it settled ^[33] in February 2014 for \$4 million.

In 2014 the EEOC announced ^[34] that Dolgencorp would pay \$27,500 to settle sexual harassment charges involving a store manager in Arkansas. Later that year, the EEOC sued ^[35] Dolgencorp in connection with a female employee in Georgia who was allegedly subjected to sexual harassment on the job and then was fired when she complained.

Economic development subsidies

According to the Good Jobs First Subsidy Tracker, Dollar General and its subsidiaries have received a total of 50 state and local subsidy awards with a total value of \$13.2 million ^[36]. The largest awards, for distribution centers, have been a \$6.7 million Hoosier Business Investment Tax Credit and a \$3 million EDGE tax credit, both from Indiana in 2009; a \$1 million Pennsylvania First grant in 2012 (the facility also received \$1 million in Job Creation Tax Credits and \$225,000 in job training assistance); and a \$962,500 Qualified Target Industry Tax Refund in Florida in 1999.

Other Information Sources

Violation Tracker summary page ^[37]

Watchdog Groups and Campaigns

Campaign for Healthier Solutions ^[22]

Center for Study of Responsive Law ^[38]

Coming Clean ^[39]

Consumers Union ^[40]

Key Books and Reports

A Day Late and A Dollar Short: Discount Retailers are Falling Behind on Safer Chemicals
^[41] by the Campaign for Healthier Solutions (February 2015)

Last updated November 11, 2015

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Links:

[1] http://articles.baltimoresun.com/2001-05-01/business/0105010227_1_dollar-general-restate-earnings-general-shares

[2] [http://news.google.com/newspapers?](http://news.google.com/newspapers?nid=1696&dat=20020918&id=WfceAAAAIBAJ&sjid=I5gEAAAAIBAJ&pg=3706,1900397)

[nid=1696&dat=20020918&id=WfceAAAAIBAJ&sjid=I5gEAAAAIBAJ&pg=3706,1900397](http://news.google.com/newspapers?nid=1696&dat=20020918&id=WfceAAAAIBAJ&sjid=I5gEAAAAIBAJ&pg=3706,1900397)

[3] <http://www.bizjournals.com/nashville/stories/2002/01/14/daily11.html?page=all>

- [4] <http://www.sec.gov/litigation/litreleases/lr19174.htm>
- [5] <http://www.sec.gov/litigation/litreleases/2006/lr19653.htm>
- [6] <http://commonlaw.findlaw.com/2011/07/chicken-recall-pilgrims-pride-sold-at-dollar-general.html>
- [7] <http://www.cpsc.gov/en/Recalls/2011/Atico-International-USA-Recalls-Heaters-Due-to-Fire-Hazard-Sold-Exclusively-at-Dollar-General-Stores/>
- [8] <http://www.cpsc.gov/en/Recalls/2010/Dollar-General-Recalls-Toy-Guns-Due-to-Choking-Hazard/>
- [9] <http://www.cpsc.gov/en/Media/Documents/Regulations-Laws--Standards/Federal-Register-Notices/2009/Dollar-General-Corporation--Provisional-Acceptance-of-a-Settlement-Agreement-and-Order-CSPC-Docket-No-09-C0029--COMMENT-REQUEST/>
- [10] <http://www.cpsc.gov/en/Recalls/2009/Toy-Boats-Recalled-Due-to-Burn-Hazard/>
- [11] <http://www.cpsc.gov/en/Recalls/2008/Worldwise-Inc-Recalls-Retractable-Dog-Leashes-Metal-Clasp-Can-Break-and-Cause-Facial-and-Body-Injuries-to-Dog-Owners/>
- [12] <http://newscenter.dollargeneral.com/news/dollar-general-issues-customer-warning-removes-pokemon-valentines-day-candy-from-all-stores.htm>
- [13] <http://www.cpsc.gov/en/Recalls/2008/Childrens-Sunglasses-Recalled-by-Dollar-General-Due-to-Violation-of-Lead-Paint-Standard/>
- [14] <http://www.cpsc.gov/en/Recalls/2008/Toy-Cars-Recalled-by-Dollar-General-Due-to-Violation-of-Lead-Paint-Standard/>
- [15] <http://www.cpsc.gov/en/Recalls/2008/Dollar-General-Recalls-Tumblers-Due-to-Violation-of-Lead-Paint-Standard/>
- [16] <http://www.cpsc.gov/en/Recalls/2007/Various-Metal-Key-Chains-Recalled-by-Dollar-General-for-Lead-Poisoning-Hazard/>
- [17] <http://www.cpsc.gov/en/Recalls/2005/CPSC-Dollar-General-Corp-Announce-Recall-of-Costume-Jewelry/>
- [18] <http://www.cpsc.gov/en/Recalls/2005/CPSC-Dollar-General-Corp-Announce-Recall-of-Metal-Heart-Shaped-Pendants/>
- [19] <http://www.cpsc.gov/en/Recalls/2005/CPSC-Dollar-General-Corp-Announce-Recall-of-Dive-Sticks/>
- [20] http://yahoo.brand.edgar-online.com/EFX_dll/EDGARpro.dll?FetchFilingHtmlSection1?SectionID=5616030-387002-398105&SessionID=N6bV6S0AHfKW6G7
- [21] [http://yosemite.epa.gov/oa/rhc/epaadmin.nsf/filings/6639e4b30cae205e8525764f0066cf6f/\\$file/cafo.pdf](http://yosemite.epa.gov/oa/rhc/epaadmin.nsf/filings/6639e4b30cae205e8525764f0066cf6f/$file/cafo.pdf)
- [22] <http://ej4all.org/campaigns-and-activities/campaign-for-healthier-solutions/>
- [23] <http://www.ecocenter.org/healthy-stuff/hs-news/dollar-store-report>
- [24] https://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=NEWS_RELEASES&p_id=27015
- [25] https://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=NEWS_RELEASES&p_id=27222
- [26] <http://www.sec.gov/Archives/edgar/data/29534/000002953403000106/form10k2002foredgar.htm>
- [27] <http://www.sec.gov/Archives/edgar/data/29534/000002953407000023/f200610kfinal.htm>
- [28] <http://www.sec.gov/Archives/edgar/data/29534/000104746914002721/a2218572z10-k.htm>
- [29] <http://www.law360.com/articles/281538/dollar-general-to-pay-19m-to-end-gender-bias-action>
- [30] <http://www.eeoc.gov/eeoc/newsroom/release/6-28-11.cfm>
- [31] <http://www.eeoc.gov/eeoc/newsroom/release/10-23-13.cfm>
- [32] <http://www.eeoc.gov/eeoc/newsroom/release/6-11-13.cfm>
- [33] http://www.sec.gov/Archives/edgar/data/29534/000110465914043520/a14-10184_110q.htm
- [34] <http://www.eeoc.gov/eeoc/newsroom/release/2-4-14.cfm>
- [35] <http://www.eeoc.gov/eeoc/newsroom/release/10-6-14a.cfm>
- [36] <http://subsidytracker.goodjobsfirst.org/prog.php?parent=dollar-general>
- [37] <http://violationtracker.goodjobsfirst.org/prog.php?parent=dollar-general>
- [38] <http://csrl.org/>
- [39] <http://www.comingcleaninc.org/>
- [40] <http://consumersunion.org/>
- [41] http://ej4all.org/assets/media/documents/Report_ADayLateAndADollarShort.pdf

**FINAL CONDITIONS OF APPROVAL
YUBA COUNTY PLANNING COMMISSION**

Applicant: Dollar General (Embree Group) Case Number: DRC2016-0002
Owner: Gema Pietra, LLC Public Approval Date: March 16, 2016
APN: 040-220-039

GENERAL CONDITIONS:

- 1) Unless specifically provided otherwise herein or by law, each condition of these Conditions of Approval shall be completed to the satisfaction of the County. Failure to comply with this provision may be used as grounds for revocation of this permit.
- 2) As a condition for project approval, Owner or an agent of Owner acceptable to County shall defend, indemnify, and hold harmless the County and its agents, officers, and employees from any claim, action, or proceeding, against the County or its agents, officers, and employees; including all costs, attorneys' fees, expenses, and liabilities incurred in the defense of such claim, action, or proceeding to attack, set aside, void or annul an approval by the County, Planning Commission, Staff Development Committee, or other County advisory agency, appeal board, or legislative body concerning the conditional use permit. County shall promptly notify owner of any such claim, action, or proceeding and shall cooperate fully in the defense of said claim, action, or proceeding.
- 3) Owner(s), Owner's agent(s) or Applicant shall comply with all applicable federal, state, and local laws, ordinances, and regulations, and the Yuba County Ordinance Code.
- 4) This Design Review Permit (DRC2016-0002) approval shall be effectuated within a period of twelve (12) months from this date and if not effectuated shall expire on March 16, 2017. The CDSA Director may authorize up to a ninety (90) days upon written request. The Development Review Committee may approve up to a two (2) year extension from the original expiration date upon receipt of a written application with the required fee within one (1) year of the date of approval.

PUBLIC WORKS DEPARTMENT:

The Public Works Department has no Conditions of Approval for the Design Review Permit.

ENVIRONMENTAL HEALTH DEPARTMENT:

The Environmental Health Department has no Conditions of Approval for the Design Review Permit.

PLANNING DEPARTMENT

- 5) Landscaping shall be installed in accordance with the submitted landscape plan (Attachment 5) prior to the issuance of a Certificate of Occupancy.
- 6) Prior to the issuance of any certificate of occupancy permit, a lighting plan consistent with Yuba County Development Code Section 11.19.060 and 11.25.100 shall be submitted and approved by the Planning Department.

**FINAL CONDITIONS OF APPROVAL
YUBA COUNTY PLANNING COMMISSION**

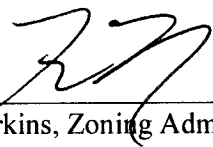
Applicant: Dollar General (Embree Group) Case Number: DRC2016-0002

Owner: Gema Pietra, LLC

Public Approval Date: March 16, 2016

APN: 040-220-039

- 7) All trash and collection associated with any development shall be consistent with Section 11.19.110 Trash and Refuse Collection Areas of the Yuba County Development Code.
- 8) Consistent with the proposed Site Plan (Exhibit 4) and with Section 11.25.040 Required Off-Street Parking Spaces, parking for the General Retail Store shall be parked at a rate of 1 parking space per 300sf of building.
- 9) All parking lanes shall be painted and all handicap parking shall be clearly labeled.
- 10) Prior to the issuance of a certificate of occupancy permit, onsite bicycle parking shall be required per Section 11.25.080 Bicycle Parking. A total of 2 bicycle parking spaces shall be required and the location of design of the bicycle parking shall be consistent with Section 11.25.080.
- 11) Prior to the issuance of a certificate of occupancy permit, the water tank located on the proposed site plan shall be relocated and/or screened so the water tank is less visible from Loma Rica and Smith Roads.
- 12) The Burnish Slate parapet wall shall be extended to wrap around the sides of the proposed building.
- 13) Minor modifications, such as a change of floor plan or minor changes in square footage, that still meet the objectives of the approved plans can be approved administratively. The addition of new color palettes or building materials does not constitute a minor modification.



Kevin Perkins, Zoning Administrator/Planner III

Community Development & Services Agency915 8th Street, Suite 123, Marysville, CA 95901**Planning Department**

Phone: (530) 749-5470

Fax: (530) 749-5434

Web: [http:// www.co.yuba.ca.us](http://www.co.yuba.ca.us)**PLANNING COMMISSION
STAFF REPORT**

Hearing Date: March 16, 2016

Case Number: Design Review Permit DRC2016-0002 (Dollar General)

Request: A request to approve a design review permit that will allow for the construction of a 9,100sf Retail Store.

Location: The project is located at the southwest corner of Loma Rica Road and Smith Road in the community of Loma Rica (Assessor's Parcel Number 040-220-039).

Applicant: Embree Group, 4747 Williams Drive, Georgetown, TX 78633

Engineer: MHM Engineering, 1204 E Street, Maryville, CA 95901

Architect: TPC Architects, Inc., 2260 Douglas Blvd Suite 155, Roseville, CA 95661

Recommendation: Adopt the attached resolution approving Design Review Permit DRC2016-0002 (Dollar General)

Background: Chapter 11.56 Design Review of the Yuba County Development Code establishes the procedures for design review within Yuba County and is intended to promote excellence in site planning and design and to ensure that new and modified development will be compatible with the existing and potential development of the surrounding area. A Design Review Permit must be obtained in the Rural Commercial zoning district prior to the issuance of a building permit for any new construction; exterior remodeling; or site design, architectural, landscaping or circulation modifications, including parking or driveway locations. Although Chapter 11.56 requires approval of a design review permit for most new buildings in the County, design review standards, which typically are the basis to determine the consistency of a design review permit to County standards, have not yet been developed since design review is a new process created in the recently adopted Development Code. As such and until design review standards are adopted by the Board of Supervisors, all design review permits will be reviewed for consistency with the development standards and regulations of the recently adopted Yuba County Development Code.

The Applicant is seeking an approval of a Design Review Permit that would allow them to construct a 9,100 square foot (sf) general retail store in the community of Loma Rica on a parcel 10 acres in size. Although the proposed project site is 10 acres in size, the proposed project is located on roughly 2 out of the 10 acres. The project site is located at the southwestern corner of the intersection of Loma Rica Road and Smith Road (APN: 040-220-039). Access to the site is located directly off both Loma Rica Road and Smith Road. Loma Rica Road, considered the main transportation and commercial corridor for the community of Loma Rica, is designated a major rural collector road (highest rural road classification) and is considered as having a Level of Service (LOS) of "A" (LOS ranges from "A-F" with "A" being the best level of service and "F" the worst). Smith Road is designated with the Rural Local Road classification and is considered as having an "A" LOS. Both roads, bordering the project site, are paved.

Public water (potable) and wastewater infrastructure does not exist in the community of Loma Rica and as such all water and wastewater needs for the project are proposed to come from onsite facilities. The project site is located within the boundary of the Browns Valley Irrigation District (BVID) and does have the ability to access BVID for any future non-potable water needs (irrigation). As proposed, all water needs for the project site will come from an onsite well. Prior to the issuance of a building permit for the proposed project, the Applicant will be required to drill, or demonstrate that any existing onsite wells, can meet the Environmental Health Department's (EH) Transient Non-community Water System standards (required for businesses of this size and use). Project wastewater needs are proposed to be met through an onsite septic system. Although the EH cannot officially approve a septic system design until they approve the issuance of a building permit (a building permit has yet to be submitted to the County), the Applicant has submitted a septic system design for the proposed 9,100sf retail store and that design is currently under review.

The Applicant is proposing to build a detention pond behind the southwestern corner of the proposed building. The purpose of the detention pond is to collect stormwater and drainage runoff generated from the proposed project site and to ensure that no drainage or stormwater leaves the project site in additional quantity than what has historically occurred. Additionally, near the corner of Loma Rica Road and Smith Road, the Applicant is proposing to place a water tank that is intended to store water that is required and will be used for the fire sprinkler system required by building code for new commercial buildings.

Site Plan & Architecture Design: The Applicant is proposing a pre-engineered 9,100sf metal building that has a combination of split-faced masonry block, metal walls, a pre-engineered overhead canopy over the front entrance and a variety of colors consisting of Galvalume, Burnished Slate and Light Stone on metal panels and Light Stone on the split-faced masonry blocks. The North elevation (front and adjacent to Loma Rica Road) would include a glass door customer entrance (only proposed customer entrance) and a pre-engineered overhead head canopy. Directly above the overhead canopy, a yellow sign with black letters stating the proposed tenant's name, Dollar General (which will be addressed in a separate sign permit application). Split-faced masonry block (Light Stone in color) is proposed for building materials starting from ground level to the middle of the front facade. Once the split-faced masonry block ends, the remainder of the front facade is proposed to consist of burnished slate pre-finished metal panels.

The proposed East elevation (left and adjacent to Smith Road) is proposed to entirely consist of pre-engineered metal wall panels that would be light stone in color. Two lighting fixtures are proposed along this façade of the building as well as a man door that would provide access for both employees and other store related business.

The South elevation (rear and visible from Smith Road) is proposed to consist of light stone colored pre-engineered metal panels for most of its façade. Directly above the light stone pre-engineered metal panels, a second set of galvalume colored pre-engineered metal panels will make up the last 1/4 of the south elevation's façade. No doors and/or lighting are proposed on the southern elevation.

The West elevation (right and visible from Loma Rica Road) is proposed extremely similar in style, color and location of both lighting and doors as the East elevation. The main difference between the West and East elevations are the doors. The West elevation proposes a larger double door that is proposed to be utilized for delivery of goods and merchandise.

The following sections detail the Building's Colors and Materials; Parking; and Landscaping:

Building Colors and Materials: Building colors and materials are shown in Attachment 3 of this staff report and are summarized above in the previous discussion of individual elevations. Building materials will consist of pre-engineered and pre-finished metal panels that will be either galvalume or light stone in color or split-faced masonry block that will be light stone in color.

Parking: The proposed parking and driveway areas for the project have been designed to be consistent with the Rural Commercial zoning district, neighboring and other businesses in the Loma Rica community and Chapter 11.25 Parking and Loading of the Yuba County Development Code. The parking lot is located in the front (northern) portion of the project site which is adjacent to Loma Rica Road. The parking lot will meet the minimum required number of parking spaces (30 parking spaces) required for general retail stores per Table 11.25.04 (Required Off-Street Parking Spaces) of the Yuba County Development Code which requires 1 parking space per 300sf of building area for general retail stores. As proposed, the parking lot proposes 31 parking spaces all of which are 9' x 20' in size which is larger than the minimum parking stall standard of 9' x 18'.

A trash enclosure, which will be constructed with the same color and material as the split faced masonry block used on the building, is proposed to be located in the parking lot area in the southwest portion of the project site. Per Section 11.25.080, 2 bicycle parking spaces will be required as a Condition of Approval for this Design Review Permit. Lastly, per Section 11.25.100(B)(10), a lighting plan will be required to be approved by the Planning Department prior to the issuance of the Certificate of Occupancy.

Landscaping: Consistent with Chapter 11.24 Landscape of the Yuba County Development Code, MSLA Landscape Architects has prepared and submitted a landscape plan that meets all of the Rural Commercial zoning district's landscaping requirements. A perimeter landscape planter is provided along the entire sides of the proposed project site. This landscape planter is proposed to

be planted with a combination of bar harbor juniper for groundcover, dwarf barberry, fortnight lily, deer grass, gulf stream heavenly bamboo, muge pine and compact xylosma for bushes, and evergreen pear, interior live oak and Chinese pistache for trees. The combination of the aforementioned bushes and trees is intended to create a dense vegetative wall that will help provide screening as well as provide shaded parking at a rate of 50% which is the County standard required for shaded parking requirement in Section 11.25.100(B)(13)E) of the Yuba County Development Code.

As required in Section 11.24.080 Water Efficient Landscape Requirements, the landscaping plan MSLA Landscape Architects submitted for the project meets all of the water efficient landscaping requirements of both the County and State. MSLA Landscape Architects is proposing landscaping for the project site which consists of only low water usage plants and trees, void of turf (grass) and does not contain any additional water consuming features.

Consistency with Zoning Regulations: Section 11.06.030 Development Regulations and Additional Regulations of Chapter 11.06 Rural Community Districts of the Yuba County Development Code provides both a table listing various development standards such as maximum height, setback requirements and density standards and additional regulations that regulate parking lot orientations and increased setback distances in areas located in State Responsible Area (SRA) high fire zones. The proposed project meets all of the development and supplemental regulations listed in Section 11.06.030 with the exception of one standard.

In the Rural Commercial zoning designation, parking lots are required to be located to the rear and/or side of any proposed new commercial building. The Applicant is proposing that most of their parking lot is located in the front of the proposed 9,100sf building. Section 11.06.030(F) Limitations on Location of Parking does allow a deviation to the requirement that parking lots located in the Rural Commercial zoning district must be located to the side and/or rear of building as long as the decision making authority can determine that:

1. It is infeasible to locate parking to the side or rear of the building due to site constraints such as topography, location of existing structures, septic/well areas, or natural resources; or
2. The parking area is screened along the public right-of-way with a knee-wall, hedge, trellis, berms and/or landscaping; and,
3. The location of the buildings and parking is consistent with surrounding developments and the overall intent of the zone district and General Plan "Place Making" policies.

To qualify for the parking lot location either Finding 1 or Finding 2 and Finding 3 must be met. Although an argument for Finding 1 can be made due to the location of soils needed for the required septic system; this staff report will focus on Finding 2 and Finding 3 to justify the deviation in the parking lot location. Finding 2 discusses the use of landscaping as a screening mechanism to shield parking areas from view of public right-of-ways. As demonstrated in the landscaping plan (Attachment 5) of the staff report and discussed in the above mentioned landscaping section, MSLA Landscape Architects have proposed a landscape plan that provides tree and bush screening to parking areas along the western, northern (in two areas) and eastern

portions of the project site that meet the screening requirement needed in Finding 2. Finding 3 discusses the consistency factor of the location of surrounding or neighboring development and/or businesses parking lots. All neighboring businesses and businesses located in the Loma Rica Community have parking lots that have the majority of their parking lots located in front of their buildings. Both the church located across Loma Rica Road and the grocery store/gas station located across Smith Road from the proposed project have parking lots located in front of their respective buildings which makes the project's parking lot consistent with the surrounding area.

Criteria for Approval: The following Criteria for Approval must be satisfied prior to obtaining Design Review approval:

- A. The overall design of the project, including its scale, massing, site plan, exterior design, and landscaping, will enhance the appearance and features of the project site and surrounding natural and built environment.

The overall design of the project will be similar in height and size as the neighboring commercial businesses and public facilities and will add to the natural and built environment of both the project site and along Loma Rica Road. A modern building and landscaping will be added in the community that has not had any new commercial building in over 10 years.

- B. The project design is appropriate to the function of the project and will provide an attractive and comfortable environment for occupants, visitors, and the general community.

The proposed project is designed to provide an attractive, comfortable and convenient environment for shoppers. The proposed project landscaping will provide a visually appealing change to a property that is generally void of trees or other vegetative features. Thirty-four new trees will be added to the property as well as colorful bushes and ground cover. Shaded parking, which is generally not provided in any other commercial establishment in the Loma Rica Community, will provide comfort to shoppers during times of extreme heat.

- C. The proposed architectural details, colors, materials, and landscaping are internally consistent, fully integrated with one another, and used in a manner that is visually consistent with the proposed architectural design.

The proposed colors are all consistent with one another and are consistent with the architectural style proposed for the building. A light stone body color and burnished slate colors provide a pleasant contrast to one another.

- D. Diverse building layouts and orientations; varying setbacks, building heights, and bulk; staggering of buildings and roof lines; and distinct architectural forms are utilized to create visual interest.

The proposed project will have varying roof heights as the roofline decreases in height from the front to the rear of the building. Additionally, the front canopy and parapet wall add staggering

features to the front of the building. Generally, the proposed architectural features and roof lines of the proposed project are consistent with other commercial or institutional buildings in the Loma Rica Community.

- E. The project has been designed to be compatible with neighboring development by avoiding large differences in building scale and character between the proposed buildings and existing development on adjoining lots in the same zoning district and by providing a harmonious transition in scale and character between different districts.

The project has been designed to meet the intention of the Rural Commercial zoning district which was to create a “commercial uses within a limited and appropriate area of the rural community.” The closest neighboring development business (Gold Eagle Market) is 8,700sf in size and designed in a similar rectangular fashion as the project. Gold Eagle Market was built in 1986 and is limited in architectural features. The paved parking lot does not have landscaping or shaded parking. Additionally, an unscreened cell tower and gas pumps are located on the Gold Eagle Market property.

Across Loma Rica Road (north) of the proposed Dollar General is the Loma Rica Community Church. The main church is 5,275sf and was built in the 1960s. In addition to the church there are a few other church related structures on the property that add to the overall similar scale footprint between the church and the proposed project. The closest residence to where the building is proposed on the project site is over 450 feet away.

- F. The project is designed to include facilities that encourage and accommodate pedestrians and to provide convenient and safe pedestrian access to surrounding neighborhoods and nearby commercial and public services, parks, trails, and transit stops.

In the Loma Rica community, pedestrian access is not encouraged by County staff due to the lack of sidewalks and road shoulders, high speed of vehicular travel, long distances between locations and changing road elevations and curves which limit visibility. As such, County staff recommended to the applicant that they remove a pedestrian walkway that was proposed from Loma Rica Road to the proposed building and replace it with a pedestrian walkway from Smith Road to the proposed building.

- G. The proposed landscaping plan is suitable for the type of project and site conditions and will improve the appearance of the community, building, and site.

The proposed landscaping plan will add landscaping to a project site that is void of systematic, or planned, landscaping. The plants and trees associated with the landscape plan will provide a variety of color, flowers, and seasonal color changing trees that will improve the appearance of the project site and the Loma Rica Road commercial corridor. Additionally, all proposed landscaping are low water usage plants and trees which is consistent with County and State mandates on water efficient landscaping.

- H. All screening, fencing and retaining walls shall be of compatible materials, color and texture with their related buildings.

The project has been conditioned to ensure the trash enclosure is constructed of the same material and color as the main building.

- I. Lighting and lighting fixtures are designed to complement buildings, be of appropriate scale, provide adequate light over walkways and parking areas to create a sense of pedestrian safety, and avoid creating glare.

Prior to issuance of final Certificate of Occupancy for the construction of the proposed project, the project Applicant will be required to submit a lighting plan that will ensure the walkway and parking lot areas have adequate lighting and that no lighting will spill across property lines.

Environmental Review: Staff has determined that the project is exempt from environmental review per the California Environmental Quality Act (CEQA) Section 15061(b)(3), (Review for Exemption).

The proposed Dollar General is consistent with the 2030 General Plan Rural Community land use designation and is a permitted use in the Rural Commercial zoning district and, as such, could be built without needing any discretionary permits or being subject to CEQA (it would be considered a ministerial project which is exempt from CEQA). Although the County requires design review before a building permit can be issued for the proposed Dollar General, the County does not currently have any design review guidelines to evaluate the proposed project. Staff has, therefore, reviewed the project for consistency with applicable Yuba County Development Code standards and regulations and determined that the project meets those standards.

Furthermore, the proposed project site does not contain any sensitive wetland areas and/or riparian habitat. There will be one tree that would be removed as part of the construction of the proposed Dollar General; however, the County does not have a tree ordinance prohibiting the removal of the tree. Additionally, 2030 General Plan EIR analyzed traffic impacts for commercial development along Loma Rica Road and the proposed projects impacts are consistent with the 2030 General Plan and were addressed in the General Plan 2030 EIR. Driveway ingress and egress has been designed to meet County driveway standards similar to all other commercial driveways located off both Loma Rica Road and Smith Road. With the construction of the detention pond all County standards for drainage and stormwater runoff will be met. The project is located in a Calfire high fire severity SRA zone; however, the project will meet all County and Calfire requirements for building within a SRA. All buildings will be located at least 30 feet from all property lines and the building will be built with fire sprinklers. The project meets all County standards associates with rural aesthetics as discussed in previous sections of this staff report. The project will be required to meet State law as it pertains to the discovery of cultural resources found, if any, during the grading and construction of the project site. The project does not plan to sell or transport any hazardous materials.

Attachments:

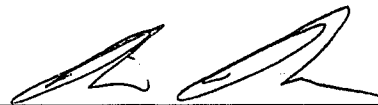
1. Resolution
2. Conditions of Approval
3. Elevations
4. Site Plan
5. Landscape Plan
6. Received Letters

Report Prepared By:



Kevin Perkins
Planner III

Report Reviewed By:



Kevin Mallen
CDSA Director

**BEFORE THE COUNTY OF YUBA
PLANNING COMMISSION**

RESOLUTION FINDING THE PROJECT EXEMPT FROM ENVIRONMENTAL REVIEW AND APPROVING DESIGN REVIEW PERMIT 2016-0002. (DOLLAR GENERAL) SUBJECT TO THE ATTACHED CONDITIONS OF APPROVAL))))))	RESOLUTION NO.: _____
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WHEREAS, Dollar General, filed an application for a Design Review Permit 2016-0002 a request to approve a design review permit to allow the construction of a 9,100 square foot retail store in the community of Loma Rica at the intersections of Loma Rica and Smith Road (Assessor's Parcel Number: 040-220-039); and

WHEREAS, the Community Development & Services Agency, Planning Department of the County of Yuba has conducted a review of the proposed project and concluded that the project is exempt from further environmental review pursuant to Section 15061(b)(3) of the California Environmental Quality Act; and

WHEREAS, the Community Development & Services Agency, Planning Department of the County of Yuba has provided due notice of a public hearing before the Planning Commission of the County of Yuba and the intent to find the proposed project exempt from further environmental review in accordance with the California Environmental Quality Act, as amended;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The foregoing recitals are true and correct.
2. The Planning Commission finds that the proposed project is consistent with the Community Development Element and other applicable elements of the Yuba County General Plan as well as with the Yuba County Zoning Map and Development Code.
3. The Planning Commission finds that the project site is physically suitable for the proposed type of development and the proposed density of development.
4. The Planning Commission adopts the following 9 findings of fact as stated in the staff report for the Design Review Permit (File# DRC 2016-0002):

- The overall design of the project, including its scale, massing, site plan, exterior design, and landscaping, will enhance the appearance and features of the project site and surrounding natural and built environment.
 - The project design is appropriate to the function of the project and will provide an attractive and comfortable environment for occupants, visitors, and the general community.
 - The proposed architectural details, colors, materials, and landscaping are internally consistent, fully integrated with one another, and used in a manner that is visually consistent with the proposed architectural design.
 - Diverse building layouts and orientations; varying setbacks, building heights, and bulk; staggering of buildings and roof lines; and distinct architectural forms are utilized to create visual interest.
 - The project has been designed to be compatible with neighboring development by avoiding large differences in building scale and character between the proposed buildings and existing development on adjoining lots in the same zoning district and by providing a harmonious transition in scale and character between different districts.
 - The project is designed to include facilities that encourage and accommodate pedestrians and to provide convenient and safe pedestrian access to surrounding neighborhoods and nearby commercial and public services, parks, trails, and transit stops.
 - The proposed landscaping plan is suitable for the type of project and site conditions and will improve the appearance of the community, building, and site.
 - All screening, fencing and retaining walls shall be of compatible materials, color and texture with their related buildings.
 - Lighting and lighting fixtures are designed to complement buildings, be of appropriate scale, provide adequate light over walkways and parking areas to create a sense of pedestrian safety, and avoid creating glare.
5. The Planning Commission finds that the project, as conditioned, meets the County design and improvement standards set forth in the Yuba County Development Code.
 6. The project will not cause substantial environmental damage to fish and/or wildlife and their habitats, nor have the potential for adverse effect(s) on wildlife resources or the habitat upon which wildlife depends. A Notice of Exemption will be recorded with the County Recorder.

The Planning Commission hereby finds the project exempt from further environmental review pursuant to Section 15061(b)(3) of the California Environmental Quality Act adopts, incorporated herein by reference, and approves Design Review Permit 2016-0002, subject to the Conditions of Approval incorporated by reference.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the County of Yuba, State of California, on the _____, by the following vote.

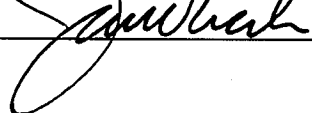
AYES:
NOES:
ABSENT:
ABSTAIN:

**Yuba County Planning Commission
Chairman**

ATTEST: Jason Kopping
Planning Commission Secretary

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

BY: _____

BY:  _____

**DRAFT CONDITIONS OF APPROVAL
YUBA COUNTY PLANNING COMMISSION**

Applicant: Dollar General (Embree Group) Case Number: DRC2016-0002
Owner: Gema Pietra, LLC Public Hearing Date: March 16, 2016
APN: 040-220-039

GENERAL CONDITIONS:

- 1) Unless specifically provided otherwise herein or by law, each condition of these Conditions of Approval shall be completed to the satisfaction of the County. Failure to comply with this provision may be used as grounds for revocation of this permit.
- 2) As a condition for project approval, Owner or an agent of Owner acceptable to County shall defend, indemnify, and hold harmless the County and its agents, officers, and employees from any claim, action, or proceeding, against the County or its agents, officers, and employees; including all costs, attorneys' fees, expenses, and liabilities incurred in the defense of such claim, action, or proceeding to attack, set aside, void or annul an approval by the County, Planning Commission, Staff Development Committee, or other County advisory agency, appeal board, or legislative body concerning the conditional use permit. County shall promptly notify owner of any such claim, action, or proceeding and shall cooperate fully in the defense of said claim, action, or proceeding.
- 3) Owner(s), Owner's agent(s) or Applicant shall comply with all applicable federal, state, and local laws, ordinances, and regulations, and the Yuba County Ordinance Code.
- 4) This Design Review Permit (DRC2016-0002) approval shall be effectuated within a period of twelve (12) months from this date and if not effectuated shall expire on March 16, 2017. The CDSA Director may authorize up to a ninety (90) days upon written request. The Development Review Committee may approve up to a two (2) year extension from the original expiration date upon receipt of a written application with the required fee within one (1) year of the date of approval.

PUBLIC WORKS DEPARTMENT:

The Public Works Department has no Conditions of Approval for the Design Review Permit.

ENVIRONMENTAL HEALTH DEPARTMENT:

The Environmental Health Department has no Conditions of Approval for the Design Review Permit.

PLANNING DEPARTMENT

- 5) Landscaping shall be installed in accordance with the submitted landscape plan (Attachment 5) prior to the issuance of a Certificate of Occupancy.
- 6) Prior to the issuance of any certificate of occupancy permit, a lighting plan consistent with Yuba County Development Code Section 11.19.060 and 11.25.100 shall be submitted and approved by the Planning Department.

**DRAFT CONDITIONS OF APPROVAL
YUBA COUNTY PLANNING COMMISSION**

Applicant: Dollar General (Embree Group) Case Number: DRC2016-0002

Owner: Gema Pietra, LLC

Public Hearing Date: March 16, 2016

APN: 040-220-039

- 7) All trash and collection associated with any development shall be consistent with Section 11.19.110 Trash and Refuse Collection Areas of the Yuba County Development Code.
- 8) Consistent with the proposed Site Plan (Exhibit 4) and with Section 11.25.040 Required Off-Street Parking Spaces, parking for the General Retail Store shall be parked at a rate of 1 parking space per 300sf of building.
- 9) All parking lanes shall be painted and all handicap parking shall be clearly labeled.
- 10) Prior to the issuance of a certificate of occupancy permit, onsite bicycle parking shall be required per Section 11.25.080 Bicycle Parking. A total of 2 bicycle parking spaces shall be required and the location of design of the bicycle parking shall be consistent with Section 11.25.080.
- 11) Minor modifications, such as a change of floor plan or minor changes in square footage, that still meet the objectives of the approved plans can be approved administratively. The addition of new color palettes or building materials does not constitute a minor modification.

Kevin Perkins, Zoning Administrator/Planner III



THE ARCHITECTS, INC.
A FULL SERVICE ARCHITECTURAL FIRM
2000 Orange Ave., Suite 100
San Francisco, CA 94107
Tel: 415.774.1100

DOLLAR GENERAL
LOMA RICA, CA

DESIGN REVIEW

DATE: 1/8/2016

ELEVATIONS

A-DR2

RECEIVED

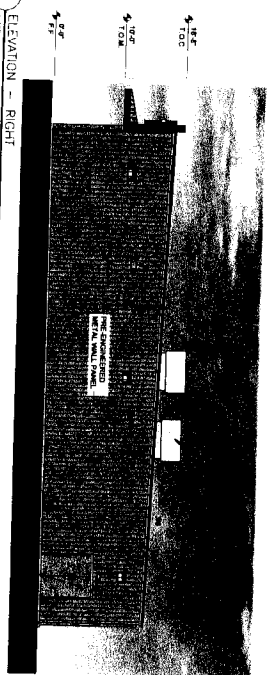
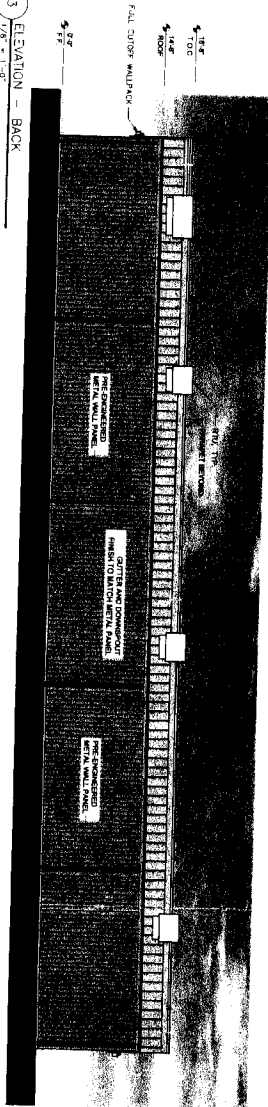
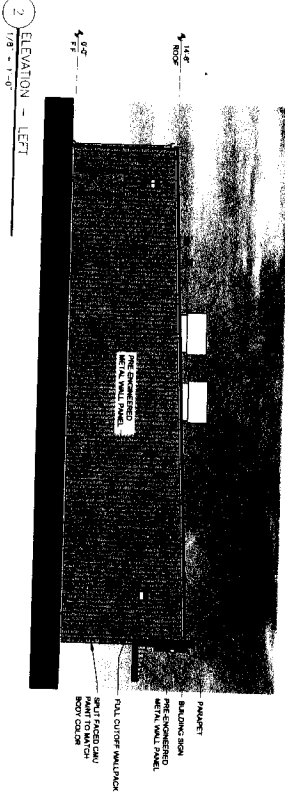
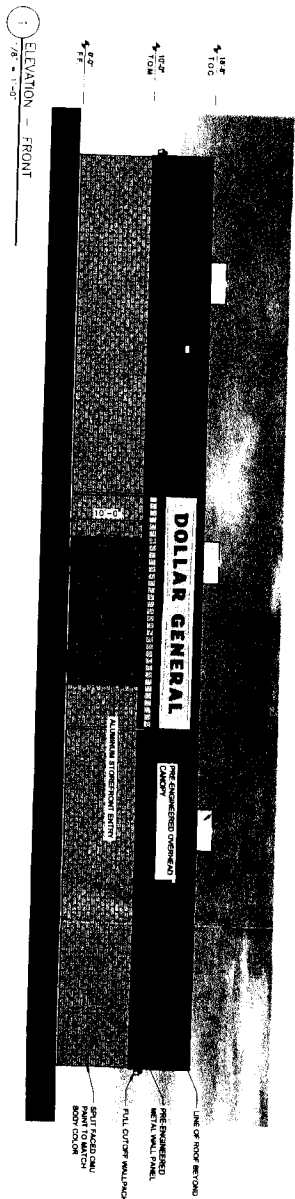
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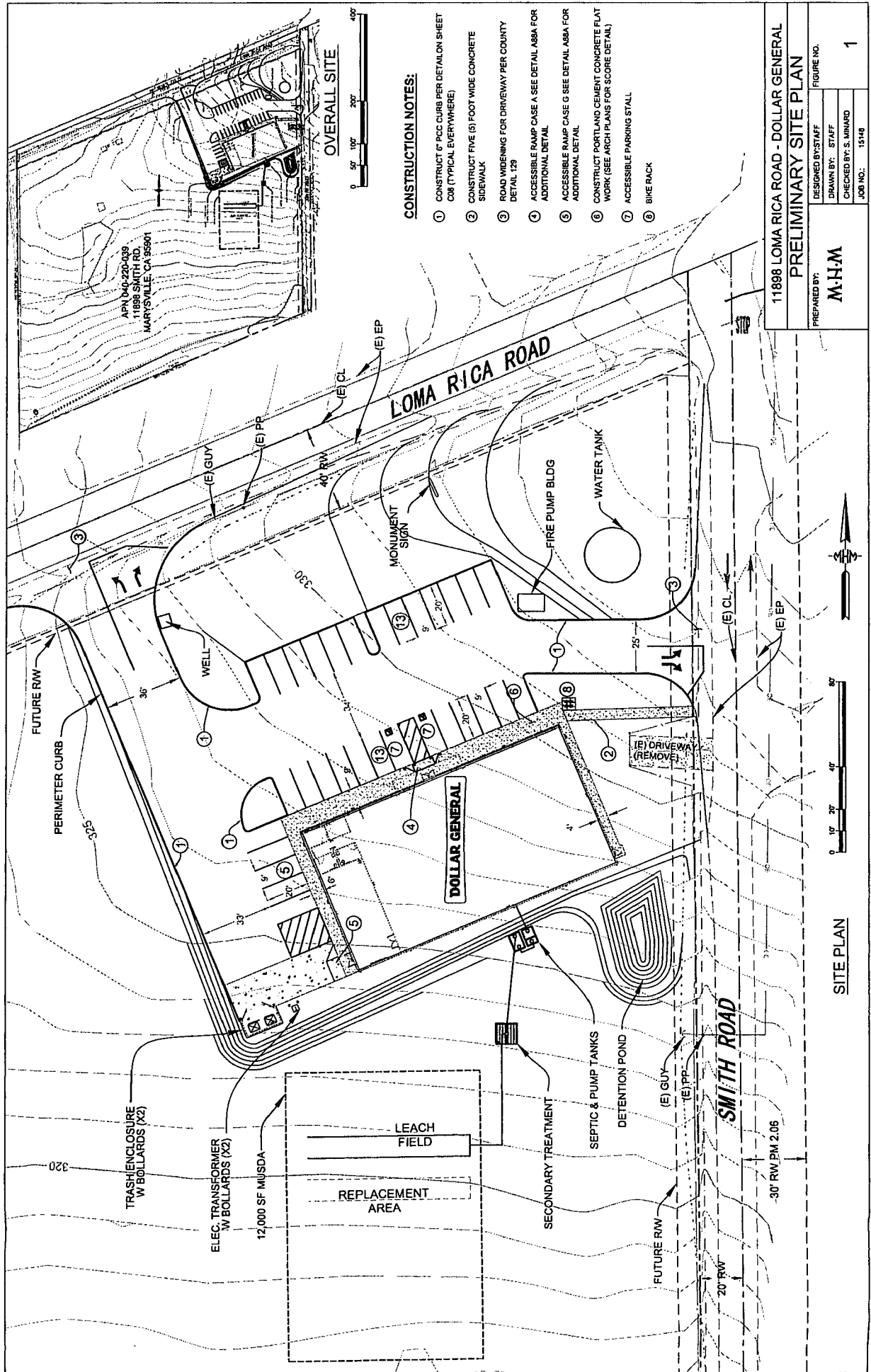
COMMUNITY DEVELOPMENT
& SERVICES AGENCY

Pre-finished Metal Paint GALVALUME

Pre-finished Metal Paint and
SHORT FIBER CHALK LIGHT STONE

Pre-finished Metal Paint BRUSHED SLATE





1. PLANTING SHALL COMPLY TO CITY REQUIREMENTS FOR LANDSCAPE PLANT UPLIST.
2. PROVIDE A MINIMUM COVERAGE OF 15% FOR POSITIVE DRAINAGE, MINUS FLOW CAPACITY IN A LIMITED AREA.
3. PROVIDE A MINIMUM COVERAGE OF 10% FOR POSITIVE DRAINAGE, MINUS FLOW CAPACITY IN A LIMITED AREA.
4. FINAL QUANTITIES REQUIRED TO COMPLETE THE WORK, IN PLACE OF RECONSTRUCTION, THE PLANT SHALL GOVERN.
5. ALL EXISTING TREES SHALL BE PLANTED A MINIMUM OF 2 FEET FROM UNDERGROUND UTILITIES.
6. ALL EXISTING TREES SHALL BE PROTECTED FROM DAMAGE OR REMOVAL, NO PRUNING OR THINNING OF EXISTING TREES.
7. IMMEDIATELY AFTER AWARD OF CONTRACT, THE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT IF SPECIFIED PLANT MATERIAL IS AVAILABLE FROM COMMERCIAL SOURCES. IN THE EVENT THAT A PLANT IS NOT AVAILABLE, THE CONTRACTOR SHALL SUBMIT AN ALTERNATE PLANT SPECIFICATION TO THE LANDSCAPE ARCHITECT, SUCH CHANGES WILL NOT ALTER THE CONTRACTOR'S OBLIGATION AND PRICE INCREASE A CREDIT IS DUE TO THE OWNER.
8. THE CONTRACTOR SHALL ENSURE THAT ALL EXCAVATED PLANT HILLS HAVE POSITIVE DRAINAGE, A PLANT SHALL BE FULLY FILLED WITH WATER AND SHALL DRAIN WITHIN ONE (1) HOUR OF FILLING. THE CONTRACTOR SHALL EXCAVATE THROUGH ANY EXISTING PLANT HILLS DURING A PRELIMINARY TEST.
9. ALL PLANT MATERIAL SHALL COMPLY WITH A MINIMUM STANDARD FOR NURSERY STOCK.
10. ROOT BARRIERS SHALL BE PROVIDED FOR ALL TREES WITHIN 5' OF ANY CURB AND/OR HARDSCAPE PAVEMENT.
11. ALL NON-TREE AND NON-BENEFICIAL PLANTER AREAS SHALL RECEIVE A LAYER OF DARK MULCH.
12. THE CONTRACTOR SHALL PROVIDE A SOLS REPORT PREPARED BY A QUALIFIED SOLS SPECIALIST AND SUBMIT TO THE OWNER FOR APPROVAL. SOLS SAMPLES SHALL BE COLLECTED AT THE PROPOSED PLANTING LOCATIONS TO ACCOUNT FOR ANY SOIL VARIATIONS THAT MAY BE PRESENT ON THE SITE. THE FOLLOWING MINIMUM TESTS SHALL BE INCLUDED IN THE SOLS REPORT:
 - a. NUTRIENT ANALYSIS
 - b. NUTRIENT DEFICIENCY ANALYSIS
 - c. CATION EXCHANGE CAPACITY
 - d. TEXTURE
 - e. OTHER FACTORS CAPABLE OF AFFECTING PLANT GROWTH
13. PRIOR TO PLANTING, SOIL ADJUSTMENTS SHALL BE ADDED PER RECOMMENDATIONS OF THE SOLS REPORT. SOIL ADJUSTMENTS SHOWN ON THE PLANS ARE TO BE USED FOR PLANTING PURPOSES ONLY. THE RESULTS OF THE SOILS

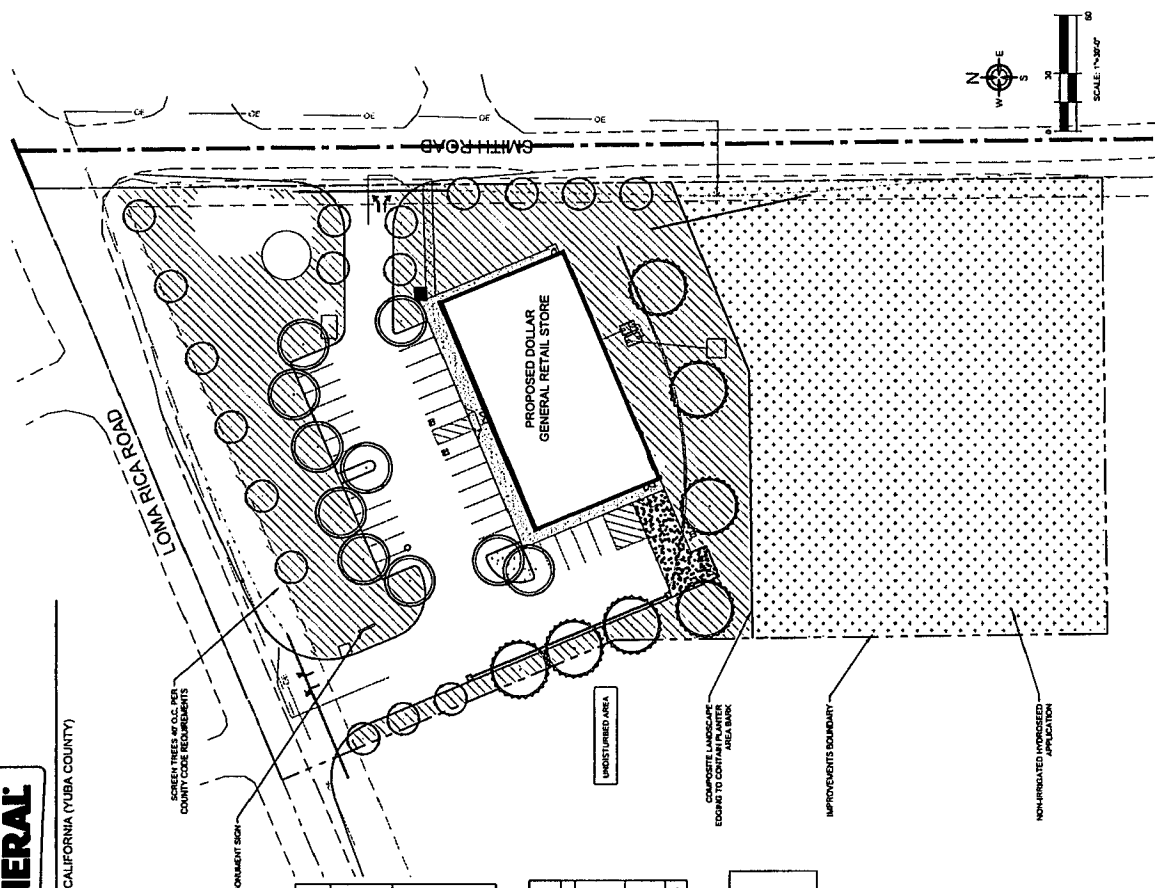
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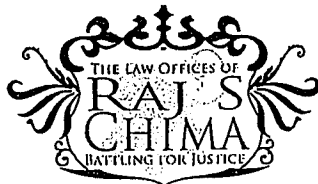
REFERENCE EVAPORATION + 7.7 INCHES PER YEAR	ET _W - ET _a X 3.2 X AREA X AREA	(ET _W - PLANT FACTORISATION EFFICIENCY)
ET _W = (E ₀) (17 X AREA) (1/2) (3.4)	PLANT FACTOR = 5 LOW WATER PLANTS	
ET _W = 17 X 1/2 X 3.4 X 100 = 2890 GALLONS PER YEAR	ET _W = 47 X 3.2 X 1.31 X 100 = 19715 GALLONS PER YEAR	ET _W = 19715 GALLONS PER YEAR
ET _W = 2890 GALLONS PER YEAR	ET _W = 47 X 3.2 X 1.31 X 100 = 19715 GALLONS PER YEAR	ET _W = 19715 GALLONS PER YEAR

	THREE	FALL	3M	1/2	1M
PESTACHE	1 962 ± 962	2 722 ± 444	7 ± 481 ± 3,367	0 ± 261 ± 0	
OAK	0 962 ± 0	0 722 ± 0	2 ± 481 ± 962	1 261 ± 241	

(MINIMUM 50% SHADE COVERAGE REQUIRED AT TREE MATURITY)		
PARKING AREA: 12,074 SF	TOTAL SHADE PROVIDED: 6,978 SF	SHADE PERCENTAGE: 57%

1. 50% MINIMUM PARKING LOT SHADE.
2. CONFORM TO MODEL WATER EFFICIENT LANDSCAPE ORDINANCE.
3. 1 PLANTER ADJACENT TO ROW WITH TREES 3' ON CENTER.
4. 10% MINIMUM LANDSCAPE REQUIRED WITHIN PARKING AREA.





Attorney At Law

RECEIVED

FEB 24 2016

COMMUNITY DEVELOPMENT
& SERVICES AGENCY

February 24, 2016

Kevin Perkins
Yuba County Planning Department
915 8th Street, Ste. 123
Marysville, CA 95901

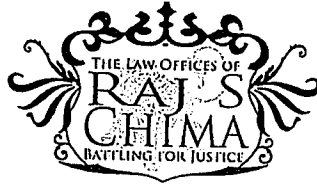
RE: Permit Application for Dollar General Store in Loma Rica

Dear Mr. Perkins:

I have been retained by Loma Rica Local which has been formed by concerned citizens in the Loma Rica area, and are opposed to the application that has been submitted on behalf of Dollar General. Generally, the local affected citizens are concerned with location and placement of the commercial building directly across the street from the neighborhood market, feeling that two stores are not necessary to support/service the local community and its needs. The added commercial retail space (and subsequent large delivery trucks) are a blight in a mostly rural residential and agricultural area. This will impact local transportation, create visual intrusion on the neighboring properties, and create an unwanted commercial feel to a rural and residential area.

Having reviewed the proposed plans, there are also a number of grave concerns that should at the very least require that the county board of supervisors review and approve this application in a public hearing. I have listed the various areas in which I feel, having reviewed the planning code and general plan of county, that this application is deficient in.

1. The first concern is the lack of details on the well water and reliance on a water tank for the water needs of the property. The code requires specific requirements as to both landscaping (11.24.050) and fire safe regulations for commercial buildings (11.22.010). There is also the requirement of working water to provide both a bathroom for the employees of the property and public members of the store. The current proposal indicates that the property will use an equivalent of a little over 1500 gallons of water a day for a commercial use, landscaping and fire suppression. Furthermore, other commercial establishments have attempted to build on this site, and none were allowed due to the lack of water on the property. Given this history, the applicant attempts to remedy this situation by providing a water tank that would need to be serviced by a water truck on a regular basis. This does not meet the building or zoning code requirements for the county, therefore the project should be denied.
2. The next issue is the traffic impact on the project. As the project is presented there is only a single entrance into this store, off a two lane county road with little to no shoulder. The secondary entrance is off an even narrower road. As presented the project would require that



Attorney At Law

the not only the general public have access to this property through that narrow access point, but that the supply trucks and water tanks to service the water tank storage system would also be accessing the property through this bottleneck. This will create a hazardous condition off the property, backing up traffic and affecting everyday traffic in the region. We ask that as part of the CEQA review, that a full traffic impact study be performed that will show the actual impact and maximum impact that the project will have. I believe that with that impact study, it will show that this type of commercial development is not suitable for this region and therefore should be denied.

3. Third the amount of grading and impervious surfaces that will be added to this parcel can have a negative effect on the neighboring properties and the public road causing unnecessary run off. The application as submitted does not address any concerns as it pertains to the grading and erosion measures that it proposing given the substantial increase of impervious surfaces to be added to the project site. Because the proposed project does not address these environmental concerns, it should be denied.
4. The next concern is the parking on the project site. There should be as part of this application a specific number of parking spaces given the type of construction that it being proposed, as designated by 11.25 of the zoning code. In this application the number and size of the parking spaces are not provided in the drawings in a clear manner, and even if they are, they do not meet the standards as set forth in the zoning code.

As you can see this is just a few of the problems with this project that is being presented by Dollar General. We ask that at this time we be added to the notification list for any action on this application, and that the project be denied in its entirety as the application fails to address specific requirements set by Yuba County, and the project has a large and substantial commercial impact in a rural and residential community.

Sincerely,

Rajdep S. Chima, Esq

Respectfully yours,

Rajdep S. Chima
Attorney at Law

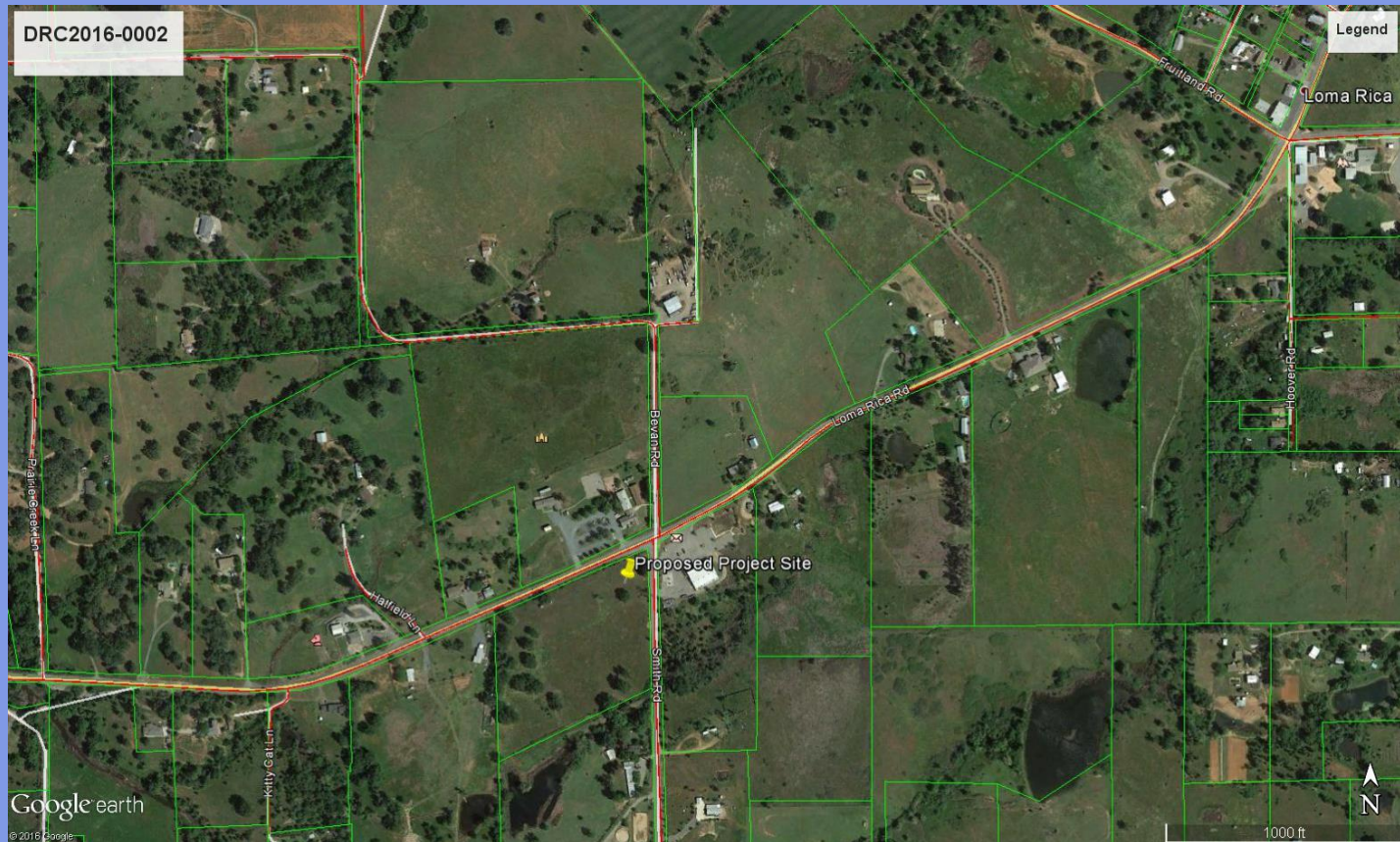


Design Review Permit DRC2016-0002

Planning Commission
Public Hearing
March 16, 2016



Project Site





SMITH ROAD AND LOMA RICA ROAD, LOMA RICA, CALIFORNIA (YUBA COUNTY)

2. PLACING SLINKY COILS OF 1/2" FOR POSITIVE DRAINAGE AWAY FROM CENTRAL IN-PLANT AREAS.
3. THE PLANT QUANTITIES SHOWN ON THE DRAINAGE ARE INFORMATIONAL ONLY. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING THE EXACT QUANTITIES OF DRAINAGE MATERIALS TO BE USED. THE PLANTER SHALL COVER.
4. ALL TREES SHALL BE PLANTED A MINIMUM OF 6" FROM DRAINAGE UTILITIES.
5. ALL EXISTING TREES SHALL BE PROTECTED FROM DAMAGE BY CONTRACTOR. NO FENCING OR TRACKING OF CONSTRUCTION EQUIPMENT SHALL BE ALLOWED TO CROSS ANY TREE CANOPY.
6. IMMEDIATELY AFTER AVOIDANCE OF DAMAGE TO THE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT OF ANY EXISTING PLANT MATERIAL IS AVAILABLE FROM AN OUTSIDE VENDOR. (IN THE EVENT THAT A PLANT IS NOT AVAILABLE, THE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY. THE CONTRACTOR SHALL NOT AT THE CONTRACTORS ORIGINAL BID PRICE PLACE A CREDIT TO THE OWNER.
7. ALL PLANT MATERIAL SHALL BE PLANTED WITHIN THE SPECIFIED TIME FRAME. PLANT MATERIAL SHALL BE FULLY FILLED WITH SOIL AND SOIL DRAIN WITHIN ONE (1) HOUR OF PLANTING. THE CONTRACTOR SHALL EXCAVATE, LOCATE, AND REPAIR ANY DAMAGE TO EXISTING PLANT MATERIAL.
8. ALL PLANT MATERIAL SHALL COMPLY WITH AND BE IN ACCORD WITH CURRENT NURSERY STOCK.
9. ROOT BARRIERS SHALL BE PROVIDED FOR ALL TREES WITHIN 5' OF ANY CURB AND/or DRIVEWAY PARALLEL.
10. ALL NON-TREE AND NON-BARRIERS PLANTER AREAS SHALL RECEIVE A 1" DRAIN OF BANK MARKS.
11. THE CONTRACTOR SHALL PROVIDE A SOIL REPORT PREPARED BY A QUALIFIED SOILS REPORTER AND SUBMIT TO THE OWNER AND LANDSCAPE ARCHITECT FOR REVIEW. THE CONTRACTOR SHALL PROVIDE A SOIL REPORT TO THE OWNER PRIOR TO THE INSTALLATION OF PLANT MATERIAL. SOIL SAMPLES SHALL BE SUFFICIENTLY NUMEROUS TO ACCORD WITH THE CONTRACT DOCUMENTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE COST OF THE FOLLOWING MATERIALS SHALL BE INCLUDED IN THE BIDDING PRICE:
 - a. SOIL
 - b. MULCH
 - c. DRAIN EXCAVATION CAPACITY
 - d. SOILS AND GEOTECHNICAL TESTS FOR NITROGEN, PHOSPHORUS, POTASSIUM, AND ORGANIC MATTER AND SPECIFIC CONDUCTIVITY
12. PRIOR TO THE BEGINNING OF THE PROJECT, THE CONTRACTOR SHALL ACCEPT THE RECOMMENDATIONS OF THE SOILS REPORT. SOIL AMENDMENTS SHOWN ON THE PLANS TO BE USED FOR REPAIRING PLANT MATERIAL. THE RESULTS OF THE SOILS REPORT SHALL BE USED TO DETERMINE THE SOILS TO BE USED FOR REPAIRING PLANT MATERIAL.

[illegible]

REFERENCE EVAPOTRANSPIRATION = 47.4 INCHES PER YEAR
 $MAIR_A = (E_{ref} / (0.7 \times K_{pan} \times (1 + S_{alt})))$
 $= (47.4) / (0.7) / (1.45 + 33.802) = 3.81$
 = 447,217 GALLONS PER YEAR

ETWU = $E_{ref} \times K_{pan} \times ETAF \times A_{area}$ (ETAF=PLANT FACTOR/IRRIGATION EFFICIENCY)
 PLANT FACTOR = 3.0 (LOW WATER USE PLANTS)
 IRRIGATION EFFICIENCY = 81 (SRSP)
 $ETWU = 47.4 \times K_{pan} \times (3.81 \times 33.802) = 367,915$ INCHES PER YEAR

TOTAL ETWU = 367,915 GALLONS PER YEAR MAIRA = 447,217 GALLONS PER YEAR

ETWU = MAIRA

TREE	FULL	3/4	1/2	1/4
PISTACHE	1 x 962 = 962	2 x 722 = 1,444	7 x 481 = 3,367	0 x 241 = 0
OAK	0 x 962 = 0	0 x 722 = 0	2 x 481 = 962	1 x 241 = 241

SHADE CALCULATIONS
(MINIMUM 50% SHADE COVERAGE REQUIRED AT TREE MATURITY)

PARKING AREA: 13,074 SF	TOTAL SHADE PROVIDED: 6,976 SF	SHADE PERCENTAGE: 53%
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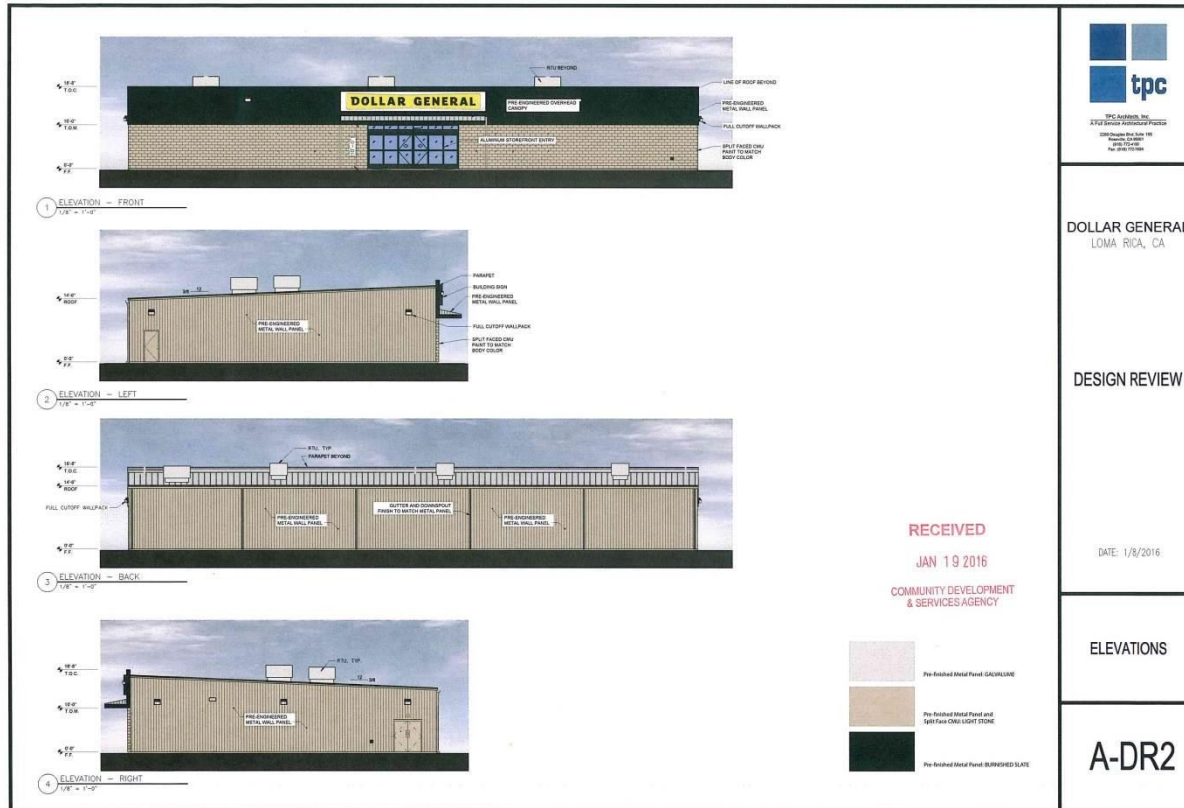
(MINIMUM 50% SHADE COVERAGE REQUIRED AT TREE MATURITY)		
PARKING AREA: 13,074 SF	TOTAL SHADE PROVIDED: 6,576 SF	SHADE PERCENTAGE: 50%

1. 50% MINIMUM PARKING LOT SHADE.
2. CONFORM TO MODEL WATER EFFICIENT LANDSCAPE ORDINANCE.
3. 5' PLANTER ADJACENT TO ROW WITH TREES 30' ON CENTER.
4. 10% MINIMUM LANDSCAPE REQUIRED WITHIN PARKING AREA.





Elevations





Photos





Photos





Photos





Photos





Photos





Photos





PHOTOS





Photos





Photos





Photos





Photos





Photos





Photos





Photos





Recommendation

Adopt the attached resolution approving Design Review Permit DRC2016-0002 subject to the conditions of approval.



Public Comments

Public comments will be limited to 3 minutes per person. The Planning Commission will making a decision on the design of the project. Comments need to be focused on the design of project and not the merits.

The County of Yuba

HEALTH & HUMAN SERVICES DEPARTMENT

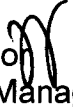

Jennifer Vasquez, Director
5730 Packard Ave., Suite 100, P.O. Box 2320, Marysville, California 95901
Phone: (530) 749-6311 FAX: (530) 749-6281



(200-0516) Consi... - 1 of 2

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

TO: Human Services Committee
Yuba County

FROM: Jennifer Vasquez, Director 
John Crocker, Program Manager 
Health & Human Services Department

DATE: May 10, 2016

SUBJECT: Board of Supervisors Authorization to Solicit Applications for
Multipurpose Senior Services Program (MSSP)

RECOMMENDATION: It is recommended that the Board of Supervisors authorize the Health and Human Services Department (HHSD) to solicit applications from local vendors for the purchase of needed supplies and services under the Multipurpose Senior Services Program (MSSP) for the Adult Services Division and further authorize the Director of HHSD to enter into and execute, on behalf of the County of Yuba and upon review of the county counsel, the resultant MSSP service agreements and to amend such agreements as necessary.

BACKGROUND: Since July 2001, Yuba County has entered into agreement with the California Department of Aging for the MSSP grant. The objective of MSSP is to arrange for and monitor the use of community services to prevent or delay premature institutional placement of frail and elderly clients. The services must be provided at a cost lower than that for nursing facility care. The county has been contracting with approximately five (5) vendors to provide these needed services. 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 vendors to provide the needed services and products to prevent or delay premature institutional placement of frail and elderly clients.

FISCAL IMPACT: Approval of this authorization will not impact County General Funds. The cost of the services provided under the MSSP Grant are reimbursed by Federal and State funds.

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The County of Yuba

Community Development & Services Agency

Kevin Mallen, Director

Phone – (530) 749-5430 • Fax – (530) 749-5424
915 8th Street, Suite 123
Marysville, California 95901
www.co.yuba.ca.us



(201-0516) Consi... - 1 of 14

CODE ENFORCEMENT
749-5455 • Fax 749-5424

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

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

PLANNING
749-5470 • Fax 749-5434

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

May 10, 2016

TO: Land Use & Public Works Committee

FROM: Michael G. Lee, Director of Public Works

A handwritten signature in black ink, appearing to read "Michael G. Lee", is written over the "FROM:" line.

SUBJECT: Goldfields Parkway project between the Orchard Subdivision and N. Beale Road

RECOMMENDATION:

That the Board approve the following items pertaining to the Goldfields Parkway project between Orchard Subdivision and N. Beale Road.

- 1) Approval of Plans, Specifications, and Estimate for the subject project, and authorization for advertisement of bids.
- 2) Approve the attached Memorandum of Agreement (MOA) with Yuba Community College District and authorize the Chair to sign.
- 3) Authorize a loan of up to \$300,000 from Trust 188 (Countywide Traffic Impact Fees) to the Yuba Community College District for a maximum term of 3 years at the County's Pooled Interest Rate.

BACKGROUND:

Throughout the design process, Public Works has been in correspondence with College staff since the proposed project will have some impacts to College property. During this collaboration, it was determined that constructing a new ditch along the eastern portion of the College property, just west of the County's ultimate Goldfields Parkway improvements, would be mutually beneficial to both parties. It will allow the College to gravity drain its recently constructed detention pond at the northeast corner of the College property, that currently has intermittent standing water. The new ditch will also accommodate the County's roadside drainage and allow us to eliminate an existing ditch that will be in conflict with the ultimate Goldfields Parkway improvements.

Since constructing the new ditch on College property is mutually beneficial, and to give the College more time to plan for expenditure of funds toward the drainage ditch, County staff offered to loan the College, if desired, up to \$300,000 from Trust 188 (Countywide Traffic Impact Fees) for a maximum term of 3 years at the County's Pooled Interest Rate. College staff have indicated that they are not sure whether the College will need to borrow the money, but would like the option available. The College Board of Trustees has already heard this item and recommends support of it. If the College decides to borrow money from the County, staff will come back to your Board with specific terms of the loan (i.e. minimum annual payments).

The attached MOA outlines the terms and responsibilities of each party and the terms of the potential loan.

DISCUSSION:

This project consists of constructing two lanes of the ultimate 4-lane arterial from its current terminus at the Orchards Subdivision to N. Beale Road. The project will also include drainage improvements, bike lanes, striping, fencing, and other associated items. Plans and specifications are available for review at Public Works. The project is expected to be completed by December 2016. Once construction is completed, a portion of Linda Avenue will be abandoned and returned to the College. This action will be processed separately to your Board. This new roadway will help alleviate through traffic on Griffith Avenue that tends to be problematic for the numerous residents fronting Griffith.

FISCAL IMPACT:

The engineer's estimate of cost for the project is \$1.5 million. The project will be funded roughly according to the following breakdown (will vary some based on actual bids received).

Developer funding (Trust 395)	\$285,000
East Linda Road & Landscape Impact Fees (Trust 192)	\$915,000
Yuba Community College District	\$300,000

**MEMORANDUM OF AGREEMENT BETWEEN COUNTY OF YUBA
AND YUBA COMMUNITY COLLEGE DISTRICT
FOR THE GOLDFIELDS PARKWAY PROJECT**

This Agreement is made and entered into this ____ day of _____, 2016 (hereinafter called "the Effective Date"), by and between the County of Yuba (hereinafter called "the County"), and the Yuba Community College District (hereinafter called "College").

RECITALS

Whereas, this Agreement pertains to construction of Goldfields Parkway between its current terminus and N. Beale Road, and associated drainage improvements (hereinafter called "the Project"); and

Whereas, the County intends to design, and contract for construction of the Project in accordance with all State contracting and prevailing wage requirements; and

Whereas, a portion of the Project consists of "Drainage Improvements" on College property that will provide benefit to both parties and it is in both parties interest and will provide cost savings to both parties to construct said drainage improvements as part of the Project; said drainage improvements are more particularly described in Exhibit A; and

Whereas, County has offered to loan up to \$300,000 to College at the terms outlined in this MOA because of the benefit said drainage improvements will provide County;

Now, therefore, in consideration of the mutual promises hereinafter set forth, the County and College agree as follows:

TERMS AND CONDITIONS

A. County Responsibilities

1. Complete final design of the Project and the Drainage Improvements in accordance with State of California and Yuba County plans and specifications.
2. Bid, contract, and construct the Project including the Drainage Improvements in accordance with State of California and Yuba County plans and specifications, and perform all administrative tasks associated therewith.
3. Loan College up to \$300,000 for a term not to exceed 3 years per the terms of this Agreement.
4. Maintain the Project improvements that are on County property.
5. Install fences/gates as agreed upon by both parties and as shown on the plans.
6. Invoice College as necessary.

B. College Responsibilities

1. Provide access to County and its hired contractor to construct the Drainage

- Improvements, fencing, and other improvements as required for the Project.
2. Determine whether College intends to borrow funds from County for a term not to exceed 3 years. Process reimbursements to County and/or repayment of loan timely and in accordance with the terms of this Agreement.
3. Relocate animals safely and securely away from the work area.
4. Pay for College's share of the Drainage Improvements per the scope of work and Engineer's Estimate included in Exhibit A (Note, actual prices may vary based bid prices received). College shall: i) process reimbursement to County at end of construction for the full amount of College's share if College chooses not to borrow from County; or ii) make annual payments, at a minimum, to reimburse County for loan pursuant to the terms of this Agreement, if College chooses to utilize a loan from the County.
5. Provide new concrete pads or other acceptable locations to accommodate any College facilities that will be relocated by County's contractor (i.e. cattle scale).
6. Perform ongoing maintenance of the Drainage Improvements that are located on College property, as well as fences/gates installed as part of the Project.

C. Insurance

1. County will require insurance from its hired contractor consisting of the minimum requirements stipulated in Exhibit B. Contractor shall name College and its officers, agents, employees, and volunteers as additional insured.

D. Loan Terms

1. County agrees to loan College up to \$300,000 for College's share of the Drainage Improvements for a term up to 3 years. Loan will come from Trust 188, Countywide Traffic Impact Fees, with interest at the County's Pooled rate. College shall make, at a minimum, payments annually to cover interest and a portion of principal. College agrees to repay full interest and principal within the 3 years.

E. Payment

1. If College opts to pay for its share of Drainage Improvements without the loan from County, then County shall invoice College upon completion of the Drainage Improvements. College shall pay County within 30 days of receipt of invoice.

F. General Provisions

1. This Agreement may only be amended by mutual written consent of the parties hereto.
2. The term of this agreement is from the Effective Date for a period of 3 years or until the loan has been fully repaid.
3. The County or College shall have the authority to terminate this agreement with ninety (90) days written notification.
4. Should this agreement be terminated, College agrees to reimburse County for reasonable costs incurred and associated with the Drainage Improvements defined in this agreement.

G. Indemnity

1. Each party shall indemnify, defend, protect, hold harmless, and release the other, its officers, agents, and employees, from and against any and all claims, loss, proceedings, damages, causes of action, liability, costs, or expense (including attorneys' fees and

witness costs) arising from or in connection with, or caused by any act, omission, or negligence of such indemnifying party.

H. Coordinators of this Agreement are shown below:

1. County: Michael Lee, Public Works Director
2. College: David Willis, Director of Facilities Planning, Maintenance, and Operations

I. Expenditure of Public Funds

1. County agrees to comply with Government Code Section 8546.7, which provides that the contracting parties for any contract involving the expenditure of public funds in excess of \$10,000 shall be subject to examination and audit by the State Auditor for a period of three (3) years after final payment under the contract.

J. Compliance with the Law

1. County agrees to perform the services contemplated by this Agreement in compliance with all Federal and State laws or regulations governing the services to be rendered pursuant to this Agreement.

K. Entire Agreement & Merger Clause

1. This Agreement, including Exhibits A and B attached hereto and incorporated herein by reference, constitutes the sole agreement of parties hereto and correctly states the rights, duties, and obligations of each party as of the Effective Date. Any prior agreement, promises, negotiations, or representations between the parties not expressly stated in the Agreement are not binding. All subsequent modifications shall be in writing and signed by the each parties authorized signatory. In the event that any term, condition, provision, requirement, or specification set forth herein conflicts with or is inconsistent with any term, condition, requirement, or specification in any schedule, exhibit, and/or attachment to this Agreement, the provisions of the body of this Agreement shall prevail.

L. Disputes/Governing Law

1. In the event of any dispute arising out of or relating to this Agreement, the parties shall attempt, in good faith, to promptly resolve the dispute mutually between themselves.
2. In the unlikely event that the parties cannot mutually resolve any dispute, this Agreement, including all of its terms and provisions, shall be governed by and construed in accordance with the laws of the State of California. Any action brought to enforce this Agreement, or any other dispute or claim arising under this Agreement shall be brought in the Yuba County Superior Court.

M. Severability

1. If any term or condition of this Agreement or the application thereof to any person(s) or circumstance is held invalid or unenforceable, such invalidity or unenforceability shall not affect other terms, conditions, or applications which can be given effect without the invalid term, condition, or application; to this end the terms and conditions of this Agreement are declared severable.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the Effective Date.

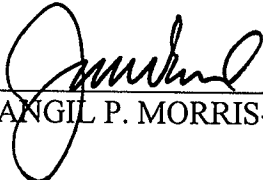
COUNTY OF YUBA

YUBA COMMUNITY
COLLEGE DISTRICT

Roger Abe
Chairman, Board of Supervisors

Kuldeep Kaur
Chief Business Officer

YUBA COUNTY COUNSEL
APPROVED AS TO FORM:



ANGIL P. MORRIS-JONES

YUBA COMMUNITY
COLLEGE DISTRICT
APPROVED AS TO FORM:

By: _____

EXHIBIT A
SCOPE OF WORK

SCOPE OF WORK

Construct drainage improvements as shown on the attached plan sheet. The drainage improvements consist of a new ditch and culvert piping to facilitate the gravity draining of the College's temporary detention basin at the Northeast corner of the College property. The new ditch/culvert will extend from the existing ditch near the donkey pen to the ditch along the south boundary of the College property. The new ditch/culvert will be located on the eastern edge of the College property. The existing ditch north of the donkey pen will be deepened and re-graded as needed to accommodate draining the detention basin via gravity. The dirt removed from the existing ditch as well as that from excavating the new ditch will be relocated to fill in parts of the temporary detention basin to facilitate its gravity draining. The engineer's estimate of cost for this portion of the Project that benefits the College is \$254,900 as shown on the attached table. This cost will go up or down some based on the actual construction bids received by the County.

Revised: 3/22/2016

By: SMC

COUNTY OF YUBA
DEPARTMENT OF PUBLIC WORKS
**ENGINEER'S PRELIMINARY ESTIMATE OF PROBABLE COST
TO CONSTRUCT**

Contract No.: 2016-8084
Federal No.: Local Funded

Description:
Goldfields Pkwy Extension Project
Cost for College Ditch - Option 1

Item Number	Item Description	Unit	Quantity	Unit Price	Amount
1	Clearing & Grubbing	LS	1	5,000.00	5,000.00
2	Construction Staking	LS	1	3,000.00	3,000.00
3 (F)	Roadway Excavation	CY	5,100	30.00	153,000.00
4	15" SD - HDPE	LF	240	60.00	14,400.00
5	36" SD - HDPE	LF	640	200.00	128,000.00
6	RSP per County Dtl 409	CY	20.0	600.00	12,000.00
7	60" SDMH (Cnty Dtl 403)	EA	4	3,000.00	12,000.00
8	Aggregate Base, CL 2, 3/4"	Ton	150	25.00	3,750.00
9	6' Chain Link Fence	LF	2,277	12.00	27,324.00
10	Field Fence	LF	726	15.00	10,890.00
11	16' Stock Gate	EA	1	1,500.00	1,500.00
				SUBTOTAL	\$370,864.00
				Contingencies 10.00%	37,086.40
				Construction TOTAL	\$407,950.40
College Share of Cost (Incl. 15" SD, upsizing of pipe from 24" to 36" plus add'l length of 36" and associated manholes, and excavate new ditch)					\$254,900.00
College has inquired about flattening the western slope of the ditch to allow for maintenance vehicles to access the ditch. Providing a 4:1 slope on the western side of the ditch would allow for this, as well as generate an additional approx. 2,100 cy. However, this would also cost an an additional \$63,000 (2,100 cy at \$30/ cy).					

EXHIBIT B
INSURANCE REQUIREMENTS

INSURANCE

The Contractor shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the Contractor, his agents, representatives, employees or subcontractors. The cost of such insurance shall be included in the Contractor's bid.

The Contractor shall procure and maintain for the duration of the contract, *and for five (5) years thereafter*, insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the Contractor, his agents, representatives, employees, or subcontractors.

A. MINIMUM SCOPE OF INSURANCE -- Coverage shall be at least as broad as:

1. Insurance Services Office Commercial General Liability coverage (occurrence Form CG 00 01) or Insurance Services Form (CG 00 09 11 88 Owners and Contractors Protective Liability Coverage Form-Coverage for Operations of Designated Contractor).
2. Insurance Services Office Form Number CA 0001 covering Automobile Liability, Code 1 (any auto).
3. Worker's Compensation insurance as required by the State of California and Employer's Liability Insurance.
4. Surety bonds as described below.

B. MINIMUM LIMITS OF INSURANCE -- Contractor shall maintain limits no less than:

1. General Liability (including operations, products & completed operations)	\$2,000,000	Per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used, the general aggregate limit shall be at least \$2,000,000 or higher.
2. Automobile Liability:	\$1,000,000	Per accident for bodily injury and property damage.
3. Worker's Compensation:	As required by the State of California	
4. Employer's Liability:	\$1,000,000	Each accident, \$1,000,000 policy limit bodily injury by disease, \$1,000,000 each employee bodily injury by disease.

C. DEDUCTIBLES AND SELF-INSURED RETENTIONS -- Any deductibles or self-insured retentions must be declared to and approved by the County. At the option of the County, either: the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the County, its officers, officials, employees and volunteers; or the Contractor shall provide a financial guarantee satisfactory to the County guaranteeing payment of losses and related investigations, claim administration and defense expenses.

D. OTHER INSURANCE PROVISIONS -- The general liability and automobile liability policies are to contain, or be endorsed to contain, the following provisions:

1. The County, its officers, officials, employees and volunteers are to be covered by insured's with respect to liability arising out of automobiles owned, leased, hired or borrowed by or on behalf of the contractor; and with respect to liability arising out of work or operations performed by or on behalf of the Contractor including materials, parts or equipment furnished in connection with such work or operations. General liability coverage can be provided in the form of endorsement to the Contractor's insurance, or as a separate owner's policy.
2. For any claims related to this project, the Contractor's insurance coverage shall be primary insurance as respects the County, its officers, officials, employees and volunteers. Any insurance or self-insurance maintained by the County, its officers, officials, employees or volunteers shall be excess of the Contractor's insurance and shall not contribute with it.
3. Any insurance policy required by this clause shall not be canceled by Contractor, except after thirty (30) day's prior written notice has been provided by the Contractor to the County.

E. ACCEPTABILITY OF INSURERS -- Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A:VII, unless otherwise acceptable by the County. Exception may be made for the State Compensation Insurance Fund when not specifically rated.

F. VERIFICATION OF COVERAGE -- Contractor shall furnish the County with endorsements effecting coverage required by this clause. The endorsements are to be signed by a person authorized by that Insurer to bind coverage on its behalf. The endorsements are to be on forms provided by the County or on other than the County's form, provided those endorsements or policies conform to the requirements. All certificates and endorsements are to be received and approved by the County before work commences. However, failure to do so shall not operate as a waiver of these insurance requirements. The County reserves the right to require complete, certified copies of all required insurance policies, including endorsements effecting the coverage required by these specifications at any time.

G. SUBCONTRACTORS -- Contractor shall require and verify that all subcontractors maintain insurance meeting all the requirements stated herein.

H. WAIVER OF SUBROGATION -- Contractor hereby agrees to waive subrogation which any insurer of contractor may acquire from Contractor by virtue of the payment of any loss. Contractor agrees to obtain any endorsement that may be necessary to effect this waiver of subrogation.

The Worker's Compensation policy shall be endorsed with a waiver of subrogation in favor of the County for all work performed by the contractor, its employees, agents and subcontractors.

I. SURETY BONDS -- Contractor shall provide the following Surety Bonds:

1. A performance bond.
2. A payment bond.

The Payment Bond and the Performance Bond shall be in a sum equal to the contract price. Bonds shall be duly executed by a responsible corporate surety, authorized to issue such bonds in the State of California and secured through an authorized agent with an office in California.

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The County of Yuba

Environmental Health Department

Tejinder S. Maan Director of Environmental Health

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

Phone: (530) 749-7523 FAX: (530) 749-5454



202-0516
(202-0516) Consi... - 1 of 132

TO: Public Works and Land Use Committee

FROM: Tejinder Maan/ Environmental Health Director *TM*

SUBJECT: Approval of the Resolution to Submit the Local Agency Management Plan (LAMP)

Date: May 10, 2016

Recommendation: Authorize the Chair of the Board of Supervisors to approve a resolution authorizing the Director of Environmental Health to submit the draft LAMP along with the preliminary completeness checklist and other supporting documents to the Central Valley Regional Water Quality Control Board (Central Valley Board) for approval and additionally authorize the Director of Environmental Health to implement the approved LAMP no later than May 13, 2018.

Background: The Porter-Cologne Water Quality Control Act in 1971 resulted in the formation of the California State Water Resources Control Board (SWRCB) and nine Regional Water Quality Control Boards (RWQCB). Under the California Water Code, the RWQCBs are vested with the authority to require individuals or entities to obtain Waste Discharge Requirements (WDRs) from the appropriate RWQCB if such individuals or entities intend to dispose of wastewater that has the potential to pollute waters of the state, both surface water and groundwater. On June 19, 2012, the State Water Resources Control Board adopted Resolution No. 2012-0032, which in part approves the *Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems (OWTS Policy)*. The OWTS Policy establishes statewide, risk-based, tiered approach for the regulation and management of OWTS installations and replacements and sets the level of performance and protection expected from OWTS.

Discussion: The OWTS Policy allows the local enforcement agencies (Local Agencies) to continue to implement a local OWTS program, either under conservative, largely prescriptive low risk Tier 1 standards, or alternative, largely performance-based Tier 2 standards in a Local Agency Management Program (Tier 2 LAMP). A local OWTS program under Tier 1 standards would severely limit the ability of Yuba County to issue permits for new and replacement OWTS in many areas of the county due to various site constraints and conditions, and alternate methods from Tier 1 standards are required. The OWTS Policy allows Yuba County to propose standards for new and replacement OWTS as a Tier 2 LAMP to the Central Valley Regional Water Quality Control Board for approval, to provide an alternate method from Tier 1 programs with a water quality assessment program to achieve the same overall level of protection of the water quality and public health. As required by the SWRCB adopted Resolution No. 2012-0032. The Yuba County LAMP must be submitted to the Central Valley Water Board no later than May 13, 2016, and must be implemented prior to May 13, 2018.

Fiscal Impact: The monitoring program required for alternative and experimental OWTS will be implemented by the Environmental Health Department. There is currently a fee for Individual Experimental Systems under Yuba County Fee Ordinance that covers the cost to administer this program. There is no fiscal impact to the general fund.

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF YUBA

IN RE:

RESOLUTION AUTHORIZING THE COUNTY OF YUBA)
TO SUBMIT THE LOCAL AGENCY MANAGEMENT) Resolution No. _____
PLAN (LAMP) TO THE CENTRAL VALLEY REGIONAL)
WATER QUALITY CONTROL BOARD)
_____)

WHEREAS, THE ENACTMENT OF THE Porter-Cologne Water Quality Control Act in 1971 resulted in the formation of the California State Water Resources Control Board (SWRCB) and nine Regional Water Quality Control Boards (RWQCB); and

WHEREAS, under the California Water Code, the RWQCBs are vested with the authority to require individuals or entities to obtain Waste Discharge Requirements (WDRs) from the appropriate RWQCB if such individuals or entities intend to dispose of wastewater that has the potential to pollute waters of the state, both surface water and groundwater; and

WHEREAS, WDRs are designed to ensure that the beneficial uses of waters of the state are not impaired by wastewater discharges; and

WHEREAS, the SWRCB has determined that subsurface discharge of effluent from onsite wastewater treatment systems (OWTS) constitutes a discharge that could affect the quality of waters of the state and are therefore subject to compliance with WDRs; and

WHEREAS, on June 19, 2012, the State Water Resources Control Board (hereafter State Board) adopted Resolution No. 2012-0032, which in part approves the *Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems* (hereafter the OWTS Policy); and

WHEREAS, the OWTS Policy establishes statewide, risk-based, tiered approach for the regulation and management of OWTS installations and replacements and sets the level of performance and protection expected from OWTS; and

WHEREAS, the OWTS Policy allows the local enforcement agencies (hereafter Local Agencies) to continue to implement a local OWTS program, either under conservative, largely prescriptive low risk Tier 1 standards, or alternative, largely performance-based Tier 2 standards in a Local Agency management Program (hereafter Tier 2 LAMP); and

WHEREAS, a local OWTS program under Tier 1 standards would severely limit the ability of Yuba County to issue permits for new and replacement OWTS in many areas of the county due to various site constraints and conditions, and alternate methods from Tier 1 standards are required; and

WHEREAS, the OWTS Policy allows Yuba County to propose standards for new and replacement OWTS as a Tier 2 LAMP to the Central Valley Regional Water Quality Control Board (hereafter Central Valley Water Board) for approval, to provide an alternate method from Tier 1 programs with a water quality assessment program to achieve the same overall level of protection of the water quality and public health; and

WHEREAS, the Yuba County Environmental Health Department (hereafter EHD) prepared a draft Tier 2 LAMP and submitted an informal draft to the Central Valley Water Board staff for initial review; and

WHEREAS, the revised draft Tier 2 LAMP includes a proposed ordinance, a guidance manual, and a LAMP Completeness Checklist with any resolved Central Valley Water Board staff comments; and

WHEREAS, EHD has conducted public outreach efforts, including, requesting and incorporating stakeholder comments, recommendations from the Central Valley Water Board, and published information on the Yuba County website and this LAMP is now ready for review and submission by the Yuba County Board of Supervisors to the Central Valley Water Board; and

WHEREAS, the Yuba County LAMP must be submitted for approval to the Central Valley Water Board; and

WHEREAS, the Yuba County LAMP must be submitted to the Central Valley Water Board no later than May 13, 2016, and must be implemented prior to May 13, 2018.

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

1. It approves the submission of the LAMP along with the preliminary completeness checklist and other supporting documents, attached as Exhibit A and incorporated herein by this reference, to the Central Valley Water Board.
2. It agrees to implement the LAMP submission once approval from the Central Valley Water Board is received no later than May 13, 2018.

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:

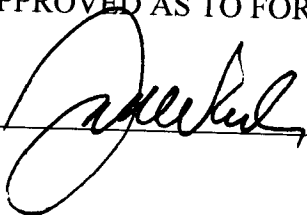
ABSENT:

ABSTAIN:

Roger Abe, Chairman

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

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



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E. Rapport, Revised 10 Feb 2015
YUBA COUNTY ENVIRONMENTAL HEALTH 201604120
PROPOSED LOCAL CODES IN COMPLIANCE WITH OWTS POLICY

GENERAL REQUIREMENTS FOR LAMPs				
OWTS Policy Section	OWTS Policy Section Summary	Region 5 Comments (These do not replace your review of OWTS Policy. Italics and websites are specific explanations, more detailed than in the Policy.)	Relevant LAMP Section	Legal Authority/ Code Section
3.3	Annual Reporting	For Section 3.3 et seq, describe your program for annual reporting to Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff in a tabular spreadsheet format.	LAMPsec3_3	NA
3.3.1	Complaints	Include numbers and locations of complaints, related investigations, and means of resolution.	LAMPsec9_2_3	NA
3.3.2	OWTS Cleaning	Include applications and registrations issued as part of the local cleaning registration pursuant to California Health and Safety Code §117400 et seq.	LAMPsec3_3_2	
3.3.3	Permits for New and Replacement OWTS	Include numbers and locations of permits for new and replacement OWTS, and their Tiers.	LAMPsec3_3	
3.4	Permanent Records	Describe your program for permanently retaining records, and means of making them available to Central Valley Water Board staff within 10 working days of a written request.	LAMPsec3_4	
3.5	Notifications to Municipal Water Suppliers	Describe your program for notifying public well and water intake owners, and the California Department of Public Health. Notification shall be as soon as practicable, but no later than 72 hours upon discovery of a failing OWTS, as described in Sections 11.1 and 11.2, within setbacks described in Sections 7.5.6 through 7.5.10.	LAMPsec3_5	
9.0	Minimum OWTS Standards	This Section is an introduction; we require no specific LAMP Section citation here.		Not applicable
9.1	Considerations for LAMPs	For Section 9.1 et seq., provide your commitment to evaluate complaints, variances, failures, and inspections in Section 9.3.2 (Water Quality Assessment); and your proposed means of assessment to achieve this Policy's purpose of protecting water quality and human health.		
9.1.1	Degree of vulnerability due to local hydrogeology	<i>Describe your commitment, and proposed means to identify hydrogeologically vulnerable areas for Section 9.3.2, after compiling monitoring data. Discuss appropriate related siting restrictions and design criteria to protect water quality and public health. Qualified professionals ("Definitions," page 9 in the Policy) should identify hydrogeologically vulnerable areas. Such professionals, where appropriate during a Water Quality Assessment, should generally consider locally reasonable percolation rates of least permeable relevant soil horizons, best available evidence of seasonally shallowest groundwater (including, but not limited to, soil mottling and gleying, static water levels of nearby wells and springs, and local drainage patterns), threats to receptors (supply wells and surface water), and potential geotechnical issues (including, but not limited to, potentially adverse dips of bedding, foliations, and fractures in bedrock).</i>	LAMPsec9_1_1	OWTS MAN Ch 4

On-Site Sewage LAMP
April 2016

9.1.2	High quality waters and other environmental conditions requiring enhanced protection	Describe special restrictions to meet water quality and public health goals pursuant to all Federal, State, and local plans and orders. <i>Especially consider appropriate alternatives to those provided in Section 7.8, Allowable Average Density Requirements under Tier 1. See also: State Water Resources Control Board Resolution No. 68-16.</i>	LAMPsec9 1 2	OWTS MAN Ch 2:
9.1.3	Shallow soils requiring non-standard dispersal systems	<i>We interpret "shallow" soils generally to mean thin soils overlying bedrock or highest seasonal groundwater. Dependent on threats to receptors, highest seasonal groundwater can locally include perched and intermittent saturated zones, as well as the shallowest local hydraulically unconfined aquifer unit. See Section 8.1.5 for Minimum Depths to Groundwater under Tier 1. Qualified professionals should make appropriate determinations on the design and construction of non-standard dispersal systems due to shallow soils.</i>	LAMPsec9 1 3	OWTS MAN Ch 8: OWTS MAN Ch9
9.1.4	High domestic well usage areas	<i>Our key potential concerns are nitrate and pathogen transport toward receptor wells, especially in areas with existing OWTS already prone to soft failures (OWTS failures not evident at grade). Appropriate qualified professionals should consider reasonable pollutant flow paths toward domestic wells, at minimum based on; publically available nitrate concentrations in local wells, published technical literature on local wastewater and non-wastewater nitrate sources, well constructions, pumping demands, and vulnerability of wells due to local hydrogeology. For pathogens, qualified professionals should ensure that field methods are sufficient to mitigate the potential for false positives.</i>	LAMPsec9 1 4	NA
9.1.5	Fractured bedrock	<i>Where warranted, appropriate qualified professionals should assess permeability trends of water-bearing fractures, and related potential pathways of effluent toward receptors, including but not limited to, domestic wells and surface water. The professionals should also consider potential geotechnical issues. We suggest consideration of fractured bedrock in concert with percolation rates of overlying soils; either very high or low percolation rates might warrant siting restrictions or non-standard dispersal systems. See also State Water Resources Control Board Order WQ 2014-0153-DWQ, Attachment 1, page 1-3, Item A-3.</i>	LAMPsec9 1 5	OWTS MAN Ch 9
9.1.6	Poorly drained soils	<i>Appropriate qualified professionals should give criteria for determination of representative percolation rates, including but not limited to, general site evaluation, trench logging, pre-soak and measurement methods of percolation tests, and acceptable alternatives for percolation tests.</i>	LAMPsec9 1 6	OWTS MAN Ch 9
9.1.7	Vulnerable surface water	<i>Our key potential concern is eutrophication of fresh surface water. While typically with relatively low mobility in groundwater and recently informally banned in dishwater detergents, phosphate is a common cause. At minimum, describe appropriate qualified professionals who will consider potential pathways of wastewater-sourced phosphate and other nutrients toward potentially threatened nearby surface bodies.</i>	LAMPsec9 1 7	NA
9.1.8	Impaired water bodies	<i>Wolf Creek, Nevada County, and Woods Creek, Tuolumne County will require Tier 3 Advanced Protection Management Programs. This applies to Nevada, Placer, and Tuolumne Counties. See Attachment 2 of the OWTS Policy.</i>	LAMPsec9 1 8	NA
9.1.9	High OWTS density areas	<i>Where nitrate is an identified chronic issue, at minimum, consider nitrogen loading per area; for example, see Hantzsche and Finnemore (1992), Crites and Tchobanoglous (1998), and more recent publications as appropriate.</i>	LAMPsec9 1 9	NA

On-Site Sewage LAMP
April 2016

9.1.10	Limits to parcel size	At minimum, consider hydraulic mounding, nitrate and pathogen loading, and sufficiency of potential replacement areas.	LAMPsec9 1 10	NA
9.1.11	areas with OWTS that predate adopted standards	This refers to areas with known, multiple existing OWTS.	LAMPsec9 1 11	NA
9.1.12	areas with OWTS either within prescriptive, Tier 1 setbacks, or within setbacks that a Local Agency finds appropriate	This refers to areas with known, multiple existing OWTS.	LAMPsec9 1 12	OWTS MAN Ch 8
9.2	Scope of Coverage:	For Section 9.2 et seq, provide details on scope of coverage, for example maximum authorized projected flows, allowable system types, and their related requirements for site evaluation, siting, and design and construction requirements.		
9.2.1	Installation and Inspection Permits	Permits generally cover procedures for inspections, maintenance and repair of OWTS, including assurances that such work on failing systems is under permit; see Tier 4.	LAMPsec9 2 1	OWTS ORD PE RMITTING OWTS ORD SE WAGEDISPOSAL Failedsystem
9.2.2	Special Provision Areas and Requirements near Impaired Water Bodies	<i>Wolf Creek, Nevada County, and Woods Creek, Tuolumne County will require Tier 3 Advanced Protection Management Programs. This applies to Nevada, Placer, and Tuolumne Counties. See Attachment 2 of the OWTS Policy.</i>	LAMPsec9 2 2	NA
9.2.3	LAMP Variance Procedures	Variances for new installations and repairs should be in substantial conformance to the Policy, to the greatest extent practicable. Variances cannot authorize prohibited items in Section 9.4.	LAMPsec9 2 3	OWTS ORD DE VIATIONS
9.2.4	Qualifications for Persons who Work on OWTS	Qualifications generally cover requirements for education, training, and licensing. <i>We suggest that Local Agencies review information available from the California Onsite Water Association (COWA), see:</i> http://www.cowa.org/	LAMPsec9 2 4 -	NA
9.2.5	Education and Outreach for OWTS Owners	Education and Outreach generally supports owners on locating, operating, and maintaining OWTS . At minimum, ensure that you will require OWTS designers and installers to provide owners with sufficient information to address critical maintenance, repairs, and parts replacements within 48 hours of failure; <i>see also Tier 4</i> . Also, provide information to appropriate volunteer groups. <i>At minimum, we suggesting providing this information on your webpage.</i>	LAMPsec9 2 5	OWTS MAN Ch 9
9.2.6	Septage Disposal	Assess existing and proposed disposal locations, and their adequacy.	LAMPsec9 2 6	
9.2.7	Maintenance Districts and Zones	<i>These generally refer to Homeowners Associations, special maintenance districts, and similar responsible entities. Requirements for responsible entities should generally reflect the Local Agency's judgment on minimum sizes of subdivisions that could potentially cause environmental impacts. LAMPs should ensure that responsible entities have the financial resources, stability, legal authority, and professional qualifications to operate community OWTS.</i>	LAMPsec9 2 7	NA
9.2.8	Regional Salt and Nutrient Management	Consider development and implementation of, or coordination with, Regional Salt and Nutrient Management Plans; <i>see also State Board Resolution 2009-0011:</i>	LAMPsec9 2 8	NA

On-Site Sewage LAMP
April 2016

	Plans	http://www.waterboards.ca.gov/centralvalley/water_issues/salinity/laws_regs_policies/rw_policy_implementation_mem.pdf	-	
9.2.9	Watershed Management Groups	Coordinate <i>with volunteer well monitoring programs</i> and similar watershed management groups.	LAMPsec9 2 9	NA
9.2.10	Proximity of Collection Systems to New or Replacement OWTS	Evaluate proximity of sewer systems to new and replacement OWTS. <i>See also Section 9.4.9.</i>	LAMPsec9 2 10	OWTS ORD SEWER
9.2.11	Public Water System Notification prior to permitting OWTS Installation or Repairs	Give your notification procedures to inform public water services of pending OWTS installations and repairs within prescribed setback distances.	LAMPsec9 2 11	NA
9.2.12	Policies for Dispersal Areas within Setbacks of Public Wells and Surface Water Intakes	Discuss supplemental treatments; see Sections 10.9 and 10.10. A Local Agency can propose alternate criteria; <i>however we will need rationale in detail.</i>	LAMPsec9 2 12	NA
9.2.13	Cesspool Discontinuance and Phase-Out	Provide plans and schedule.	LAMPsec9 2 13	OWTS ORD CE SSPOOL
9.3	Minimum Local Agency Management Responsibilities:	For Section 9.3 et seq, discuss minimum responsibilities for LAMP management. Responsibilities should generally cover data compilation, water quality assessment, follow-up on issues, and reporting to the Central Valley Water Board:		
9.3.1	Permit Records, OWTS with Variances	Describe your records maintenance; numbers, locations, and descriptions of permits where you have granted variances.	LAMPsec9 3 1	NA
9.3.2	Water Quality Assessment Program:	<p>In the Water Quality Assessment Program, generally focus on areas with characteristics covered in Section 9.1. Include monitoring and analysis of water quality data, complaints, variances, failures, and inspections. Also include appropriate monitoring for nitrate and pathogens; you can use information from other programs. <i>We are available to provide further guidance on reporting requirements. In the interim, to assist with analyses and evaluation reports (Section 9.3.3), we suggest posting data on appropriate maps; for example consider the following links:</i></p> <p>http://www.nrcs.usda.gov/wps/portal/nrcs/site/ca/home/ http://www.cdpr.ca.gov/docs/emon/grndwtr/gwpa_maps.htm http://ngmdb.usgs.gov/maps/mapview/ http://www.conservation.ca.gov/cgs/information/publications/ms/Documents/MS58.pdf http://www.water.ca.gov/groundwater/data_and_monitoring/northern_region/GroundwaterLevel/SacValGWContours/100t400_Wells_Spring-2013.pdf http://www.water.ca.gov/waterdatalibrary/ http://www.waterboards.ca.gov/gama/docs/hva_map_table.pdf http://geotracker.waterboards.ca.gov/gama/ http://msc.fema.gov/portal</p>	<p>LAMPsec9 3 2</p> <p>- - - - - - - - -</p>	

On-Site Sewage LAMP
April 2016

9.3.2.1	Domestic Well Sampling	<i>Apply your best professional judgment to ensure that well sampling focuses on hydrogeologically reasonable pollutant (primarily nitrate) flow paths. A qualified professional should generally design an appropriate directed, judgmental, sample (i.e., statistically non-random). Of the links provided, the Geotracker GAMA website might be particularly useful to the professional; at minimum we suggest reviews of available nitrate data in relevant domestic wells, up-gradient, within, and down-gradient of an area of interest. For some instances, for example where a developer proposes a relatively large project, a Local Agency might require a special study to distinguish between wastewater and non-wastewater sourced nitrate. In such cases, we suggest your consideration of requiring focused sampling and analyses, for example of $\delta^{18}O$ and $\delta^{15}N$ of nitrate (Megan Young, USGS, 2014 pers comm), and the artificial sweeteners sucralose and acesulfame-K (Buerge et al 2009, Van Stempvoort et al 2011, and more recent publications as they become available).</i>	LAMPsec9 3 2 1	
9.3.2.2	Domestic Well Sampling, Routine Real Estate Transfer Related	This applies only if those samples are routinely performed and reported.	LAMPsec9 3 2 2	NA
9.3.2.3	Water Quality of Public Water Systems	Reviews can be by you or another municipality.	LAMPsec9 3 2 3	NA
9.3.2.4	Domestic Well Sampling, New Well Development	This applies if those data are reported.	LAMPsec9 3 2 4	NA
9.3.2.5	Beach Water Quality Sampling, H&S Code §115885	<i>Public beaches include those on freshwater.</i>	LAMPsec9 3 2 5	NA
9.3.2.6	Receiving Water Sampling Related to NPDES Permits	This refers to existing data from other monitoring programs.	LAMPsec9 3 2 6	NA
9.3.2.7	Data contained in California Water Quality Assessment Database	This refers to existing data from other monitoring programs.		
9.3.2.8	Groundwater Sampling Related to Waste Discharge Requirements	This refers to existing data from other monitoring programs.		NA
9.3.2.9	Groundwater Sampling Related to GAMA Program	This refers to existing data from other monitoring programs.		
9.3.3	Annual Status Reports Covering 9.3.1-9.3.2	Reports are due 1 February, annually beginning one year after Regional Board approves LAMP. Every fifth year also include an evaluation report. Submit all groundwater monitoring data in Electronic Delivery Format (EDF) for Geotracker; submit all surface water data to CEDEN.	LAMPsec9 3 3	NA
9.4	Not Allowed or Authorized in LAMP:	For Section 9.4 et seq, ensure that your LAMP covers prohibitions.		
9.4.1	Cesspools	Local Agencies cannot authorize cesspools of any kind or size.	LAMPsec9 4 1	OWTS ORD CE SSPOOL
9.4.2	Projected Flow>10,000 gpd	<i>Apply professional judgment to further limit projected flows.</i>	LAMPsec9 4 2	

On-Site Sewage LAMP
April 2016

9.4.3	Effluent Discharger Above Post-Installation Ground Surface	For example, Local Agencies cannot authorize effluent disposal using sprinklers, exposed drip lines, free-surface wetlands, and ponds.	LAMPsec9 4 3	OWTS ORD SE WAGE DISPOSAL
9.4.4	Installation on Slopes >30% without Registered Professional's Report	<i>See also earlier comments, Section 9.1.1, regarding potential geotechnical concerns.</i>	LAMPsec9 4 4	OWTS MAN Ch 14
9.4.5	Decreased Leaching Area for IAPMO-Certified Dispersal System with Multiplier <0.70	IAPMO, International Association of Plumbing and Mechanical Officials. <i>Decreased leaching area refers to alternatives to conventional (stone-and-pipe) dispersal systems; these alternatives require relatively less area. The multiplier, <1, allows for a reduction in dispersal field area relative to a conventional system.</i>	LAMPsec9 4 5	NA
9.4.6	Supplemental Treatments without Monitoring and Inspection	<i>Therefore, ensure that the LAMP describes periodic inspection and monitoring for OWTS with supplemental treatments.</i>	LAMPsec9 4 6	OWTS MAN Ch 24 OWTS ORD Oa ndM
9.4.7	Significant Wastes from RV Holding Tanks	<i>We interpret significant amounts to mean amounts greater than incidental dumping, such that volume, frequency, overall strength, or chemical additives preclude definition as domestic wastewater; see Definitions in OWTS Policy. See also, State Water Resources Control Board Order WQ 2014-0153-DWQ, Attachment B-2.</i>	LAMPsec9 4 7	
9.4.8	Encroachment Above Groundwater	Bottom of OWTS dispersal systems cannot be less than 2 feet above groundwater, or bottom of seepage pits, less than 10 feet above groundwater. <i>We interpret groundwater to include inter-flow and perched zones, along with the shallowest main unconfined aquifer. Degree of vulnerability to pollution due to hydrogeological conditions, Section 9.1.1, and the Water Quality Assessment, Section 9.3.2., should cover in detail means of assessing seasonally shallowest depth to groundwater.</i>	LAMPsec9 4 8	OWTS MAN Ch 8 OWTS MAN Ch9
9.4.9	Installations Near Existing Sewers	New and replacement OWTS cannot occur on any lot with available public sewers less than 200 feet from a building or exterior drainage facility (exception; connection fees plus construction costs are greater than 2 times the replacement OWTS costs, and Local Agency determines no impairment to any drinking water.)	LAMPsec9 4 9	OWTS ORD SE WER
9.4.10	Minimum Setbacks:	These setbacks are from public water systems.	LAMPsec9 4 10	
9.4.10.1	From Public Supply Wells	If the dispersal system is less than 10' in depth, then the setback must be greater than 150' from public water supply well.		OWTS ORD SE TBACKS
9.4.10.2		If the dispersal system is greater than 10' in depth, then the setback must be greater than 200' from public water supply well.		OWTS ORD SE TBACKS
9.4.10.3	From Public Supply Wells, Regarding Pathogens	If the dispersal system is greater than 20' in depth, and less than 600' from public water supply well, then the setback must be greater than the distance for two-year travel time of microbiological contaminants, as determined by qualified professional. In no case shall the setback be less than 200'.		OWTS ORD SE TBACKS

On-Site Sewage LAMP
April 2016

9.4.10.4	From Public Surface Water Supplies	If the dispersal system is less than 1,200' from public water system's surface water intake, within its drainage catchment, and potentially threatens an intake, then the setback must be greater than 400' from the high water mark of the surface water body.		
9.4.10.5	From Public Surface Water Supplies	If the dispersal system is greater than 1,200,'but less than 2,500,' from public water system's surface water intake, within its drainage catchment, and potentially threatens an intake, then the setback must be greater than 200' from high water mark of surface water body.		
9.4.11	Supplemental Treatments, Replacement OWTS That Do Not Meet Minimum Setback Requirements	Replacement OWTS shall meet minimum horizontal setbacks to the maximum extent practicable.	LAMPsec9 4 11	
9.4.12	Supplemental Treatments, New OWTS That Do Not Meet Minimum Setback Requirements	New OWTS shall meet minimum horizontal setbacks to the maximum extent practicable, and meet requirements for pathogens as specified in Section 10.8. and any other Local Agency's mitigation measures.	LAMPsec9 4 12	
9.5	Technical Support of LAMP	Include adequate detail to ensure that the combination of all proposed criteria will protect water quality and public health sufficiently to warrant the Central Valley Water Board's waiver of Waste Discharge Requirements, pursuant to §13269, California Water Code.	LAMPsec9 5	
9.6	Regional Water Quality Control Board Consideration of LAMP	Regional Boards shall consider past performance of local programs to protect water quality. <i>We will generally consider past performance based on our reviews of annual status and evaluation reports; see Section 9.3.3.</i>	LAMPsec9 6	

ARTICLE 1

X.XX.XXX Purpose

The purpose of this article is to:

- A. Protect public health and the environment,
- B. Establish an administrative framework allowing the adoption of science-based minimum standards for design, construction, installation, operation, maintenance, monitoring, replacement, alteration, enlargement, repair and destruction of on-site treatment, conveyance, and disposal systems,
- C. Provide for compliance and enforcement of a comprehensive on-site regulatory program,
- D. Ensure compliance with standards, laws, and guidelines as adopted, and/or modified by the State of California, Water Resources Control Board or Regional Water Quality Control Boards.

X.XX.XXX Legal Authority

The State of California Water Resources Control Board, through the Regional Water Quality Control Boards, requires local agencies to adopt Waste Discharge Requirements for all individual disposal systems or Community Collection and Treatment Systems that use subsurface disposal. The Central Valley Regional Water Quality Control Board (CVRWQCB) provides that these Waste Discharge Requirements for Yuba County may be satisfied by an ordinance in compliance with the provisions of the Porter-Cologne Water Quality Control Act.

DEFINITIONS

7.07.010 General

The following words and terms, when used in this Article, have the following meanings, unless the context clearly indicates otherwise. Terms expressed in the singular shall be construed to incorporate the plural, and vice versa, unless the context otherwise requires.

Aerated Lagoon. (AL) means a basis of a specified depth to which oxygen is supplied and in which waste-water is treated on a flow-through basis.

Aerobic Treatment Unit. (ATU) means a waste-water treatment reactor which mechanically diffuses oxygen into a chamber containing waste-water and treats said waste-water aerobically. An aerobic treatment unit may operate continuously or intermittently (i.e. batch) depending on design.

Alternative System - Any on-site sewage system consisting of a pre-treatment unit and disposal components other than a standard system for which the Department may determine meets the requirements of this Article for a renewable operating permit.

Appeal - The administrative process that allows the Department and/or the Appeals Board to consider relief from any provision or requirement of the On-Site Sewage Manual.

Appeals Board - Three members of the On-Site Wastewater Advisory Committee, selected by the Chairman of the Committee in each specific case, to consider relief from strict compliance with standards of the On-Site Sewage Manual.

Applicant – A property owner or the property owner's Authorized Representative

Authorized Representative - Person or persons authorized by the property owner to act on the property owner's behalf on matters pertaining to application for permits and services or holder of an easement sufficient to authorize the work on the land on which the system is to be installed, to represent the owner's or easement holder's interests.

Centralized Sewage Disposal System. Means the collection, transportation, treatment and disposal of any sewage from two (2) or more sources (source shall be defined as a waste water discharge from any residential, commercial, or recreational building and/or establishment) by any method which meets State and local minimum standards.

Centralized Wastewater System. Means a system of conduits, treatment and disposal facilities in which wastewater is collected and transported to a central area where treatment and/or final disposal is affected:

TYPES:

(A) CLUSTER WASTEWATER COLLECTION, TREATMENT AND DISPOSAL SYSTEM (CWCTDS).

Means a system for the collection, transportation, treatment and disposal of any wastewater from at least two (2) but no more than five (5) sources (sources shall be defined as a waste-water discharge from any single family residential, commercial unit, recreational institutional building and/or establishment with a maximum of 2500 gallons per day waste-water discharge) by any method that meets state and local standards.

(B) SMALL WASTEWATER COLLECTION, TREATMENT AND DISPOSAL SYSTEM. Means a system

for the collection, transportation, treatment, and disposal of any waste-water from at least six (6), but no more than ninety-nine (99) single family residential sources or the equivalent flow.

(C) LARGE WASTEWATER COLLECTION, TREATMENT, AND DISPOSAL SYSTEM. Means a system for the collection, transportation, treatment, and disposal of any waste-water from more than ninety-nine (99) single family residential sources or the equivalent flow.

Community Development Services Agency Director. The Director of the Community Development and Services Agency in the County of Yuba (CDSA Director).

Commercial project- Any project other than those defined as residential.

Community Services District. Means any district formed in an unincorporated territory to construct and operate works for the collection, transportation, treatment, and disposal of sewage in accordance with procedures, rules and regulations of the California Government Code.

Consultant - One of the following persons (exclusive of Division personnel) retained to provide services under this Article:

For Design of Systems:

Registered Environmental Health Specialist
Certified Engineering Geologist.
Registered Civil Engineer
Registered Geologist

For Soils Evaluations:
The above persons as well as Certified Soil Scientist.

Contractor. A person who possesses an active General Engineering A or Specialty C-36 or C-42 license and in some specific cases a B Specialty, per the requirements State of California Business and Professions Code.

County Sanitation District. Means a district organized within an incorporated or unincorporated territory empowered to build and operate sewers, and sewage disposal or treatment plants for the collection, transportation and disposal of wastewater within or without the district. Such district shall have been formed in accordance with the procedures, rules and regulations of the California Health and Safety Code.

County Service Area. Means an area in an unincorporated territory within the county that has been designated by the Board of Supervisors in accordance with the procedures, rules and regulations of the California Government Code for the collection, transportation, treatment, and disposal of sewage within the county service area.

Director - The Director of the Yuba County of Environmental Health Department, or his/her designated employee.

Department - The Yuba County Department of Environmental Health, its Director and designated employees.

Effective Sidewall Area. Means that portion of the sidewalls if a leaching trench extending upward from the bottom of the trench to a point six (6) inches above the invert of the perforated pipe installed in the leaching trench.

Effective Soil - Permeable, unsaturated soil providing sufficient aeration and retention for optimal treatment of sewage effluent.

Electro-Osmosis System. (EOS) means a process whereby dissimilar materials are buried on either side of a soil absorption system drain field and an electric potential is established in the soil water complex.

Environmental Health Department. Means the Environmental Health Department included within the Community Development and Services Agency.

Equivalent Flow. An amount equal to that which would be produced by a single family residential source and shall be measured on the basis of gallons per day. Such measurements shall not be averaged out over any other period of time. For purposes of calculating equivalencies refer to the standards in the On-Site Sewage Manual.

Experimental System - An alternative system under review by the Wastewater Advisory Committee and given only conditional approval by the Director for limited use during the review period as specified in the On-Site Sewage Manual.

Evapotranspiration-Absorption. (ETA) BED means an on-site waste-water treatment and disposal system which discharges effluent to both the atmosphere and soils. The Evapotranspiration-Absorption Bed contains: (1) a sand bed usually supporting plants; and (2) waste-water distribution piping.

Failing On-Site System - Any system which discharges untreated or inadequately treated sewage or septic tank effluent directly or indirectly onto the ground surface, into protected waters or into a dwelling. Also, any system not operated in compliance with permit conditions including, but not limited to, operation, maintenance and monitoring requirements, use of unapproved components, or unapproved modifications to the originally permitted design.

Health Officer - Means the Health Officer of the County of Yuba.

Industrial Waste - Any liquid, gaseous, radioactive, or solid waste substance or a combination thereof resulting from any process of industry, manufacturing, trade, or business, or from the development or recovery of any natural resources.

Intermittent Sand Filter - (ISF) means a bed of granular material of a specific depth and usually underlain by graded gravel and collecting piping to which waste-water is applied intermittently for final treatment.

Land Application - (LA) means the disposal of treated waste-water effluents, of a specified quality, by application to land. Land application may be further defined as: (1) slow rate; (2) rapid infiltration; (3) overland flow; (4) spray irrigation, or (5) drip irrigation.

Land Use Project - Any entitlement process, initiated through the Yuba County Planning Department including, but not limited to, tentative maps, parcel maps, use permits, certificates of compliance, and minor boundary adjustments. Requirements in this Article apply only to areas regulated by the Department. Other County departments will have separate processes and requirements.

Leaching Trench (Lines). Means the aggregate filled trenches designed to accept septic tank effluent, discharge from perforated pipes laid in trenches.

Local Authority – A public entity, as defined in Government Code Section 53090 et seq. which is empowered to plan, design, finance, construct, operate, maintain, and abandon, if necessary, any sewage system or expansion of any sewage system, and to provide permits and to have supervision over the location, design, construction, operation, maintenance, and abandonment of on-site sewage systems within a land development, and to design, finance, construct, operate, and maintain any facilities necessary for the disposal of wastes pumped from on-site sewage systems and to conduct any monitoring of surveillance programs as required for water quality control purposes.

Minimum Useable Sewage Disposal Area (MUSDA) - The amount of ground surface, expressed in square feet, that is required when creating new lots or parcels in the tentative or parcel map process. The amount of land area is based on the percolation rate and the type of leach field distribution method.

Mound-Means an on-site waste-water treatment system that utilizes a permeable fill material and by dispersion or uniform application of waste-water improves absorption capabilities in areas containing soils of limited permeability. A mound contains the following parts: (1) the mound body fill material; (2) the distribution bed; (3) the distribution manifold and laterals; and (4) the topsoil cover.

Other Districts. Means any other lawful entity formed under California Law for the collection, transportation, treatment and disposal of sewage either as of the date of this chapter or in the future.

Operation, Maintenance and Monitoring (OM&M) Program - A program developed by the Department, as delineated in the On-Site Sewage Manual to insure the long-term viability of all on-site sewage systems. Depending upon the complexity of the system and/or the environmental sensitivity of the area of system placement, the program may range from educational support to performance review and preventative maintenance by certified maintenance providers.

On-Site Sewage Manual - The document containing implementing standards and requirements of this Article, including specific detail on acceptable on-site sewage treatment and disposal systems and processes, developed by the Department and the Wastewater Advisory Committee and adopted by resolution of the Board of Supervisor.

On-Site Sewage System – Any system of piping, treatment devices or other facilities that convey, store, treat, or dispose of sewage on the property where it originates or on adjacent or nearby property under the control of the user where the system is not connected to a public sewer system.

Owner - Any person who alone, or jointly, or severally with others:

1. Has legal title to any single lot, dwelling, dwelling unit, or commercial facility;
2. Has care, charge, or control of any real property as applicant, executor, executrix, administrator, trustee or guardian of the estate of the holder of legal title.

Person - Any individual (owner or authorized representative), corporation, association, firm, organization, partnership, or company.

Pressure Distribution System. Means the dispersion of waste-water after treatment into a soil absorption or filter reactor system by pressure so as to evenly distribute the flow.

Primary Treatment. Means initial treatment of waste-water by settling of solids in a tank type structure.

Protected waters- Lakes, bays, ponds, impounding reservoirs, springs, wells, rivers, streams, creeks, marshes, inlets, canals, and all other bodies of surface or underground waters, natural or artificial, public or private, which are within the jurisdiction of Yuba County or other state or federal agencies.

Public Sewer System - Any sewer system constructed, installed, maintained, operated and owned by or for a municipality or public entity established for sewage disposal purposes.

Public Utility District. Means a district organized in an unincorporated territory, to acquire, construct, own or operate revenue producing utilities for the disposition of sewage in accordance with the procedures, rules and regulations of the California Public Utilities Code.

Public Water System. Means a system regardless of type of ownership, for the provision of piped water to the public for domestic use if such system has at least five (5) service connections or regularly serves an average of at least twenty-five (25) individuals daily at least sixty (60) days of the year.

Regional Board. Means officials and personnel of the Central Valley Regional Water Quality Control Board. (CVWRCB or Regional Board)

Registered Environmental Health Specialist. Means a Registered Environmental Health Specialist or an assistant Environmental Health Specialist as allowed by the Health and Safety Code §541 working by authorization of the County Health Officer.

Renewable Operating Permit (ROP) – That administrative document issued by the Division authorizing the initial and/or continued use of certain Alternative or Experimental systems, as specified in the On-Site Sewage Manual.

Sanitary District. Means a district organized within any territory empowered to acquire, construct and operate works for the collection transportation, treatment and disposal of wastewater. Such district shall have been formed in accordance with the procedures, rules and regulations of the California Health and Safety Code.

Secondary Treatment. Means a secondary treatment of wastewater endeavoring to reduce solids, oxygen demand, chemical constituents and pathogenic micro-organisms.

Secondary Treatment – Pressure Distribution – Soil Absorption (ST-PD-SAS) System. Means a wastewater treatment system where a conventional septic tank or other method is used for primary settling and treatment followed by distribution of effluent into filter by pressure to maintain even distribution through said media. Such systems may be further defined as shallow (less than 30 inches below surface) relying on lateral or horizontal renovation or standard deep (more than 30 inches below surface) relying on vertical renovation through the media.

Serial Distribution. Means a method of wastewater disposal which distributes all effluent flow into a series of leaching trenches which are connected one after another in such a manner that the first trench must fill before overflowing into the second and subsequent trenches.

Sewage – Wastewater that is designated as either “*blackwater*” or “*graywater*.”

1. “**Blackwater**” means wastewater contaminated with human or kitchen wastes, generally originating from toilets and kitchen sinks. It includes, but is not limited to, wastewater discharges from kitchen sinks, garbage grinders, water closets, toilets, urinals or similar fixtures alone or in combination with other wastewater.

2. “**Graywater**” means wastewater, exclusive of blackwater or industrial waste, deposited into plumbing drain systems or exiting directly from wastewater generating appliances. It includes, but is not limited to, wastewater discharges from washing machines, bathtubs, showers, bathroom washbasins, and laundry tubs.

Sewage Entity. Means a public district or private organization responsible for the collection, transportation, treatment and disposal of sewage, under one (1) administrative authority.

Sewer. Means a pipe or conduit for carrying sewage.

Site Evaluation - The first step in obtaining an on-site sewage system construction permit or feasibility approval in the entitlement process. The evaluation consists of specific soils testing, such as soil pit profiling and percolation rate.

Standard System - An on-site sewage system comprised of a 2-compartment septic tank for primary treatment and gravel or chamber treatment and disposal trenches. Effluent will flow to the trenches by gravity, or may be pumped to the first distribution box of the trenches.

Tertiary Treatment. Means a third phase of waste-water treatment in which dissolved material suspended, organic constituents and inorganic constituents are separated from the waste-water.

Vertical Separation - The depth of effective soil that exists beneath the bottom of a subsurface soil absorption system and some restrictive or limiting layer or feature such as a water table, bedrock, hardpan, unacceptable fine textured soils, or excessively permeable material.

ARTICLE 2

X.XX.XXX. Applicability

The requirements of this Article shall apply to all on-site sewage treatment, conveyance, and disposal systems in Yuba County. For on-site systems approved under permit from the Department prior to the adoption of this Article, the conditions for system siting, design, construction, operation, maintenance, and monitoring approved at that time shall apply.

X.XX.XXX. On-Site Sewage Manual

A. The Yuba County On-Site Sewage Manual shall govern the siting, design, installation, component quality, operation, monitoring, and maintenance of on-site sewage systems in Yuba County. Copies will be maintained and made available to the public at the Department's office and on the department's website.

B. The Yuba County On-Site Sewage Manual shall be adopted by resolution of the Yuba County Board of Supervisors (Board). The Division, based on observed need or on recommendation by the Wastewater Advisory Committee, may propose modifications to the Manual. When changes are proposed to the On-Site Sewage Manual, the changes shall be presented to the Board for adoption as an amending resolution.

GENERAL

7.07.400 Sewage Disposal.

1. No person shall treat or dispose of sewage in any manner other than by an approved on-site sewage system, cluster system, public sewer system or other method meeting the standards set forth in this Article or the On-Site Sewage Manual.
2. Standard on-site sewage systems approved after the effective date of this Article shall be sited and designed so as to have a minimum vertical separation of 60 inches of defined effective soil with a percolation rate between 6 minutes per inch and 60 minutes per inch. For sites that do not meet these criteria acceptable alternative systems designs are identified and described in the On-Site Sewage Manual.
3. Every alternative On-Site Sewage System approved after the effective date of this article shall be subject to the Operation, Maintenance, and Monitoring Program as specified in the On-Site Sewage Manual.

4. No person shall construct, operate or maintain an on-site sewage system or cluster system that does not comply with the requirements of this Article, the conditions specified in the On-Site System Construction Permit, and the requirements outlined in the On-Site Sewage Manual.
5. No person shall operate a failing on-site system.
6. No person shall connect any structure to an existing on-site system where the total projected sewage flow would be greater than the design flow specified in the original On-Site System Construction Permit or where, in the opinion of the Department, the connection of a new and/or replacement structure to an existing system would not meet the standards contained in this Article or the On-Site Sewage Manual, unless an Authorization Notice is obtained as set out in the On-Site Sewage Manual.
7. No person shall discharge anything other than what is specifically described as sewage, in this Article, into any On-Site Sewage System.
8. No person shall operate a system constructed after the effective date of this Article without a completed (finalized) Septic System Construction permit.
9. No person shall maintain or operate a system for which the Department has issued an order to abandon the system.
10. An area where the soil and site conditions are acceptable for installation of an onsite sewage system shall be maintained for the purpose of system replacement also known as the Repair Area. Except when otherwise authorized by the Department, it shall consist of one hundred percent of the normally needed area. For any onsite sewage system servicing a commercial facility the area required for system replacement or Repair Area shall consist of two hundred percent of the normally needed area.

7.07.410 Sewage Disposal Permit Required.

A. Permitting Requirements

1. The applicant shall make application for a system construction permit on a form provided by the Department. An application shall be deemed complete when it contains all plot plans and designs, as described in On-Site Sewage Manual, and all applicable fees have been paid. However, a permit shall not be required for servicing or replacing an approved system's components with mechanical or electrical parts of the same type, size or capacity; pumping of septage; or making minor structural corrections to a septic tank.
2. When required under the OM&M program, the Department may require any person to obtain a Renewable Operating Permit.
3. The Department may take action on the construction permit application to approve, conditionally approve, or deny, based upon compliance with the requirements of this Article and the On-Site Sewage Manual. Any permit conditions shall be binding upon the property owner and successive property owners for the life of the system.
4. Permits that authorize construction of on-site sewage systems shall remain valid for a period of 2 years from the date initially issued. Renewal procedures shall be as set forth in the On-Site Sewage Manual if additional time is required to complete construction.
5. An applicant may transfer a valid permit to a new property owner upon submitting a written request for the transfer. Transfer of applicant may include an administrative fee.

6. The Department may deny any system construction permit application that fails to comply with the requirements of this Article or the On-Site Sewage Manual for primary or replacement system.

B. Abandonment/Destruction Requirements

Any person abandoning/destroying an on-site system or system component shall obtain a permit and do so in accordance with the procedures specified in the On-Site Sewage Manual.

C. Construction Inspection Requirements

The applicant shall grant the Department access to the property for purposes of inspecting the system in accordance with the requirements of this Article, the On-Site Sewage Manual, and with any conditions specified on the construction permit.

D. Appeal

An applicant may appeal a decision on a permit application using the provisions set forth in X.XX.XXX.

7.07.420 Sewage Disposal Permit Fee. For each sewage disposal permit application a fee, set by resolution of the Yuba County Board of Supervisors, shall be charged. Such fee shall be paid at the time an application for a sewage disposal permit is filed at the Department. In the event that an application and design review is extensive or is not approved and requires modifications and resubmittal additional fees as outlined in the Yuba County fee ordinance may be incurred.

7.07.440 Applicability of this Chapter. The requirements of this chapter shall apply to all sewage disposal and for any division of land in Yuba County approved as a tract or parcel map and other land use projects the EH Director determines appropriate after adoption of this Chapter.

7.07.450 Location of Septic Tank, Leach Fields. Minimum distances from all waste water disposal systems shall be maintained as shown on Table I:

Distance Required From	Minimum Horizontal Distance (in feet)			
	To Septic Tank	To Building Sewer Pipe	To Leachfield	Seepage Pit
Well	100	50 ^a	100	150
Public Well	100	50 ^a	150 ^d	200 ^d
Stream, Body of Water, or ditch (as measured from the high water mark)	50 ^b	25	100 ^b	100
Seasonal Stream	25	10	25	50
Water Pipe	5	5	10	10

Property Line ^c	25	--	50	75
Property Line (when domestic water on adjacent parcels is provided by a Public Water System)	10	--	10	10
Cut or Fill Bank (where h=height of cut of fill)	10	10	4h or 50' max	

NOTE: ^a This distance may be reduced to not less than twenty-five (25) feet when the drainage piping is constructed of materials approved for use within a building.

^b When the installation is below the bottom of such body of water the Environmental Health Specialist may reduce the required setback to no less than twenty-five (25) feet.

^c Property line setback waiver may be approved by the Director under special circumstances.

^d 150 ft. from public water well with trenches under 10 ft in depth. 200 ft from public water systems between 10 and 20 ft. Dispersal systems greater than 20 ft. that are within 600 ft. of a public water well, the horizontal setback is required to achieve a two year travel time, and shall be evaluated by a qualified professional.

Areas which are not acceptable for the location of sewage disposal systems include:

(1) Areas within any easement that is dedicated for surface or subsurface improvement.

(2) Paved areas and driveways.

(3) Areas occupied or to be occupied by structures.

(4) Rock outcroppings.

7.07.460 Site Evaluation Requirements

- A. Unless waived by the Division a site evaluation, as described in the On-Site Sewage Manual, shall be required on every existing or proposed lot or parcel prior to obtaining an on-site sewage system permit or any approval for the feasibility of on-site sewage system capability.
- B. When required, the site evaluation shall be conducted by the applicant’s consultant and coordinated with the Department so that Department personnel may be present for any facet of testing in the evaluation process.
- C. The site evaluation will examine several factors for approval of on-site sewage disposal including, but not limited to, ground slope, soil textural characteristics, effective soil depth, percolation rate, horizontal setbacks, and available area for one hundred percent system replacement.

D. The Department may require that the site evaluation be conducted during high rainfall periods of the year as described in the On-Site Sewage Manual in order to determine the maximum fluctuation of depth to water below the surface of the ground prior to approving a site for feasibility or construction of an on-site system.

E. The Department may require a new site evaluation or other soils testing if it determines that prior site evaluation approvals were based on testing and/or reporting that was incomplete, insufficient, or incompatible with known information of a given area.

7.07.490 Soils Studies Required for Land Use Projects.

A. An applicant initiating a land use project shall utilize the Department’s site evaluation process as described in this Article and the Manual in determining the suitability of on-site sewage disposal for all such projects.

B. The applicant shall be responsible for initiating soils testing that includes soil profile pits and percolation rate determination for every proposed lot or parcel in any subdivision that relies on on-site sewage disposal system.

C. No subdivision map shall be recorded unless all proposed lots or parcels which rely on an individual sewage disposal system have an approved site evaluation report that complies with the requirements of the manual.

D. No subdivision map shall be recorded unless all proposed lots or parcels which rely on an individual sewage disposal system have an approved site evaluation report that specifies the required minimum useable sewage disposal area (MUSDA) in accordance with the area requirements shown on Table One.

Table One. MUSDA Requirements

Percolation (Minutes/Inch)	MUSDA (sq feet)	
	Gravity Distribution	Pressure Distribution
1-5*	NOT ALLOWED AS OPTION	8,000
6-20	10,000	
21-40	12,000	
41-60	16,000	
61-90*	NOT ALLOWED AS OPTION	20,000
91-120*		

*Sand-filter or equivalent required

E. Prior to any commercial project being given final Division approval, the applicant shall be responsible for establishing that all on-site sewage treatment and disposal issues have

been satisfactorily addressed by applicable site evaluation and/or permitting.

F. No new lot or parcels shall be created where the parcel relies on an on-site sewage system which cannot be sited within the boundaries of the proposed lot or parcel.

G. The Division may consider authorizing use of a cluster system and specification of minimum usable sewage disposal area requirements on a case-by-case basis under the requirements of this Article and the On-Site Sewage Manual.

H. Decisions made by the Staff Development Committee and Zoning Administrator may be appealed through the Planning Department appeal process set out in the Yuba County Development Code.

I. This Article and/or the On-Site Sewage Manual shall not nullify or supersede any provisions for on-site sewage disposal in the County General Plan, any Community Plan, or any other applicable plan of any agency or government having jurisdiction. Where there is a discrepancy between the Article and/or On-Site Sewage Manual and any applicable plan, statute, or ordinance, the stricter standard shall apply.

7.07.570 Cesspool and Sewer Wells Prohibited. It shall be unlawful to use a cesspool or sewer well for disposal of human excreta.

7.07.590 Deviations.

A. Any deviation from the requirements of this Chapter shall be granted only with written approval of the Director of the Environmental Health Department; however, no deviation shall be granted if reduction of requirements would present a health hazard.

B. Applications for deviations shall be made in writing on a form prescribed by the Health Department. Upon receipt of the application, the Health Department shall make an investigation to determine whether a deviation should be granted under the provisions of Subsection (A) above. After conclusion of the investigation, the Director of Environmental Health shall prepare a written order of specific findings of fact and reasons for granting or denying said deviation.

C. If the Director of the Environmental Health Department should deny the application for deviations, the applicant may file a written appeal to the Health Officer within fifteen (15) calendar days after the denial. A written response will be given within thirty (30) calendar days.

D. If the Health Officer should deny the appeal for a deviation, the applicant may file a subsequent appeal with the Clerk of the Board of Supervisors within fifteen (15) calendar days after the denial.

7.07.600 Health Officer's Responsibility. In individual cases, the Health Officer may be required to make more stringent requirements than the standard required by this Chapter where such higher requirements are essential to maintain and protect public health and safety.

7.07.610 Inspections.

A. A pre-issue inspection may be made prior to the issuance of a sewage disposal permit to ascertain the suitability of the site. A permit application will be denied when the Director of the Environmental Health Department determines the sewage disposal system will not function in a sanitary manner.

B. An open trench inspection may be required if in the Environmental Health Specialist's opinion the disposal site has extremely variable soil conditions.

C. Final inspection of each installation shall be made by an Environmental Health Specialist before the system is backfilled or covered. Should the system not pass final inspection the Environmental Health Specialist shall leave a signed and dated notice stipulating the deficiencies.

D. An as-built site plan shall be provided to the Environmental Health Specialist at the time of final inspection. As-built drawings require measurements to all major system components from two property lines, distances of pipes between each component, and from the house to each component. Locations of wells shall be placed on as-built drawings with the appropriate required setback radius shown.

7.07.620 Violations, Nuisances, Abatement. The disposal of sewage in violation of the terms of this Article and standards constitute a public nuisance and its maintenance and operation may be abated by any appropriate proceeding permitted by state or county law.

7.07.630 Acknowledgement of Owners Responsibility. Whenever the installation, repair or any other work is to be performed on a sewage disposal system, other than by a contractor licensed by the State of California to do such work, the owner at the time of securing the sewage disposal permit, shall sign an acknowledgement which shall be in the following form:

"In securing a sewage disposal permit for the above-identified property, I acknowledge that I am fully responsible for insuring that the sewage disposal system complies with all requirements of the County of Yuba's sewage disposal ordinance (Chapter 7.07 of the Yuba County Ordinance Code). I further understand that should the sewage disposal system fail to comply with any of the provisions of the County's ordinance, I may be denied the use of my property until full compliance is made."

ARTICLE 3

ARTICLE 4

On any parcel created prior to the adoption of this Article, and where conditions on said parcel do not meet the standards for a conventional or special design system as set forth by Article 2 of this Chapter, the Director may allow innovative alternative/advanced design wastewater treatment and disposal systems. This applies to repairs of failing on-site wastewater treatment systems of existing dwellings or small commercial establishments where replacement with a conventional septic tank-soil absorption system either standard or special systems is not feasible. This shall also apply to new construction of single family dwellings or small commercial establishments under one ownership. Such systems shall be limited as to number and type. The Director shall adopt and modify as conditions warrant a Manual to accomplish the purpose of this Article and to ensure the protection of the public health and safety. Alternative/Advanced systems shall require special application and permit provisions. Such systems shall require performance monitoring and sampling. The additional cost of design review, monitoring, and sampling shall be borne by the owner of the parcel and monitoring stipulations shall be recorded on

the deed for said parcel. Requirements for design review, permitting, installation, inspection and monitoring of alternative/advanced systems shall be listed in the On-Site Waste Water Manual.

Monitoring of any on-site wastewater system employing aerobic treatment device, filtration device, or other alternative/advanced systems will be required for the entire useful life of the system.

The owner of any on-site wastewater system employing aerobic treatment device, filtration device, or other alternative/advanced system will be required to obtain a renewable permit to operate that system.

Billing for the permit to operate shall be coordinated and administered by the Department in accordance with the requirements of Yuba County Ordinance Code, Chapter 13. All charges shall become delinquent if not paid within 30 days. Past due fees shall be assessed in accordance with Yuba County Ordinance, Chapter 13.

Delinquency billings shall notify the owner of the fees imposed and the process for collection of delinquent fees.

On an Annual Basis the Department shall present to the CDSA Director a list of delinquent bills for permit fees for hearing and delinquent proceedings. The Report of Delinquent Accounts shall refer to each separate parcel of real estate by description sufficient to reasonably identify it, including Assessor's Parcel Number, together with the charges proposed to be assessed against it. When used in Section _____ of Chapter 7 of this Ordinance Code, the term CDSA Director shall mean the Yuba County Community Development and Services Agency Director or his/her designee.

Upon receipt by the CDSA Director of the Report of Delinquent Accounts for the Department and at the convenience of the County, the CDSA Director shall fix a time, date and place for holding a hearing with respect to the Report and any appeals, protests or objections thereto. The Department shall cause notice of the time and place of hearing to be mailed to the owner not less than ten days prior to the date of the hearing. At the hearing, The CDSA Director or his designee shall hear and consider all appeals, objections and protests, if any, to said Report referred to in said notice. Upon conclusion of the hearing, the CDSA Director or his designee may adopt, revise, change, reduce or modify any charge or charges or overrule any or all objections and shall make a determination upon the charge or charges as described in said Report. The CDSA Director's determination shall be final. All costs incurred by CDSA to hold the hearing and confirm the report to the Board of Supervisors shall be shared among the owners of the permits at the hourly rate established in the Yuba County Consolidated Fee Schedule (Yuba County Ordinance, Chapter 13).

*After the conclusion of the hearing process, the amount of the assessment is immediately due and payable. In the event that the same is not paid within ten days of the conclusion of the hearing, and upon receipt of the final Report by the CDSA Director, the CDSA Director shall initiate proceedings to have the delinquent unpaid amount added onto the real property tax role for the real property to which the permit to operate has been issued. **Should be advised by county counsel on the legality of this.***

The CDSA Director, after proper notice and hearing provided herein, is authorized by these provisions to declare that delinquency charges and penalties on annual operating permit collection amounts, as set forth in the Report by the Department, and after confirmation by the Board of Supervisors by resolution, be collected on the property tax roll. They may be collected and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for these taxes. An administrative

fee, in the amount established in Yuba County Ordinance, Chapter 13 may be added to the delinquent amount.

Upon satisfaction of the entire delinquent amount imposed pursuant to this Section, the County will upon request furnish a paid receipt. Upon payment all administrative charges assessed pursuant to this Section, as well as interest accrued thereon, shall be retained by the County and not paid to the Department. The balance of any collection made and the interest accrued thereon shall be forwarded to the Department.

Payments on Behalf of Owner Permitted. Nothing in this chapter is intended to prevent an arrangement, or the continuance of an existing arrangement, under which payments for permit fees are made by a tenant or tenants, or any agent, on behalf of the owner; however, any such arrangement will not affect the owner's obligation to the County or to the Department for payment for such service.

Payment for Services Tendered. The Department shall be entitled to payment from the owner for services tendered hereunder and the Department shall be entitled to initiate a civil action to collect such payment.

Agreements, rules and regulations. The Board of Supervisors may, by agreement with the Department or by separate resolution, implement rules and regulations to carry out and promote the provisions of this Chapter.

Article 5

7.07.940 Violations, Nuisances, Abatement. The disposal of sewage in violation of the terms of this Chapter and/or the standards established in this Chapter is hereby determined to constitute a public nuisance and its maintenance and operation may be abated by any appropriate proceeding permitted by State or County law. (#1291)

7.07.950 Appeal. Any person whose application for a permit under sections 7.07.410 and 7.07.430 has been denied or granted conditionally may appeal to the Environmental Health Appeals Board ("Appeals Board"). The Appeals Board shall consist of five members appointed by the Yuba County Board of Supervisors and holding office at its pleasure to wit: a contractor licensed to install private sewage disposal systems in California; a registered environmental health specialist; a medical doctor; a registered or professional civil engineer; and a member of the public. The Appeals Board shall designate one of these members as its chairman.

(1) To be effective, an appeal must be written and delivered to the Yuba County Environmental Health Department within 30 calendar days after the date of the action being appealed. Appeals that do not comply with this paragraph (1) will be rejected. Filing of an appeal that is rejected will not toll the time within which an appeal must be filed.

(2) The written appeal shall include a statement explaining the grounds for appeal. Only the following grounds will be considered: (a) disputed issues of fact; and (b) disputed interpretations of statutes, ordinances, and other laws and regulations so long as appellant's interpretation does not waive the requirements of this chapter or, of any regulations properly issued if such waiver would result in a violation of mandatory state laws or regulations. The written appeal shall also include a copy of the

plans and specifications for the proposed septic system; a site-evaluation report describing the location and physical characteristics of the site (e.g., soil type, water table) for the proposed system; and the appellant's name, phone number, and mailing address.

(3) At the Hearing, the appellant may present any written, oral, or physical evidence that bears on the issues set forth in the written appeal. The appellant may appear personally or by an appropriate and qualified engineer.

(4) The Appeals Board shall adopt reasonable rules and regulations for its investigations, meetings, and hearings. These rules and regulations shall include the following minimum provisions:

(A) A hearing on an appeal shall begin within 30 calendar days and conclude within 45 calendar days after the appeal is received by the Yuba County Environmental Health Department.

(B) Notice of hearing shall be mailed to the appellant and his or her representative at least 10 calendar days before the scheduled hearing.

(C) At any time before the hearing begins, the appellant may move, orally or in writing, to disqualify an Appeals Board member from participating. The challenged member shall be disqualified if the remaining members find by a majority that a fair and impartial hearing cannot be had because of the challenged member's bias or conflict of interest, and the remaining members shall proceed with the appeal. If more than two members are disqualified, the Yuba County Board of Supervisors shall appoint temporary replacements who have the same general qualifications as the disqualified members. The replacements shall hear only the appeal for which they are appointed.

(D) The Appeals Board shall not hear an appeal unless at least three members are present. After the hearing, the Appeals Board shall do one or more of the following: affirm the action under appeal, in whole or in part; reverse the action under appeal, in whole or in part; or modify the action under appeal, in whole or in part. Any action by the Appeals Board shall be by vote of at least a majority of the members who hear the appeal.

(E) The Appeals Board shall prepare a written decision, which shall include findings of fact, and shall provide both the Director of the Yuba County Environmental Health Department and appellant with a copy of the decision within 20 calendar days after the hearing.

(F) The Director of the Yuba County Environmental Health Department shall serve ex officio as secretary of the Appeals Board.

(G) The Appeals Board may, at their discretion, visit the site for the proposed septic system before rendering its decision.

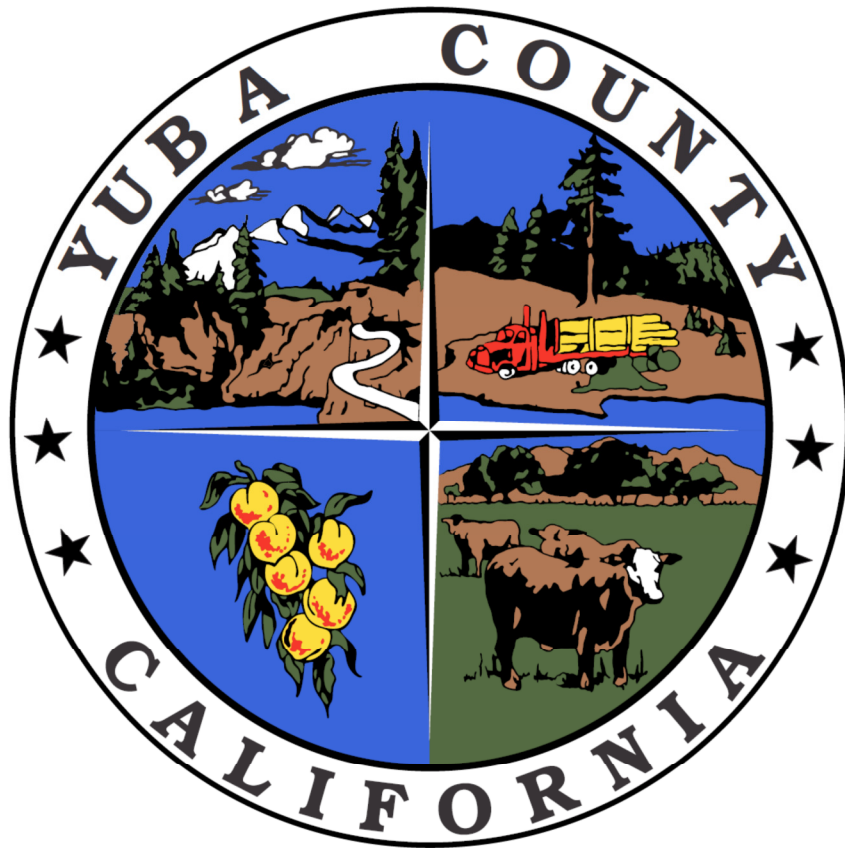
(5) All decisions by the Appeals Board are final. There is no right of appeal to the Yuba County Board of Supervisors.

(6) The Appeals Board shall not waive the requirements of this chapter or, of any properly issued regulations if such waiver would result in a violation of mandatory state laws or regulations.

(7) When hearing and deciding an appeal, the Appeals Board shall give priority to protecting public health and the quality of ground and surface waters within the County. (#1163, #1405)

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ON-SITE SEWAGE MANUAL



YUBA COUNTY ENVIRONMENTAL HEALTH

Table Of Contents

Chapter 1. Introduction and Organization of Manual	4
Chapter 2. Site Evaluation Requirements	5
Chapter 3. Septic Permit Requirements	8
Chapter 4. The Issued Permit	11
Chapter 5. System Inspections	13
Chapter 6. System Repairs, Modifications, or Expansions	14
Chapter 7. Authorization Notice	16
Chapter 8. Standard System Requirements	17
Chapter 9. Alternative System Requirements	27
Chapter 10. Capping Fill System Requirements	30
Chapter 11. Pressurized Distribution System Requirements	32
Chapter 12. Pump System Requirements	37
Chapter 13. Deep Trench System Requirements	39
Chapter 14. Steep Slope System Requirements	40
Chapter 15. Intermittent Sand Filter System Requirements	42
Chapter 16. Mound System Requirements	43
Chapter 17. System Abandonment Requirements	44
Chapter 18. Holding Tank Requirements	46
Chapter 19. Vault Privy Requirements	48
Chapter 20. Portable Toilet Requirements	49
Chapter 21. Seepage Pit Requirements	50
Chapter 22. Cluster Systems	51
Chapter 23. Seasonal Wet Weather Testing	54

Chapter 24. Operation, Maintenance and Monitoring	55
Chapter 25. Experimental System Requirements	66
Chapter 26. Off-Site Sewage Easements	70
Chapter 27. Large System Requirements	71
Chapter 28. Septic Tank Materials and Construction	73
Chapter 29. Distribution Box Materials and Construction	76
Chapter 30. Diversion Valve Materials and Construction	77
Chapter 31. Dosing/Pump Tank Materials and Construction	78
Chapter 32. Effluent Pump, Control, and Alarm Materials And Construction	79
Chapter 33. Pipe Materials and Construction	80
Chapter 34. Vault Privy and Portable Toilet Materials and Construction	82
Chapter 35. Artificial Drain Design, Materials and Construction	84
Chapter 36. Tables	86
Chapter 37. Definitions of Terms	91
Chapter 38. Fees	93

This On-Site Sewage Manual (hereafter “Manual”) establishes technical and procedural requirements for on-site, subsurface sewage disposal. The Yuba County Environmental Health Department (hereafter, “Department”) is the agency responsible for the application of this Chapter.

The California Regional Water Quality Control Board (Central Valley Region) is the state agency responsible for the protection of ground and surface water quality. While the Department administers this Manual, the Regional Board retains the authority to issue permits for any discharge of waste that may affect water quality, including discharges from individual systems. The Regional Boards adopt “Basin Plans” to define beneficial uses of water, adopt water quality objectives, and provide guidelines to protect water quality.

This Manual, adopted by Yuba County Board of Supervisors Resolution in Month, Year, will be updated periodically and as required by the Yuba County Wastewater Advisory Committee and the Department, with updating Resolutions presented to the Board of Supervisors when changes have been made.

Every effort has been made to make this Manual user-friendly by the use of cross references throughout the document. As changes are made to the Manual, cross references throughout the Manual are also subject to change. Failure of a cross-reference to indicate the appropriate Chapter of requirements due to these changes does not void the applicability of the requirements.

Chapter 2. Site Evaluation Requirements

A. Review Department Records

In general, all Department property files are public information. You are encouraged to review the property file before you make an application for a site evaluation. An approved Site Evaluation Report is not required where soils testing was conducted prior to the adoption of this Manual and the Department determines that the data on record is adequate for design purpose.

B. Obtain a Consultant

Unless waived by the Department, it will be necessary for you to obtain the services of an approved consultant (Professional Engineer, Registered Geologist, or Registered Environmental Health Specialist) to conduct the site evaluation. The consultant will work with you and the Department, and assist you in making important decisions affecting your parcel. The consultant is the person that performs your percolation tests, examines your soil test pit, and prepares the site evaluation report.

C. Submit an Application and Pay the Required Fee

1. You must submit an application for a site evaluation to the Department and pay the required fee. The Yuba County Board of Supervisors sets the fees as part of the Consolidated Fee Ordinance, Chapter 13.
2. The application form for this service must be filled out completely by the owner or the owner's agent.
3. It is important that sufficient information be provided with the application. This must include:
 - a. An accurate location map. We must be able to find your property.
 - b. A legible copy of the Assessor's plat.
 - c. Additional information will be helpful. This could include: a copy of the survey map (if available), location of wells, streams, ponds, drainage ways, proposed house site, existing buildings, rock outcrops, easements, proposed driveways, and so forth.

D. Schedule the Site Evaluation

Your consultant will schedule an appointment with the Department to meet at your property to perform the soils tests. The "soils test pits" or "soil mantles" are excavations with a backhoe to examine the different soil layers. It is essential that the property boundaries are located and clearly identified.

E. Conduct the Site Evaluation

1. Your consultant, the backhoe and operator, and the Department representative will all meet at the property.

2. A minimum of three (3) soils test pits will be excavated in an area proposed for placing a system. In some cases, more soils test pits will be needed to find a suitable area for the sewage disposal system.
3. Along with the soils test pits, the overall site will be evaluated by the Department and your consultant for other considerations, such as slope, leaking irrigation ditches, setbacks, road cuts, etc. The Department will complete a report for each site evaluated after receiving and reviewing the consultant's site evaluation. The report will contain information that defines all areas tested, and comments on the ability to dispose of sewage.
4. All soils test pits must be protected to prevent people and animals from falling in. There are specific State laws, which also regulate this. For greatest safety, the soil test pits shall be backfilled upon completion of the evaluation. Where sufficient information is already available, the Department may waive the requirement for soils test pits.

F. Have Percolation Tests Performed

Percolation tests are typically required before a site evaluation report can be completed. Percolation tests must be done according to the requirements in this Manual.

G. Obtain a Site Evaluation Report

The primary purpose of the site evaluation is to determine whether or not a parcel can accommodate a system and what type of system standard or alternative may be approved. Your consultant will be responsible for performing all required testing. The Department's role is one of verification and to serve as a resource. This prudent system of "checks and balances" has proven to provide for the best possible project in compliance with the Yuba County On-Site Sewage Disposal Ordinance, Chapter 7.

If a suitable site is identified at the site evaluation, this will be confirmed in the Department's site approval report. It also helps preserve property rights by establishing a probable future sewage disposal site for setback considerations when improvements are proposed for neighboring properties, such as wells, ponds, etc. However, if the site evaluation does not identify a suitable area, the site evaluation and approval reports will not support the issuing of a sewage disposal system permit and will not protect the proposed area from improvements on neighboring properties.

1. Regardless of the outcome of the site evaluation, the consultant for the site must provide the Department a site evaluation report, including a scaled (1"= 50' minimum) site plan identifying the location and results of all soils testing performed. The soils test results provided must show the minimum information required on forms specified by the Department. For sites where a sewage disposal area is identified, the proposed system area and layout must also be shown.
2. A site approval report must be prepared by the Department before a sewage disposal system permit application can be accepted. (Exception: a site approval report is not required where soils testing was conducted prior to the adoption of this Manual and the Department

- finds that the site and prior test results are acceptable.) The site approval report is not a permit to install a system.
3. The site approval report will specify the type(s) of system(s), if any, that can be approved for a specific property. It will also note any specific limitations or conditions that may be part of an approval for a system..
 4. A site approval report is transferable and stays with the land records.
 5. An area approved for a system in a site approval report will be considered the same as an already installed system, for purposes of determining on-site or off-site setbacks. An owner may revoke a site approval report by written request to the Department and by establishing a new site.
 6. Future changes in laws governing sewage disposal systems may require a modification to the site approval report.
 7. The site approval report and approval for a sewage disposal area are based upon property conditions at the date of the report. Changes made to the property may render that area unacceptable. Examples of types of changes include: grading, cuts and fills, new buildings, wells, ponds, etc. Owners must take care not to encumber or alter the approved area in a manner that affects the future system.

Chapter 3. Septic Permit Requirements

A. Permit Required

A sewage disposal system permit is needed in order for any person to install, replace/repair (except as provided for in Article 8.24.080), abandon, or change a system. This applies whether you are an owner, tenant, contractor, company or public agency. A septic permit is valid for two (2) years from the date it is issued. It may be renewed under procedures described in Chapter 4.

B. Site Approval Report Required

A site approval report must be on file at the Department before a sewage disposal system permit application for a new installation can be submitted. (Exception: A site approval report is not required where soils testing was conducted prior to the adoption of this Chapter and the Department finds that the site and prior test results are acceptable.) In general, all of the Department's property files are public information, and you are encouraged to review your property's file before you make an application.

C. Sewage Disposal System Permit Application

The owner or the owner's authorized representative must fill out the application for the permit. The application must be filled out completely. You can obtain an application for a sewage disposal system permit (hereafter "Permit") at the Department offices or on the Yuba County website (www.co.yuba.ca.us).

D. Apply for the Sewage Disposal System Permit and pay the required fee

Make sure your application is complete, and that a site approval report prepared by the Department is in the Department's file. (Exception: a site approval report is not required where soils testing was conducted prior to the adoption of this Chapter and the Department finds that the site and prior test results are acceptable.) You must pay a permit fee when you make your application. The permit fee varies with the type of permit, and the Yuba County Ordinance, Chapter 13 determines the fee amount. A complete application includes, at a minimum:

1. A good location map with clear instructions on how to find the property (conditions may have changed since the site evaluation).
2. Two (2) copies of a site development plan drawn to scale. Scale must be a minimum of one (1) inch equals fifty (50) feet. An example of a site development plan is available from the Department. The plan must be drawn so that it is clear and readable. Include the following information on your plans:
 - a. Street address and Assessor's Parcel Number;
 - b. Property boundaries, dimensions and a North arrow;

- c. All existing and proposed structures/improvements (e.g. houses, barns, wells, driveways, water lines, etc.);
 - d. Any physical features, including rock outcrops, creeks, ponds, drainage courses, cuts, fill areas, springs and similar;
 - e. Any easements, including, but not limited to, roads, water lines, NID, PCWA, power;
 - f. Accurate location of all soils testing (soil mantles and percolation tests) done on the property, with numbering to correspond with the site approval report;
 - g. Exact location and layout of the proposed system, including any septic tank, pump tank (if applicable), secondary treatment unit (if applicable), distribution system, leach field, and 100% replacement area;
3. If it is an alternative or experimental system, include the following:
- a. The consultant's system design work & calculations;
 - b. Two (2) copies of a site development plan with the consultant's wet stamp (original) and signature;
 - c. Certification from the engineer;
 - d. Acknowledgement of system type and the requirements of that system; and
 - e. Right of entry agreement with the County, notarized and recorded.

E. Permit to be Acted Upon

The Department will either: issue, conditionally approve, or deny the permit application within twenty (20) working days after receipt of your completed application.

Every effort is made to ensure that your permit application is reviewed and approved quickly. However, certain situations may result in delays or denial of a permit application, renewal, or transfer. These include:

- 1. The application is incomplete or contains incorrect information.
- 2. The proposed system would be in conflict with this Manual or those of another County, State or Federal agency.
- 3. The proposed system is significantly different from what was approved in the site approval report.
- 4. The proposed system location has been modified or encumbered.
- 5. A public sewer system is available as follows:

- a. For existing parcels, the sewer connection point is within two hundred (200) feet of the proposed building, as measured in a straight line; or
- b. For Parcel Maps the sewer connection point is within six hundred (600) feet of any boundary of the property, as measured in a straight line. For commercial projects and final maps the distance requirement will be evaluated on a case-by-case basis.
- c. The public sewer connection can be legally and physically achieved.

If your permit is denied for any reason, the Department will notify you in writing.

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Chapter 4. The Issued Permit

Your permit will be issued with certain conditions. These are tailored to your specific parcel circumstances and type of system to be installed. It is important that the person working on your system has a copy of the approved permit and plans. The conditions of your permit ensure that your system is installed properly. In order to facilitate proper installation the following shall be adhered to:

A. The system must be installed according to the permit conditions. Specific conditions of operation and maintenance issued for your septic permit will remain in effect for the life of the system, unless otherwise specified in the permit.

B. The person who works on your system must be a licensed contractor or the property owner.

C. A copy of your approved permit and plans must be at the job site once the work begins and until the final inspection and approval of the work.

D. Your permit is valid for two (2) years from the date it is issued. It may be renewed or transferred by following these procedures:

1. Permit Renewal

a. Your permit may be renewed, prior to expiration, for a maximum of two (2) additional years, 1 year at a time. A renewal fee will be assessed. If your permit has expired; a new application and fee are required.

b. In order to renew your permit, you must make a written request to the Department.

c. A permit considered for renewal may require review to ensure that there have not been significant changes in technology or knowledge that affect the design of the system. In some cases, the consultant may be required to review their design.

d. A renewed permit expires when four (4) years have elapsed from the date the permit was first issued. Any further review requires a new permit application and fee to be paid.

2. Reevaluation of Expired Permits - An expired permit is no longer valid. In order to obtain a new permit, a new fee and application are required. When the Department performs an evaluation of your expired permit, consideration is given to the following:

a. A recent history of system failures in the area.

b. The proposed type of system has a history of problems, and/or is no longer approved for use.

c. The Department was not present for the original soil testing, or there is new information about soils in the area.

A permit issued in this circumstance is considered a new permit.

3. Permit Transfer - A new owner must make a written request for transfer of the permit upon the change of ownership. Expired permits are non-transferable.

E. If you propose a change to the septic permit (e.g., adding bedrooms, different type of system, new system location, etc.), an additional review fee and new permit conditions may be required.

F. At times it may be necessary to revise a system design. Either the consultant or the Department may require this due to changes in technology or new information about a particular type of system. This may require the Department to revise the existing permit requirements and/or conditions.

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Chapter 5. System Inspections

Be sure to follow the permit conditions and requirements closely. For approved permit designs that require the consultant and the Department to inspect the system, make certain that you coordinate the inspections so that the consultant and the Department will both be present. This is especially important for such inspections as operations or “squirt” tests. Clear communication with your system installer, consultant and the Department is vital.

A. Inspections of the system are required. Unless waived by the Department, an onsite preconstruction meeting is required. The Department may waive any required inspection with sufficient justification.

B. The system must be installed as required by this Manual and any permit conditions. Make sure the installer has a copy of the approved permit and plans. Any changes to the permit or plans must first be approved by the Department and the consultant.

C. A request for an inspection must be made to the Department twenty-four (24) hours prior to the date the inspection is wanted. Incorrect or incomplete inspection request information may delay your inspection.

D. The system must be ready for the type of inspection you are requesting. All necessary components must be installed and functioning. If extra inspections are needed, an additional inspection fee will be charged.

E. An accurate "as-built" or record drawing of the complete installed system must be provided to the inspector at the time of final inspection. The Department will provide an "as-built" drawing form with your permit that can be used to meet this requirement. The “as-built” map should be no larger than 11”x17”.

F. Following the inspection, the Department will provide you with a written record of inspection(s) made of the system. The record will indicate if any further work or action is required. The system may only be backfilled (covered) with written approval from the Department. For work that is not approved, a correction notice will be provided that specifies the changes to be made.

G. When a consultant's inspection is required, they must provide the Department with written certification. A certification form will be provided to the engineer by the Department. This is required before a permit can receive final approval.

H. Systems must be backfilled within ten (10) days of written approval for backfill from the Department and the consultant (if required), or as specified by the approved design. In any case, the system must be protected from damage caused by weather, earth-moving, or other causes, and must not pose a public health and safety hazard. Adequate erosion control measures must be in place in accordance with applicable requirements of other county regulations.

I. The Department will issue a Certificate of Satisfactory Completion for the system upon acceptable completion of the requirements of the permit and this Manual.

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Chapter 6. System Repairs, Modifications, Or Expansions

A. Permit Required

A system permit is required for you to change, repair, or increase the sewage flow to your existing system. However, a permit is not required for servicing or replacing installed mechanical or electrical parts of the system. This would include such items as: float switches, pumps, electrical box, sanitary tee in the septic tank, minor structural corrections to the tank. Replacement or addition of a septic tank, distribution box, sewage transport line or leach field does require a sewage disposal system permit.

B. Obtain a Site Evaluation

For certain types of changes or repairs to your system, a site evaluation may be required, as described in Chapter 2. For purposes of this Chapter the Department may waive the requirement of a consultant for the site evaluation. Examples of situations that may require a site evaluation include: a failing system, adding a bedroom to your house, and relocating your system.

C. Make Your Permit Application

The process for applying for this type of permit is similar to the procedure described in Chapter 3. A permit will be issued if the requirements can be met, there is an approved site approval report (if applicable), and the proposed system will not create a public health hazard or degrade or pollute protected waters.

D. Special Considerations for System Repairs

A failing system creates a public health hazard and/or can pollute water.

1. A failing system:

- a. A failing system must be immediately repaired, or its use immediately discontinued. The Department will require temporary measures to eliminate a public health hazard.
- b. If an immediate repair cannot be accomplished, the Department may allow a delay in making the repair. In this case, a Notice of Violation will be issued and the Department will specify temporary measures required to eliminate the immediate public health hazard or pollution of protected waters.

2. Replacing the system

- a. If the site does not meet the requirements for a standard system, the Department may approve a permit for an alternative system so long as those requirements can be met. The replaced system must be abandoned as described in Chapter 17.
- b. If the site does not meet the requirements for a standard or alternative system, the Department may approve a permit for an experimental system or other repair in order to eliminate a health hazard.

c. Where no type of system can be approved, the system must be abandoned as described in Chapter 17.

E. Obtain a Certificate of Satisfactory Completion

The Department will issue a Certificate of Satisfactory Completion for the system upon acceptable completion of the requirements of the permit and this Manual.

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Chapter 7. Authorization Notice

A. General Statement

An authorization notice is the administrative approval which allows an increase in sewage flows, a substitution of one structure for another, or a change in use for an existing, previously approved onsite sewage system.

B. How to Apply

1. Submit a detailed, scaled plot plan of your property showing at least the following:
 - a. The lot boundary locations and dimensions with a north arrow.
 - b. The existing structures, septic systems, water wells, and the 100% repair area of the leach field.
2. Complete an application for a Septic Authorization Notice and pay applicable fees.

C. Submit a septic tank pumpers report indicating tank capacity, and that the septic tank has been pumped within the previous 3 years and is structurally and functionally adequate.

The Department reserves the right to require any soils testing deemed necessary in order to make the finding that the system is functioning adequately and/or that there is available suitable soils for a repair system.

Chapter 8. Standard System Requirements

A. General Statement

A standard system is a system consisting of a septic tank, distribution unit and gravity-flow disposal field constructed with a minimum of twelve (12) inches of filter material below a minimum three (3) inch diameter distribution pipe, and maintaining not less than five (5) feet of effective soil depth below the bottom of the trench.

B. Criteria for Approval

In order to be approved for a Standard System, each site must meet the applicable requirements of Yuba County Code, Chapter, 7, Article X.XX, and all of the following:

1. Effective soil depth shall extend a minimum of seven (7) feet in the disposal area and replacement area and shall extend a minimum of five (5) feet below proposed disposal trench bottoms;
2. Groundwater is not present for at least five feet below the proposed disposal trench bottoms;
3. Soils in the proposed disposal area and replacement area are either sandy loam, sandy clay loam, sandy clay, loam, non-expansive clay, silt loam, or clay loam, and the design percolation rate is six (6) to sixty (60) minutes per inch;
4. The slope shall not exceed thirty (30) percent within the disposal area and replacement area;
5. A minimum one hundred (100) percent replacement area shall be available;
6. The site has not been filled or the soil has not been modified in a way that would adversely affect functioning of the system;
7. The site shall not be on an unstable landform, where operation of the system may be adversely affected;
8. The site of the disposal area and replacement area shall not be covered by asphalt or concrete, or subject to the activity associated with vehicular traffic, corrals, pens, arenas or other concentrations of livestock, or other activity which would adversely affect the soil or integrity of the system;
9. The site of the disposal area and replacement area shall not be subjected to excessive saturation due to, but not limited to, artificial drainage, driveways, road and roof drains;
10. Setback criteria in Table 1 (contained in Chapter 36) can be met;
11. An artificial drain may be required to intercept and/or drain water from a disposal area; however, it may be required to demonstrate that the site can be dewatered prior to issuing a permit. Where required, artificial drains are an integral part of the system, but do not need to

meet setback requirements to property lines, streams, lakes, ponds or other surface water bodies. However, artificial drains shall meet the setback requirements to systems as specified in Table 1 (contained in Chapter 36). Artificial drains shall be designed by a consultant and meet the other requirements of Chapter 35.

C. Site Evaluation Report Requirements

The consultant must submit a site evaluation report including the following information to the Department in order for the Department to prepare a site evaluation report as detailed in Chapter 2. Soil properties must be described using the classes defined in this Handbook, or using standard USDA–Natural Resources Conservation Service terminology as defined in “Soil Survey Manual, Agricultural Handbook No. 18, 1993”. The site evaluation report must include the following information:

1. A scaled site map showing the location and identification of all soil test pits and percolation test holes. The map must include a North arrow, the percent and direction of slope in the area tested, and site features, which affect the location of a system. The scaled site plan must be stamped and signed by the qualified consultant. The boundaries of the proposed sewage disposal area must be shown on this map.
2. The soil description for each soil test pit. Every soil test pit must be described, even if the test shows unsuitable soil or is located in an area that will not be used. Each soil test pit description must include the following information:
 - a. Slope—percent and direction.
 - b. Effective soil depth.
 - c. Depth to groundwater (if observed).
 - d. Description of each soil horizon (layer) described, which shall include the following characterization, using the terminology indicated (where provided):
 - i. Depth of horizon.
 - ii. Soil texture—sand, loamy sand, sandy loam, sandy clay, sandy clay loam, loam, clay, clay loam, silty clay, silty clay loam, silt loam, silt.
 - iii. Soil rock fragment content in percent by volume.
 - iv. Soil color (moist) using the Munsell Soil Color Chart or other Department approved color chart.
 - v. Redoxymorphic features (if present)—otherwise known as mottling.
 - vi. Soil structure—granular, platy, or blocky; fine, medium, or coarse; structureless—single grain, or massive.

- vii. Soil pores—few, common, or many; fine, medium, or coarse.
 - viii. Soil consistence—loose, very friable, friable, firm, very firm, extremely firm, or solid.
 - ix. Soil plasticity—non-plastic, slightly-plastic, plastic, or very-plastic.
 - x. Soil stickiness—non-sticky, slightly-sticky, sticky, or very-sticky.
 - xi. Soil roots—none, few, common, or many; very fine, fine, medium, or coarse.
 - xii. Soil horizon boundary—smooth, wavy, irregular, or broken; abrupt, clear, gradual, or distinct.
 - xiii. Soil moisture—dry, damp, moist, saturated, or seepage.
3. The percolation data sheet(s), correction factor calculation, and average percolation rate. Or, the soil type(s) utilized for determining the sizing if percolation tests were not used for sizing.
 4. The proposed type of system (e.g., Standard, Capping Fill, Pressurized Distribution, Pump, Deep Trench, Seepage Pit, Steep Slope, Intermittent Sand Filter, Mound, or Experimental/Alternative System) and location with respect to specific soil test pit locations.
 5. The business name, address and telephone number of the consultant.
 6. The date that the testing was conducted.
 7. License or registration number or seal/stamp with signature.

D. Criteria for System Sizing

1. Single-family dwellings. Systems serving single-family dwellings shall be sized at minimum Three hundred (300) gallons per day (gpd) projected daily sewage flow. For structures larger than 2 bedrooms projected daily sewage flow shall be calculated at seventy-five (75) gallons per day per bedroom for every bedroom over 2.
2. For dwellings with large square footage as compared to the number of bedrooms, the following flow rates shall be used at a minimum:

Square footage	
2000-2499	375 gpd
2500-2999	450 gpd
≥3000	525 gpd

3. Disposal trench sizing for single-family dwellings and commercial facilities. The effective absorption area required shall be based upon the projected daily sewage flow and one of the following:

a. Rate of sewage application based on soil group in chart below.

Soil Group	Rate of Sewage Application
A* – sand, loamy coarse sand	1.2 gpd/ft ²
B – loamy sand	0.8 gpd/ft ²
C – sandy loam	0.6 gpd/ft ²
D – sandy clay loam, porous silt loam, clay loam, non-expansive clay	0.45 gpd/ft ²
E* – sandy clay, silty clay, silty clay loam	0.2 gpd/ft ²

*Soil Groups A and E are not suitable for a standard system.

b. Effective absorption area required, when given the design percolation rate, shall be calculated using the following formulas:

i. For gravity-fed trenches: $3.5/\sqrt{t}$

ii. For pressure-distribution trenches*: $5/\sqrt{t}$

Where “t” is the percolation rate in minutes per inch. Percolation rates of less than six (6) minutes per inch (mpi) and greater than sixty (60) mpi, are unsuitable for a standard system.

*Note: When a pressure-distribution trench is utilized, the sewage disposal system is an alternative system, as described in Chapter 9.

4. When sizing by soil group and more than one soil group is encountered within a soil profile, disposal trench sizing shall be based on the most restrictive soil group encountered within thirty-six (36) inches from the bottom of the disposal trench.

5. When sizing by percolation rate and more than one soil group is encountered within a soil profile, disposal trench sizing shall consider the soil characteristics within thirty-six (36) inches from the bottom of the disposal trench, and may require percolation tests in deeper soil layers.

6. For calculating the required lineal feet of the disposal field, the trench bottom area shall be considered. In certain situations the Director may allow for additional sidewall credit to be given.

E. Percolation Test Requirements and Procedures

1. General requirements

- a. Percolation testing shall be required when it is determined by the Department that such testing, when coupled with soil test pit evaluations, is necessary to aid in system sizing and design.
- b. All percolation tests shall be conducted in accordance with the procedures outlined in this Chapter, or as otherwise approved by the Department.
- c. Percolation tests are required as part of the site evaluation process for the creation of new lots and parcels.

2. Test hole preparation requirements

- a. Unless otherwise indicated by the Department, there shall be a minimum of six (6) percolation test holes when the disposal area and replacement area are close (as determined by the Department); more may be required when the areas are separate (as determined by the Department). Additional test holes may be required by the Department to completely identify a suitable area.
- b. Unless otherwise approved by the Department, the bottom depth of three (3) of the percolation test holes shall be equal to the proposed disposal trench bottom depth. For the remaining 3 test holes, the bottom depth shall be at eighteen inches (18") below the proposed trench depth. A posthole digger or manual auger shall dig the test section (bottom 8 inches) of the test hole.
- c. Unless otherwise approved by the Department, the diameter of the test hole shall be from six (6) to eight (8) inches.
- d. The test hole sidewall in the test section should be roughened to remove any smearing or compaction caused by the hole excavation process. All loose soil shall be removed and two (2) inches of pea gravel or other material approved by the Department shall be placed in the bottom of the hole. In order to prevent silting of the bottom of the hole and sidewall cave-in, a sidewall gravel pack is to be used in accordance with the chart in this Chapter. Two methods for retaining the sidewall gravel pack are:
 - i. One eighth (1/8) inch mesh galvanized hardware cloth rolled into a cylinder at least twelve (12) inches long;
 - ii. Perforated plastic pipe in twelve (12) inches (or longer) sections.

3. Presoak requirement

The hole shall be filled with clean water to a minimum depth of twelve (12) inches above the base of the hole. The presoak shall be maintained for a minimum of twelve (12) hours.

4. Test measurement requirements

- a. Percolation tests shall be measured to the nearest 1/16th inch from a fixed point.
- b. The percolation test shall begin within four (4) hours following completion of the presoak. Adjust the water level to six (6) inches over the pea gravel bottom and begin the test. This may require adding or removing water to adjust the level.
- c. Readings shall be taken at thirty (30) minute intervals. Refill as necessary to maintain five (5) to six (6) inches of water over the pea gravel bottom at each interval. Readings shall be taken until two consecutive readings do not vary by more than ten percent per reading, with a minimum of three (3) readings. The last thirty (30) minute interval is used to compute the percolation rate. If four (4) inches or more of water seeps from the hole during the thirty (30) minute interval, readings may be taken at ten (10) minute intervals. Readings shall be taken until two (2) consecutive readings do not vary by more than ten percent per reading with a minimum of three (3) readings. The last ten (10) minute interval is used to compute the percolation rate.

5. Test rate determination

The following chart provides a correction factor to determine the corrected percolation rate:

Hole diameter	Gravel thickness (annular space)	Correction factor
6"	1"	1.59
6"	1/2"	1.27
8"	1"	1.14
7"	1/2"	1.04

Calculation:

Standard percolation value (minutes per inch) =

Test percolation value (minutes per inch) X (correction factor)

Example: A six (6) inch hole is used with a one (1) inch gravel pack. The test percolation value is 25 mpi.

$$25 \text{ mpi} (1.59) = 40 \text{ mpi}$$

40 mpi is the standard percolation value for that test hole and will be used in combination with other test hole results when designing the system. The mean percolation rate calculated from all

test hole results accepted by the Department shall be the final percolation rate (design percolation rate) assigned for sizing the system.

F. Building Sewer Design, Materials, and Construction Requirements

The building sewer shall be constructed with materials in conformance with building sewer standards identified in the California Plumbing Code. The building sewer pipe shall have a minimum diameter of three (3) inches. Inspections regarding building sewer connection to septic tank shall be performed by the Yuba County Building Department.

G. Septic Tank Design, Materials, and Construction Requirements

1. Materials and construction shall be in accordance with Chapter 28.
2. The minimum liquid capacity of any septic tank installed shall be one thousand (1000) gallons.
3. Septic tanks to serve single-family dwellings shall be sized on the number of bedrooms in the dwelling, as follows:

1 to 3 bedrooms -----1000 gallons

4 to 6 bedrooms -----1500 gallons

For each additional bedroom over 6, add 150 gallons.

H. Effluent Sewer Design, Materials and Requirements

The effluent sewer (pipe) shall extend at least five (5) feet beyond the septic tank before connecting to the distribution unit. It shall be installed with a minimum fall of four (4) inches per one hundred (100) feet, but in no instance shall there be less than two (2) inches of fall from one end of the pipe to the other. For installations where more than one (1) disposal trench is utilized with serial distribution, there shall be a minimum of four (4) inches elevation drop from the invert of the septic tank outlet to the invert of the disposal field distribution unit. When connecting a three (3) inch pipe to a four (4) inch pipe, they shall be joined by a fitting that provides a water-tight seal. The effluent sewer pipe materials and construction shall be in conformance with this Chapter.

I. Distribution Box and Diversion Valve Design, Materials, and Construction Requirements

Distribution box and diversion valve design, materials, and construction shall meet the minimum standards set forth in Chapters 29 and 30.

J. Tightline (Header) Pipe Design, Materials, and Construction Requirements

1. Unless otherwise approved, the tightline pipe materials and construction shall at minimum, meet the standards set forth in Chapter 33.
2. The pipe shall be watertight, have a minimum diameter of three (3) inches, and be bedded on undisturbed earth.

K. Disposal Trench Design, Materials, and Construction Requirements

1. Disposal trenches shall be constructed in accordance with the standards contained in the following table, unless otherwise specified.

a. Length maximum: 100 feet

b. Bottom width minimum: 24 inches

Bottom width maximum: 36 inches

c. Depth minimum: 24 inches

Depth maximum: 30 inches

d. Minimum distance of undisturbed soil between disposal trenches (sidewall-to-sidewall) shall be six (6) feet.

2. Disposal trench sizing methods and calculations shall be in accordance with this Chapter.

3. Filter material shall extend the full width and length of the disposal trench to a depth of not less than twelve (12) inches. There shall be at least twelve (12) inches of filter material under the distribution pipe and at least two (2) inches over the distribution pipe.

4. A soil barrier shall be placed on top of the filter material to exclude fines from the filter material. The barrier shall consist of suitable filter fabric, 4-inches of straw, or untreated building paper.

5. There shall be a minimum of twelve (12) inches of backfill over the filter material.

6. Gravelless trench construction may be utilized instead of filter material in disposal trench. The design, manufacturing and materials used shall be durable and acceptable to the Department. Sizing for the gravelless disposal trench shall be in accordance with the latest Department policy for gravelless trench sizing. The policy shall be updated and maintained as new information becomes available for this technology, with input provided from the Sewage Advisory Committee.

L. Distribution Pipe Design, Materials, and Construction Requirements

1. Unless otherwise approved, distribution pipe materials and construction shall meet the minimum standards set forth in Chapter 33.

2. The distribution pipes shall have a minimum diameter of three (3) inches.
3. All perforated pipe shall be installed with centerline markings up.

M. Installation Requirements

1. Septic tanks shall be installed on a level, stable base.
2. Septic tanks located in high groundwater areas shall be weighted or provided with an anti-buoyancy device to prevent flotation.
3. All septic tanks shall be installed with watertight risers extending to the ground surface or above. Construction and materials specifications for risers shall be in accordance with Chapter 28.
4. Septic tanks shall be installed in a location that provides access for servicing and pumping.
5. Systems shall not be installed when moist or wet conditions cause trench sidewall or bottom area degradation of soil structure and porosity (which frequently appears as smearing and compaction).
6. The bottom of the disposal trench shall be level to within a tolerance of two (2) inches in 100-feet.
7. Each disposal trench shall have distribution piping that is centered in the trench and laid level to within a tolerance of two (2) inches in 100-feet.
8. Disposal trenches shall be installed on contour.
9. Prior to backfilling the trench, the filter material shall be covered with soil barrier.
10. Backfill shall be carefully placed to prevent damage to the system.
11. Backfill shall be native soil free of large stones, frozen clumps of earth, masonry, stumps, waste construction materials, or other materials that could damage the system.
12. All distribution boxes shall be level, bedded on undisturbed soil, aggregate with a minimum of 90% compaction, or concrete.
13. Monitoring wells, of a design approved by the Department, shall be installed at the ends of the disposal trenches.
14. The system shall be installed as specified in the approved permit.
15. Adequate erosion control measures shall be utilized at all times in conformance with applicable county regulation.

N. Required Inspections

All portions of the system are subject to inspection and verification prior to covering. The system shall be inspected for conformance with the permit requirements, including all applicable setbacks. The portions normally inspected include:

1. The building sewer entering the septic tank.
2. The septic tank, including access into any manhole covers.
3. The effluent sewer, distribution unit, and absorption facility.

Other portions of the system may be inspected as required by the permit or if deemed necessary by the Department to determine compliance with the regulations. Additional inspection and Certificate of Satisfactory Completion requirements are specified in Chapter 6.

O. Large System Requirement

Systems with a projected daily sewage flow greater than two thousand five hundred (2,500) gallons shall be designed in accordance with the requirements set forth in Chapter 27.

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Chapter 9. Alternative System Requirements

A. Definition of Alternative System

An alternative system is any onsite sewage system consisting of treatment and/or disposal components other than a standard system, which the Department may determine meets the requirements of this Article for a renewable operating permit. Alternative systems may include but are not limited to: pressure-distribution, deep trench systems, curtain drains, sand filters (or other pretreatment systems that have passed the experimental stage), mounds, large systems, or seepage pits.

B. Provisions

Unless otherwise indicated in specific alternative system sections or by the Department, all provisions pertaining to the site evaluation criteria; design (including sizing), installation, construction, and maintenance of standard systems, shall apply to alternative systems.

C. Criteria for System Sizing

The sizing criteria for standard systems shall apply to alternative systems except as otherwise specified in this Chapter.

1. A design percolation rate less than 6 mpi or greater than 60 mpi shall utilize pressure distribution as the means of distribution in the disposal field, consistent with the requirements of Chapter 11.
2. Any proposed design utilizing soil types "A" or "E" shall utilize pressure distribution as the means of distribution in the disposal field, consistent with the requirements of Chapter 11.

D. Alternative Systems in Lieu of Standard Systems

Alternative systems shall not be used in lieu of a standard system when a proposed site can meet the requirements for installation of a standard system.

EXCEPTION. Pressurized distribution may be used in any circumstance where this method of effluent distribution is desired. Deep trench systems may be used as provided in Chapter 13.

E. Periodic Inspection of Installed Systems

Where required by rule, regulation, or State guideline, periodic inspection of installed alternative systems shall be required and/or performed by the Department or a certified service provider. An inspection fee may be charged.

The Department or service provider shall prepare a report of each inspection. The report shall list system deficiencies and a correction report shall be provided promptly to the system owner and the Department. Necessary follow-up inspections shall be scheduled. Reports are to be submitted to the Department within 30 days following the inspection. Reports of failed systems or systems with serious

malfunctions shall be reported within 24 hours of the malfunction. Reports of follow up inspections must also be submitted.

F. Commercial Facilities

Projected daily flows for commercial facilities shall be estimated using Table 2 Design Flows (contained in Chapter 36). The Department may approve, on a case-by-case basis, metered water use data, or other supporting data in lieu of the estimated sewage flows set forth in Table 2.

G. Commercial Facilities That Prepare Foods

Commercial Facilities that prepare foods, (e.g., kitchens, restaurants) shall install a grease trap or interceptor pursuant to the requirements of the most recently adopted edition of the California Plumbing Code and amendments thereto, and the requirements of the Yuba County Building Department, including a permit if required by that department or by the Department.

H. Consultant Inspections

Unless otherwise indicated in a specific section of this Manual, all alternative systems shall be designed and installed under the inspection and approval of a qualified consultant and the Department. A consultant shall submit written certification (form available at the Department) that the system has been installed in accordance with the approved construction/design plan and permit conditions. The Department shall not accept a system as final for any system installation until certification of the installation is received from the consultant. The consultant shall provide the owner with a maintenance manual that outlines the operation of the system, including the owner's responsibilities for maintaining the system.

I. Systems Approved for the Creation of Lots, or Other Building Sites

Alternative systems approved for the creation of lots, parcels and additional building sites shall demonstrate a minimum usable sewage disposal area (MUSDA) in accordance with the chart in Article 8.24.070.

J. Inspection Risers

Inspection risers shall be installed at the ends of the disposal trenches.

K. Septic Tank Sizing for Commercial Facilities

1. For projected daily sewage flows up to fifteen hundred (1500) gallons, the septic tank shall have a liquid capacity equal to at least one and one-half (1-1/2) days sewage flow, or one thousand (1,000) gallons, whichever is greater.
2. For projected daily sewage flows greater than fifteen hundred (1500) gallons, the septic tank shall have a liquid capacity equal to one thousand two hundred (1,200) gallons plus seventy-five (75) percent of the projected daily sewage flow.

3. Additional volume may be required by the Department for special circumstances.
4. The quantity of daily sewage flow shall be estimated in gallons per day using Table 2 - Quantities of Sewage Flow (contained in Chapter 36). The Department may approve, for other than single-family dwellings, data from reliable (as determined by the Department) metered water use data in lieu of the estimated sewage flows set forth in Table 2.

L. Permit Application and Construction/Design Plan Requirements

An application for a permit shall be made in accordance with the procedure and requirements of Chapter 3 and include a construction schedule, (including critical points during construction at which time inspections shall be made by the consultant).

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Chapter 10. Capping Fill System Requirements

A. General Statement

A capping fill system is a alternative system where the disposal trench effective sidewall is installed a minimum of twelve (12) inches into natural soil (gravity trench) or a minimum of nine (9) inches into natural soil (pressure trench) below a soil cap of specified depth and texture. The shallow construction of the system allows for installation where fractured bedrock, a limiting layer or groundwater is closer to ground surface. This Chapter describes the requirements for gravity-fed capping fill systems. Pressure-dosed capping fill systems shall meet the requirements of this Chapter as well as Chapter 11.

B. Criteria for Approval

In order to be approved for a capping fill system, each site must meet all of the following conditions:

1. The slope shall not exceed twenty (20) percent in the disposal area and replacement area.
2. Unless otherwise approved by the Department, the effective soil depth shall extend a minimum of five (5) feet below the bottom of the disposal trench. Effective soil depth requirements may vary with pre-treatment systems used in conjunction with a capping fill.

C. Design Criteria

Unless otherwise specified, the system shall be designed in accordance with the provisions of Chapter 8 standard systems.

1. Disposal trenches: Depth: 12 inches minimum and 18 inches maximum
Width: 24 inches minimum and 36 inches maximum
2. Cap depth: 12 inches (after settling)

D. Installation Requirements

Unless otherwise required by the Department, the installation shall meet the installation and construction requirements of Chapter 8 and the following:

1. The soil to be used for the cap may be examined and shall be approved by the Department and consultant prior to placement.
2. The disposal area shall have the vegetation removed and shall be scarified, parallel to contours, no deeper than six (6) inches.
3. Soil cap shall extend a minimum of ten (10) feet beyond the exterior trench side-wall and tapering with a 4:1 slope to grade.
4. The site shall be landscaped for erosion control in accordance with the approved construction/design plan and permit requirements. Additionally, the site shall be protected from

the activity of vehicular traffic, corrals, horse arenas, stables, or other activities that could damage the system or the integrity of the soil.

E. Required Inspections

Inspection criteria and issuance of a Certificate of Satisfactory Completion shall be in conformance with Chapter 6.

1. The disposal area and fill material shall be inspected for scarification, soil texture, and moisture content.
2. Prior to backfill of the installed disposal system.
3. The final placement of the soil cap will be inspected.

F. Criteria for System Sizing

System sizing shall meet the minimum requirements of Chapter 8.

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Chapter 11. Pressurized Distribution System Requirements

A. General Statement

Pressurized distribution refers to a method of distributing effluent evenly over the entire soil absorption area through a network of small diameter pipes under low pressure. This method may be an alternative for some sites to mitigate the limitations associated with soils with rapid permeability or slow permeability.

B. Criteria for Approval

Pressurized distribution systems shall meet the following requirements:

1. Pressurized distribution systems may be permitted on any site that meets the requirements for standard systems, or on sites approved for alternative systems. The pressurized distribution system shall meet all the applicable requirements for a system as stated in Chapter 11 unless otherwise specified.
2. There must be a minimum of four (4) feet of effective soil depth beneath the disposal trench bottom in both the proposed and the replacement disposal areas.
3. For existing lots or parcels, pressure distribution systems may be installed in soil Groups A, B, C, D, or E, as identified in Chapter 8, or percolation rates 1-240 minutes per inch.
4. For creating lots and parcels, pressure distribution systems may be installed in Soil Groups A, B, C, D, and E as identified in Chapter 8, or percolation rates 6-120 minutes per inch. Percolation rates of 1-5 minutes per inch require pre-treatment equivalent to an intermittent sand filter system.
5. System monitoring and inspections requirements in conformance with Chapter 24.

C. Design, Materials and Construction Requirements

1. General

- a. All materials used in pressurized systems shall be structurally sound, durable, and capable of withstanding normal stresses incidental to installation and operation.
- b. Nothing in these rules shall be construed to set aside applicable building, electrical, or other codes. An electrical permit and inspection from the local Administrative Authority shall be obtained if required for pump wiring installation.

2. Criteria for system sizing

The disposal area and septic tank capacity shall at a minimum meet the provisions of Chapter 8.

3. Pressurized distribution lateral requirements

Piping, valves and fittings for pressurized systems shall meet the following minimum requirements:

- a. All pressure transport, manifold, distribution lateral piping and fittings shall meet or exceed the requirements for Schedule 40 PVC pressure pipe as identified in ASTM Specification D1785 or other material approved by the Department.
- b. All pressure distribution laterals and fittings shall be adequately sized for the design flow.
- c. All pressure transport and manifold piping shall be adequately sized for the design flow.
- d. Pressure transport piping shall be uniformly supported along the trench bottom, and at the discretion of the Department, it shall be bedded in sand or other material approved by the Department;
- e. The ends of lateral piping shall have blow-off risers that accommodate threaded plugs or caps.
- f. All joints in the pressure distribution manifold, lateral piping, and fittings shall be solvent welded, using the appropriate solvent for the pipe material. Pressure transport piping may be solvent welded or rubber ring jointed;
- g. A gate valve or ball valve shall be placed on the pressure transport pipe, in or near the dosing tank, when required.
- h. A check valve shall be placed between the pump and the gate valve, when required. A check valve is not required if the pump has an internal check valve. All check valves and gate valves must be in accessible and protected locations for maintenance and repair.
- i. An anti-siphon valve shall be placed between the pump and leach field when the leach field is down slope of the pump.

4. Pump

The pump shall meet the minimum design, materials, and construction standards as outlined in Chapter 32.

5. Dosing tank design, materials and construction requirements

- a. Materials and construction for dosing tanks shall comply with the minimum standards in Chapter 31.

b. The capacity of the tank shall be sufficient to deliver the design dose and with an additional storage capacity of one day's design flow above the high level alarm. The liquid capacity shall be measured from the invert elevation of the inlet fitting, to the bottom of the tank.

c. Duplex alternating pumps may be required by the Department for some installations.(e.g., large systems approved for commercial facilities) .

d. The dose volume shall be calculated using the following minimum and maximum dosing range formulas:

$$V_{min} = V_s + 5V_l$$

$$V_{max} = V_s + 10V_l$$

Where:

V_{min} = Minimum volume of dose

V_{max} = Maximum volume of dose

V_s = Volume of supply line

V_l = Total volume of lateral lines

6. Disposal trench design, materials, and construction requirements

a. Unless otherwise allowed by the Department disposal trenches shall be constructed using the specifications for the standard disposal trench (Chapter 8), except for the following:

i. Pressure lateral piping shall have a minimum six (6) inches of filter material below, and not less than three inches of filter material above the piping; and

ii. Depth: minimum 11 inches

maximum 30 inches

iii. Bottom width: minimum 24 inches

maximum 36 inches

iv. Length: minimum 50 feet

maximum 100 feet

- b. The top of the filter material shall be covered with filter fabric or other material approved by the Department.
- c. A minimum of 2 inches of backfill is required over the filter fabric within the disposal trench.
- d. Inspection and blow-off risers shall be placed at the end of the pressure distribution lateral within the disposal trench.
- e. All orifices of pressure distribution laterals that face upward shall be covered with orifice shields to prevent soil washout.

D. Hydraulic Design Criteria

- 1. There shall be a minimum five (5) feet head at the orifice furthest from the manifold and no more than ten (10) percent head variation within a disposal trench.
- 2. Lateral piping shall have discharge orifices drilled up with 2 orifices per lateral drilled down for purposes of drainage, a minimum diameter of one-eighth (1/8) inch, and evenly spaced at a distance not greater than two (2) feet in coarse-textured soils or greater than six (6) feet in finer-textured soils.
- 3. The effect of back drainage of the total volume of effluent within the pressure distribution system shall be evaluated for its impact upon the dosing tank and system operation.

E. Installation Requirements

Installation standards of Chapter 8 shall apply, and:

- 1. The pressure distribution lateral laid within the center of the trench above the gravel shall be level to within two (2) inches in one hundred (100) feet;
- 2. Small earth berms may be required at specific intervals on trench bottoms at the discretion of the Department and/or design consultant, including but not limited to the ends of the trench adjacent to the manifold.
- 3. Each dosing tank shall be installed on a stable level base;
- 4. Each dosing tank shall be provided with a watertight riser extending to the ground surface or above, with a minimum inside horizontal measurement equal to or greater than the tank access manhole. The watertight riser shall meet the materials and construction provisions of Chapter 28.
- 5. Dosing tanks located in high groundwater areas shall be weighted or provided with an anti-buoyancy device to prevent flotation.

F. Sloping Site Requirements

1. Ball or Gate valves or flow restrictors shall be installed on each pressure distribution lateral to facilitate regulation of flow within the laterals.
2. Where the disposal field is located down-slope from the pump, an anti-siphon valve on the supply line to the trenches shall be installed in the dosing tank, above the high liquid level.

G. Required Inspections

Required inspections and issuance of a Certificate of Satisfactory Completion shall be in conformance with Chapter 6, and include the following:

1. A pre-construction meeting between the consultant and the installer; the department may require to be involved in certain cases.
2. Inspection of the dosing system components, e.g., the location of the pump, screen, floats, switches, alarms, and valves; and
3. Inspection of the pressure distribution system and verification of hydraulic head over the pressure distribution laterals (AKA, "squirt test"). Water and electricity must be available for this inspection. If this inspection is performed utilizing a temporary power supply (such as a generator), a final inspection conducted by either the consultant or the Department shall be made after connection to the permanent power supply, to verify the design head over the distribution system.
4. As approved by both the Department and design consultant a "modified squirt test" may be performed in order to allow the trench to be covered and to perform erosion control. This test will check squirt height at the distal end of the laterals with an orifice drilled cap on the lateral riser.

Chapter 12. Pump System Requirements

A. General Statement

A pump system is utilized to enable the installation of a disposal field upslope of the structure to be served. The effluent is not distributed to the disposal field under pressure, but by gravity flow following pumping to a higher elevation.

B. Criteria for Approval

The criteria for approval as outlined in Chapter 8 shall be met.

C. Criteria for System Sizing

System sizing shall meet the provisions of Chapter 8.

D. Pump Requirements

The pump shall meet the minimum design, materials, and construction specifications in Chapter 32. Additionally, pumps shall meet total head requirements of the site encompassing elevation head, friction head, and pressure head.

E. Pump Tank Requirements

1. The pump tank shall have capacity sufficient to deliver the design dose and have a minimum additional storage capacity above the high level alarm of one day's design flow.
2. The high water alarm shall activate immediately when the remaining pump tank storage volume is equal to the daily design flow capacity.
3. Each tank shall be installed on a stable level base.
4. Construction of the tank shall comply with the standards in Chapter 31.
5. Each pump tank shall be provided with a watertight riser extending to the ground surface or above, with a minimum inside horizontal measurement equal to or greater than the tank access manhole. Provision shall be made for securely fastening the manhole cover.
6. Pump tanks in high groundwater areas shall be weighted or provided with an anti-buoyancy device to prevent flotation.

F. Installation Requirements

Unless otherwise indicated on the permit, installation requirements shall be as specified in Chapter 31 and Chapter 32 (with application as a pump tank, not dosing tank).

G. Required Inspections

Inspection and issuance of the Certificate of Satisfactory Completion shall be in conformance with Chapter 8. Additionally, an inspection of the system components and pump function may be made.

H. Specialized Use of Pump with Pump Basin

1. A specialized purpose for use of a pump and pump basin to address the issue of plumbing elevation for a portion of a residence, or a remote bathroom for out-buildings, being too low in elevation relative to the septic tank to allow gravity flow to the septic tank.
2. The pump for such applications must be capable of pumping two (2) inch solids and pump directly into the building sewer entering the septic tank.
3. A pump basin with pump may be utilized under the following circumstances:
 - a. The wastewater does not originate from a kitchen, and
 - b. Any toilet being serviced, in the case of residential application, is not the sole toilet utilized by the residence, and
 - c. The pump and pump basins are permitted and inspected by the Environmental Health Department.

I. Specialized Use of Septic Tank Second Compartment as a Dosing Tank

1. When utilizing a remote bathroom, such as those in a barn or pool house, etc., the second compartment of a septic tank may be utilized as a dosing tank under the following circumstances:
 - a. A minimum one thousand five hundred (1,500) gallon septic tank will be used.
 - b. In no event, shall the liquid portion be drawn down to within twelve (12) inches of the "T" fitting or baffle slot in the common compartment wall.
 - c. The wastewater does not originate from a kitchen, and
 - d. Any toilet being serviced, in the case of residential application, is not the sole toilet utilized by the residence, and
 - e. The pump and septic tank are permitted and inspected by the Department. as described in Chapter 3.

Chapter 13. Deep Trench System Requirements

A. General Statement

A deep trench system is a system with disposal trenches greater than thirty (30) inches deep. Trench depth should be kept as shallow as possible to take advantage of those soil horizons that best provide oxygen and promote microbiological activity.

EXCEPTION: The Department may allow the installation of a standard system where the trench depth is deeper than 30 inches in order to mitigate for a shallow limiting layer such as a hard or clay pan, providing the vertical separation requirements for a standard system can be met.

B. Criteria for Approval

A deep trench system will only be permitted under the following conditions:

1. A lot or parcel is inadequate to accommodate a standard or pressure dosed system for the development proposed, and
2. There are greater than 60-inches of effective soil depth below the bottom of the proposed disposal trench in the disposal field and replacement area.

C. Design Criteria

1. Unless otherwise approved by the Department the disposal trench shall have a minimum depth of thirty-one (31) inches, and a maximum width of thirty-six (36) inches.
2. The deep trench system absorption area and septic tank liquid capacity required shall be calculated using the standard system criteria for system sizing in Chapter 8. For calculating lineal feet, the sidewall area (extending the entire gravel depth) shall be used except when using a thirty-six (36) inch wide trench, which shall be sized using the trench bottom.
3. The minimum disposal trench spacing (sidewall-to-sidewall) within a disposal field shall be two (2) times the depth of the filter material.

D. Installation Requirements

Unless otherwise indicated on the permit, or elsewhere in this Chapter, installation requirements shall be the same as for a standard system (Chapter 8).

E. Required Inspections

Inspections and issuance of a Certificate of Satisfactory Completion shall be in conformance with Chapter 6).

Chapter 14. Steep Slope System Requirements

A. General Statement

A steep slope system is a system installed on sites with slopes greater than thirty (30) percent.

B. Criteria for Approval

A steep slope system shall meet the following requirements:

1. Steep slope systems are not permitted for creating lots and parcels.
2. Steep slope systems for existing parcels may only be developed in conformance with the county General Plan, zoning restrictions, recorded restrictions and notes on the subdivision or parcel map, and any other applicable county requirements.
3. When a deep trench system is incorporated into a steep slope system, the following conditions shall be met:
 - a. Unless otherwise specified by the Department or hereunder, the provisions for deep trench system (Chapter 13) shall be met.
 - b. There shall be a minimum effective soil depth of seventy-nine (79) inches in the disposal area and replacement area. For purposes of determining effective soil depth and vertical separation, the depth of limiting layer shall be measured from the upslope side of the disposal trench bottom
 - c. There shall be a minimum trench width of eighteen (18) inches and a maximum trench width of twenty-four (24) inches.

C. Soil Stability Report

The Department may require a geotechnical report by an engineering geologist or geotechnical engineer where the slope exceeds 30%, or where there are indications of soil instability. The report shall discuss soil stability within the proposed disposal area and replacement area of the system and on the soil's stability with respect to the building foundation, surrounding terrain and adjacent properties. The report shall include, at a minimum:

1. A site plan drawn to scale, showing topography, locations of the proposed house, driveway or other structures;
2. Soil profile information as it relates to soil stability;
3. Discussion of the presence of groundwater, its seasonal variation (if any) and influence on the soil stability after disposal field construction;

4. Statement concerning the stability of the soil and bedrock that may specifically include an evaluation of soil creep and landslide potential at the disposal area and replacement area location and surrounding terrain due to the hydraulic load imposed by the system;
5. Recommendation for interceptor drains (if needed) that may render soil stable and prevent flooding of the disposal area and replacement area;
6. Recommendation of the best structure-driveway-disposal field location relationship as it relates to soil stability; and
7. Recommendation of installation methods and procedures.

D. Installation Requirements

1. Unless otherwise indicated on the permit, or in this Chapter, installation requirements shall be the same as for a standard system (Chapter 8).
2. Trenches shall be installed with a minimum of 12 inches of native soil cover as measured from the downhill side of the trench.

E. Required Inspections

Inspections and issuance of a Certificate of Satisfactory Completion shall be in conformance with Chapter 6.

Chapter 15. Intermittent Sand Filter System Requirements

A. General Statement

An intermittent sand filter system consists of a septic tank, dosing tank, sand filter bed and a disposal field. Effluent from a structure is periodically dosed to a bed of sand media, bacteriologically and physically treated, and discharged into a disposal field via pressure distribution. This system may be an alternative for some sites to mitigate the limitations associated with shallow effective soil depth, soils with rapid permeability or very slow permeability.

B. Criteria for Approval

An intermittent sand filter system shall meet the following requirements:

1. Sand filter systems may be installed in Soil Groups A, B, C, D, and E (as identified in Chapter 8), or percolation rates of 1-240 minutes per inch for existing lots or parcels and 1-120 when creating lots or parcels.
2. The proposed disposal area and replacement area shall demonstrate a minimum of eighteen (18) inches of effective soil beneath the disposal trench bottom.
3. Unless otherwise approved, a sand filter system shall only be considered for use for a single family dwelling; and
4. Meet additional requirements prescribed by the January 1996 version of the Yuba County Sand Filter Guidelines and Specifications, and subsequent modifications. In the case of a conflict between requirements of the Yuba County ordinance/regulations and the Yuba County Sand Filter Guidelines and Specifications, the Yuba County ordinance/regulations shall take precedence.
5. System monitoring and maintenance requirements in conformance with Chapter 24.

C. Required Inspections

Inspections and issuance of a Certificate of Satisfactory Completion shall be in conformance with Chapter 5.

Chapter 16. Mound System Requirements

A. General Statement

A mound system is an aboveground or at-grade absorption facility useful in mitigating some of the limitations associated with inadequate effective soil depth. The mound system consists of a distribution network that under pressure evenly delivers effluent from a septic tank to a "mounded" bed of filter material over sand media.

B. Criteria for Approval

The mound design and system shall meet the minimum requirements of the Department and the provisions of the State Water Resources Control Board, Guidelines for Mound Systems, most current version, and amendments thereto. The following provisions shall supersede any conflicting provisions of the Guidelines for Mound Systems that shall be met:

1. An absorption rate of 0.6 gallons per day per square foot (gpd/ft²) shall be used for calculating the mound sand bed area.
2. Sand media as described in the January 1996 version of the Yuba County Sand Filter Guidelines and Specifications, and subsequent modifications shall be used for the sand bed.
3. Gravel as identified in the Guideline shall be known as filter material, as defined in Chapter 37 of this Manual.
4. Unless otherwise approved, a mound system shall only be considered for use for a single-family dwelling.
5. System monitoring and maintenance requirements in conformance with Chapter 24.

C. Required Inspections

Chapter 17. System Abandonment Requirements

A. Inspections and issuance of a Certificate of Satisfactory Completion shall be in conformance with Chapter 5, System Abandonment Requirements.

B. Your system must be abandoned under the following situations:

1. If you have connected to an approved sewer system.
2. The system will no longer be used.
3. If you have received a notice or order from the Department to abandon the system (for reasons such as: the system has failed & cannot be repaired, an unpermitted system, etc.)

C. Your system must be abandoned in the following manner:

1. A permit must be obtained before you abandon a system. The application for abandoning the system will include:
 - a. A site plan showing where the septic tank and leachfield are located.
 - b. A description of how the system will be abandoned.
2. The septic tank must be pumped by a licensed septic tank pumper (a list of licensed pumper's is available from the Department) to remove the contents. You must provide a receipt
3. The septic tank must be abandoned as follows:
 - a. If possible, the septic tank cover will be collapsed and the bottom of the tank will be broken sufficiently to allow water to pass through, or
 - b. If the septic tank cover cannot be collapsed, the tank will be filled so that there is not a cave-in or other structural hazard, or,
 - c. The septic tank may be removed to an approved location and,
 - d. The septic tank or excavation hole must be filled with clean earth, sand, gravel, or other material approved by the Department.
4. The building wastewater plumbing system, if not connected to an approved septic or sewer system, must be permanently capped.
5. Future construction in the abandoned system area may require special construction considerations.
6. Additional permit requirements may be necessary in order to mitigate unique problems associated with the abandonment of the system.

7. The abandoned tank and subsequent connection to a new tank or public sewer shall be inspected by the authority having jurisdiction, normally either the sewer utility or the Department.

D. Obtain A Certificate Of Satisfactory Completion

The Department will issue a Certificate of Satisfactory Completion for the system abandonment upon satisfactory completion of the requirements of the permit and this Manual.

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Chapter 18. Holding Tank Requirements

A. General Statement

A holding tank is a watertight container designed to receive and store sewage for disposal at another location.

B. Criteria for Approval

Permit shall be issued for holding tanks on sites that meet all of the following conditions:

1. The site cannot be approved for the installation of a standard system or alternative system;
2. No sanitary sewer system is legally and physically available;
3. The tank is intended to serve a small occasional use industrial, commercial, or recreational facility;
4. Unless otherwise approved by the Department, the projected daily sewage flow is not more than two hundred (200) gallons;
5. The setback requirements outlined in Table 1 (contained in Chapter 36) for a septic tank can be met;
6. The owner of the property shall record a deed restriction agreeing to be served by sanitary sewer system if at any time a connection becomes legally available within two hundred (200) feet of the building; and
7. The owner shall provide the Department with:
 - a. A copy of a contract with a County permitted septage hauler that shows the tank shall be pumped at regular intervals or as needed to prevent use of greater than seventy-five (75) percent of the tank's capacity. The contents of the tank shall be disposed of at an approved septage receiving facility, in an approved manner; and
 - b. A record of pumping dates and amounts pumped shall be maintained by the property owner and made available to the Department upon request.

C. General Requirements

1. A holding tank does not have to be designed and installed under the inspection and approval of a consultant.
2. No building may be served by more than one (1) holding tank.
3. A single parcel or lot of record may be served by no more than one (1) holding tank.
4. Each tank shall have a minimum liquid capacity of fifteen hundred (1,500) gallons.

5. Holding tanks shall not be used as a method for sewage disposal for creating lots and parcels.

D. Permit Requirement

A Renewable Operating Permit shall be obtained prior to issuance of the Certificate of Satisfactory Completion.

E. Installation, Construction and Monitoring Requirements

All installations shall meet the following:

1. Be located and designed to facilitate visual inspection and removal of contents by pumping;
2. Be equipped with both an audible and visual alarm, placed in a location acceptable to the Department, to indicate when the tank is seventy-five (75) percent full. The audible alarm only may be user cancelable; and
3. Have no overflow vent at an elevation lower than the overflow level of the lowest fixture served.
4. The holding tank construction and installation shall comply with the requirements specified in Chapter 28.

F. Inspections Required

Each holding tank, installed under this Chapter, shall be inspected annually by a licensed operator or by the Department. A fee may be charged by the Department for this service.

Chapter 19. Vault Privy Requirements

A. General Statement

A vault privy is a structure used for disposal of human waste without the aid of water. It consists of a shelter built above a subsurface vault into which human waste falls. The vault privy has no water connection.

B. Criteria for Approval

Vault privies may be allowed for temporary or limited use areas, where primitive type picnic grounds, campsites, camps and recreation areas are to be maintained, when a septic tank and leach field are not practicable as determined by the Department. The separation distances specified in Table 1 (contained in Chapter 36) shall be met. Vault privies shall not be used for seasonal dwellings, commercial facilities, or single-family dwellings.

As a condition of approval, monitoring to ensure protection of water quality may be required. A construction permit shall be obtained for a vault privy as required by this Chapter.

C. Materials and Construction Requirements

Vault privy (shelters and facilities) shall be constructed in accordance with the minimum requirements contained in Chapter 34.

D. Maintenance Requirement

Vault privies shall be maintained to prevent health hazards and pollution of public waters. The privy vault shall not be allowed to become filled with excreta to a point within two (2) feet of the ground surface. The excreta in the vault shall be pumped out by a licensed septage pumper as necessary to fulfill these requirements. The property owner or septage pumper shall submit the septage pumper's receipt to the Department within thirty (30) days of its pumping. The privy shall be maintained in a sanitary condition and in good repair.

E. General Requirement

No water-carried sewage shall be placed in vault privies. Contents of vault privies shall not be discharged into storm sewers, on the surface of the ground or into public waters.

Chapter 20. Portable Toilet Requirements

A. General Statement

A portable toilet is any self-contained chemical toilet facility that is housed within a portable toilet shelter. The portable toilet has no direct water connection.

B. Criteria for Approval

Portable toilets may be approved for temporary or limited use areas, such as construction sites (for use by on-site employees), recreation parks, campsites, and special events, provided that the separation distances in Table 1 (for septic tanks) can be met. Portable toilets shall not be allowed for seasonal dwellings, commercial facilities or single-family dwellings.

C. Materials and Construction Requirements

Portable toilet (shelters and facilities) shall be constructed in accordance with the minimum requirements contained in Chapter 34.

D. Maintenance Requirement

Portable toilets shall be maintained to prevent health hazards and pollution of protected waters.

E. General Requirement

No water-carried sewage shall be placed in portable toilets. Contents of portable toilets shall not be discharged into storm sewers, on the surface of the ground or into protected waters.

Chapter 21. Seepage Pit Requirements

A. General Statement

Seepage pit systems are systems designed to be used in areas of Yuba County, predominately the southwest and west, where subsoils are clay, clay pan, fragipan, hard pan and do not offer opportunities to install typical leach-field type of systems. It is generally acknowledged that the use of these systems addresses only disposal requirements as opposed to treatment and disposal. To mitigate the lack of treatment all systems using seepage pits shall employ nitrate reducing pre-treatment units.

B. Test Pit Requirements

At least one test boring to groundwater or ten (10) feet below the proposed design depth of the pits shall be made in the lowest area of the proposed disposal area to evaluate soils. Additional test pits may be required at the discretion of the Department to determine the suitability of the site for on-site sewage disposal.

C. Criteria for Use of Seepage Pit Systems 1. Seepage pits shall be used only to service a single-family residence and only when the site is not approved for installation of a standard or other alternative system.

2. Seepage pits shall not be used to create lots and parcels and shall not be approved for use when sewers are physically and legally available to serve the structure.

D. Criteria for Design and Installation

1. The seepage pit system shall meet the minimum setback requirements as specified in Table 1 in Chapter 36.

2. In the initial and replacement disposal areas, there shall be 10 feet of vertical separation between the bottom of the disposal pit and groundwater.

3. The depth of the seepage pit shall be a minimum of fifteen (15) feet and a maximum of thirty-five (35) feet below the ground surface.

4.

5. Effective soil type shall be limited to sand or loamy sand, with or without gravel.

6. An acceptable test boring shall have a minimum 3-foot column of effective soil and a 10-foot vertical separation to groundwater from the design depth of the seepage pits.

7. Seepage pit sizing shall be based upon the area of the effective soil and an application rate of 2.24 gal/day/sqft. $5/v t$), where t = assumed percolation rate of 5 mpi

$(2.24) dh\pi = \text{gal/day/pit}$, where d = diameter of pit, and h = height of effective soil column

8. Seepage pit system sizing shall be based on the following table:

Feet of Effective Soil Sidewall in 3-Ft Diameter Pit	Number of Required Pits Per Bedroom
3	2.4
4	1.8
5	1.4
6	1.2
≥ 7ft	1.0

Note: The number of pits/bedroom shall be multiplied by the number of bedrooms, then rounded to the nearest whole number

9. Seepage pits shall be a minimum of thirty-six (36) inches in diameter.

10. The seepage pit shall be filled up to the concrete collar with cobbles that are a minimum of three (3) inches in diameter in any dimension or with other filter material approved by the Department. The cobbles or filter material shall be washed clean so as to be free of debris and dirt. The concrete collar shall be five(5) feet below ground surface. The remaining space shall be backfilled with soil.

11. A system with multiple pits shall be designed so the pits receive equal quantities of sewage flow via distributions boxes.

12. Seepage pit header pipe inlets, risers, and collars shall be watertight.

13. A minimum distance of twelve (12) feet of undisturbed soil shall separate seepage pits from each other.

14. When the Department requires the applicant to obtain the design services of a consultant, the consultant shall certify the system installation prior to the Department issuing a Certificate of Satisfactory Completion.

E. Exception for Repair

In the interest of public health, the Agent may approve a seepage pit septic system based upon a test boring with less than a 3-ft column of effective soil.

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Chapter 22. Cluster Systems

A. General Statement

Cluster systems, also known as community systems, are typically utilized in Planned Developments, apartment buildings, schools, etc.. The Department will evaluate, on a case-by-case basis, appropriate proposals that incorporate sound engineering principals. The Division may propose/require specific regulations to address these systems, including but not limited to operation permits, maintenance and operations contracts, etc.

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Chapter 23. Seasonal Wet Weather Testing

A. General Statement

Some locations of Yuba County are subject to high seasonal ground water or perched groundwater that can have an adverse impact on the performance of on-site systems by eliminating or minimizing the zone of aeration in soils that is critical for optimal sewage treatment. In known or suspected areas of high seasonal ground or perched water the Department will require that soil profiling be performed during the wettest time of the year to evaluate conditions that could adversely impact system performance.

B. Procedure

The Department will make a determination annually concerning the validity of seasonal wet weather testing data based on the amount of rainfall in a given year. Generally this period will generally be allowed between the date fifty (50) percent of the annual rainfall has occurred and the close of the rainy season.

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Chapter 24. Operation, Maintenance And Monitoring

A. Background

1. Yuba County has a high priority need at this time for an on-site sewage OM&M program because:

- a. The county is experiencing development and growth
- b. Available land with suitable soil for standard septic systems (septic tank to gravity drain field) is becoming increasingly rare with remaining sites increasingly environmentally sensitive
- c. Demanding site conditions place greater demands on septic systems to provide enhanced treatment prior to discharge into shallow, poorly drained soils
- d. Enhanced treatment and disposal systems need OM&M to assure they continue to function as designed, both to prevent system failure and to protect public health and the environment
- e. Enhanced treatment and disposal systems are acostly investments for the homeowners that needto be protected through routine OM&M

2. The purpose of this program is to assure on-site sewage systems continue over time to operate as designed, protect the environment, and provide economical, dependable, long-term service to their owners.

3. The program addresses these issues by laying out OM&M requirements that are appropriate for the complexity of the on-site system and the environmental sensitivity of the site. The program stresses homeowner education and participation, and utilizes the private sector for performing required inspections. The program recognizes Yuba County Environmental Health's current role for record keeping and quality assurance, but does not preclude a more active role under special circumstances or in response to future needs.

4. The program goals are to assure:

- a. Long-term viability for on-site sewage disposal systems
- b. Protection of public health and environmental quality
- c. Protection of the customer's investment in their on-site sewage system and property value
- d. Compliance with State and Regional Water Quality Control Board mandates and agreements

e. Consistency and compatibility with the County's General Plan, community plans, and County and State ordinances and regulations

f. Consistency with EPA Guidelines for On-Site Sewage Operation and Maintenance and with the direction taken in development of a statewide on-site sewage regulation as directed by California State Assembly Bill (B) 885

B. Applicability

1. The program will apply to all new alternative/advanced onsite sewage disposal system construction permits issued after the date of adoption of this Manual by the Yuba County Board of Supervisors.

2. Owners of existing systems will be encouraged to voluntarily opt into the program. Existing onsite systems not voluntarily opting into the program will be brought into the program if the existing system fails.

C. Administration

1. Administrative Overview

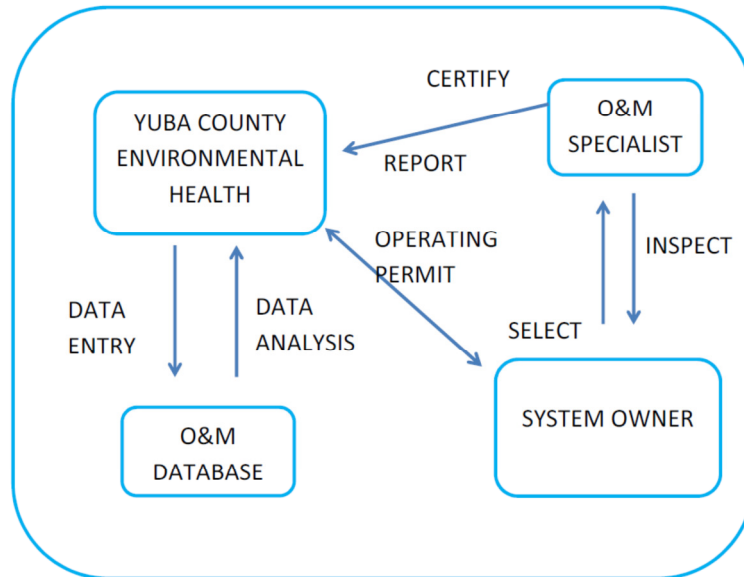
a. Administered county-wide by The Department

b. Required OM&M inspections performed by certified OM&M Specialists

c. OM&M Specialists are individuals or corporations who are certified b The Department as described in item E.2. of this Chapter.

d. The Department staff may perform OM&M inspections for quality assurance surveys, investigations, and where inspection workload exceeds the capacity of certified OM&M Specialists to respond within the timeframes specified in the program.

e. The following diagram shows the relationship between the parties involved in the program as described:



f. An alternative allowed under this program is where The Department would enter into an Memorandum of Understanding with a Third Party Public Entity, such as a public utility district, city, or special district. The Third Party Public Entity would then take on limited administration of the OM&M program within their region. For example, Georgetown Divide PUD manages the oversight of on-site sewage systems within their district in El Dorado County. This type of third party OM&M management is described in greater detail in Appendix One.

2. Roles and Responsibilities

a. Yuba County Environmental Health:

- i. Develop and administer the OM&M program in consultation with the Yuba County On-Site Wastewater Advisory Committee
- ii. Establish a record keeping and reporting system to ensure that up-to-date records are kept of location, ownership, site evaluation, design, and compliance reports are maintained and performance of systems is monitored
- iii. Develop and enter into agreements with qualified OM&M Specialists, system owners, and interested Third Party Public Entities where warranted to assure the successful operation of the OM&M program
- iv. Assure implementation and operational quality of the program and program staff as described in item E of this Chapter.

v. Monitor and analyze the performance of on-site systems within the County by reviewing OM&M data in relationship to written performance standards

vi. Assure timely follow up, including enforcement actions when necessary as described in item F., for identified problems associated with individual on-site systems and on-site treatment and disposal technologies

b. System Owner

- i. Operate on-site system in conformance with its design parameters
- ii. Participate in the OM&M program as outlined in this document
- iii. Operate and maintain their on-site system consistent with the Yuba County Sewage Ordinance
- iv. Obtain permits, procure services, and pay fees as may be necessary to correct deficiencies identified by Yuba County Environmental Health or the OM&M Specialist

c. System Designer

- i. Design systems that meet state and local requirements, assuring protection of public health and the environment
- ii. Design systems that, to as great an extent possible, are cost effective and reliable, and consistent with “best engineering practices”
- iii. Report system malfunctions that result in surfacing sewage or that require major system repair to Yuba County Environmental Health within 24 hours of system malfunction.
- iv. Develop and provide a system manual and maintenance schedule for each system designed

d. Proprietary System Authorized Agent

- i. Provide instruction regarding proper operation and maintenance of the system/device is provided to the owner of the residence or facility, the designer, and The Department/
- ii. Provide instruction in sufficient detail for maintenance to be achieved through certified OM&M specialists

e. Certified OM&M Specialist

- i. Meet and maintain the requirements for certification outlined in this program

ii. Provide all required maintenance and monitoring reports to The Department within 30 days of service

iii. Reportsystem malfunctions that result in surfacing sewage or that require major system repair to The Department Health within 24 hours of system malfunction.

f. On-Site Wastewater Advisory Committee

Assist The Department in the development, adoption, over-sight, evaluation, and improvement of this OM&M program

D. Summary

The following table summarizes OM&M requirements based on site and system variables: Site or System Variable

Septic tank to gravity drain field

Requirement

Homeowner education (*see subsection E*)

OM&M database registry (*see subsection F*)

Septic tank to pressure distribution drain field

Homeowner education

OM&M database registry

Homeowner's manual (*see subsection G*)

Enhanced treatment (ie. Septic tank to sand filter, aerobic treatment unit, etc.)

Homeowner education

OM&M database tracking

Homeowner's manual

Renewable operating permits (*see subsection H*)

Notice on property deed (*see subsection I*)

Inspection by Certified OM&M Specialist in first three months of operation and annually thereafter (*see subsection J*)

Experimental system

Any combination of the above (*see subsection K*)

Alternative system approved through experimental program

Any combination of the above (*see subsection L*)

System located within designated area of environmental sensitivity

Any combination of the above (*see subsection M*)

E. Homeowner Education

1. The Department will establish methods for increasing public understanding about the proper use and care of onsite systems. The program goal is to provide system owners with the information they need to properly operate and maintain their systems.

2. At a minimum, the education program should include two components:

- a. Distribution of packets of information that include brochures, an operating manual for each type of system, a copy of the final as-built drawing, a routine maintenance schedule, and forms for record keeping. These packets can be distributed at the time of application processing and will be through a combined collection of specific system information from Environmental Health, the design consultant, and the installer.
- b. Provide ongoing community education and outreach programs. Activities should include presentations to homeowner associations, civic groups, and other community organizations, and articles, press releases, and public service announcements distributed to newspapers, radio, and television.

F. OM&M Data Management

1. Database Registry-Only

The Department will register in the OM&M database standard septic tank to gravity or pressure distribution systems. Registered systems will not be tracked for maintenance or performance using the database.

2. Database Performance-Tracking

The Department will track in the OM&M database the maintenance and performance of all systems utilizing enhanced treatment. The database will include:

- a. Owner of record
- b. System type
- c. System location
- d. Date of installation
- e. Permitting fee collection mechanism
- f. Monitoring frequency schedule for each system

- g. Results of maintenance and monitoring reports
- h. Identification of OM&M specialist (copy of contract)
- i. Identification of reset dates for monitoring ???
- j. Collection and prioritization of monitoring results and other mechanisms to verify compliance
- k. Summary of corrective and compliance actions
- l. GIS linkage
- G. Homeowner's Manual

System designers will provide homeowner's manuals to the owners of systems that are more complex in nature than the standard septic tank to gravity distribution system. The manuals will include the following elements:

1. Diagrams of the system components
2. Explanation of general system function, operational expectations, owner responsibility, etc.
3. Routine maintenance schedule
4. Names and telephone numbers of the system designer, local health authority, component manufacturer, supplier/installer, and/or the management entity to be contacted in the event of a failure
5. Information on "trouble-shooting" common operational problems that might occur
6. Note: This information should be as detailed and complete as needed to assist the system owner to make accurate decisions about when and how to attempt corrections of operational problems, and when to call for professional assistance.

H. Renewable Operating Permit

1. Conditions for Approval
 - a. System installation has received Final Approval by The Department.
 - b. The homeowner's manual has been provided by the system designer
 - c. The system owner has signed a maintenance agreement with an approved OM&M provider.

- d. An As-Built plot map of the system submitted by the system designer or contractor has been received and approved by The Department.

2. Operating Permit Renewal Frequency

Operating permits need to be renewed on an annual basis. However, The Department may reduce renewal frequency from annual up to triennial based on a case-by-case analysis of the history of the system's reliability and compliance.

3. Renewal Procedures

- a. The Department or the Third Party Public Management Entity will notify the system owner of the need to renew their system's operating permit. The notice will list the renewal fee.
- b. Compliance with OM&M requirements will be verified by the Department using the OM&M database.
- c. The Department will renew the operating permit upon receipt of the appropriate fee and verification of compliance with OM&M requirements.

4. Change of Ownership

- a. Renewable operating permits are issued to the system owner and are non-transferable when ownership changes.
- b. As part of the review process associated with issuance of a Renewable Operating Permit, the Department or a designated representative may:
 - i. Review the OM&M database and other records deemed appropriate to assure the system is in compliance with the OM&M program requirements
 - ii. Make an onsite inspection of the system
 - iii. Provide information to the new system owner concerning the design, intended use, and performance history of the system

I. Notice on Property Deed

Owners of systems requiring Renewable Operating Permits and OM&M inspections and database tracking will record appropriate notice of these requirements with the property deed for the benefit of future owners and successors.

J. Certified OM&M Specialist Inspections

- 1. Inspection by a certified OM&M Specialist is required for all systems more complex than the standard septic tank to gravity or pressure distribution drain field system

2. Complexity of inspection will be related to the complexity and maintenance requirements of the system components
3. Initial inspection within three months of system operation is required for all systems utilizing enhanced treatment
4. Inspection frequency required by The Department will vary in accordance with the maintenance needs of the system components, based on consideration of:
 - a. Recommendations of the On-Site Wastewater Advisory Committee
 - b. Recommendations of the manufacturer
 - c. Industry standards of practice
5. Systems utilizing enhanced treatment, such as sand filter systems, must be inspected at least annually by an OM&M Specialist

K. Experimental Systems

Yuba County's Experimental System Program (see Chapter 25) reviews proposals for the use of new sewage treatment and disposal technology. Where there is determined to be adequate technical, scientific, and engineering support for the viability of a proposed technology, a limited number of uses is approved and tracked as experimental systems. The degree of monitoring will be specific to the experimental technology utilized.

L. Alternative system approved through experimental program

1. The Department has established a process for review and monitoring of new technology, known as the Experimental System Program (see Chapter 25).
2. The process allows technological advances in onsite sewage components and systems to be studied, conditionally permitted, monitored, and moved from an experimental to an alternative status
3. Newly designated alternative components and systems will have OM&M inspection requirements that have been recommended by the On-Site Sewage Advisory Committee and approved by Yuba County Environmental Health and the Regional Water Quality Control Board
4. Alternative system performance and maintenance will be tracked using the OM&M database.

M. Systems Within Designated Environmentally Sensitive Areas

1. The OM&M program envisions the potential for designation of an individual system, group of systems, subdivision development, or geographical area as an Environmentally Sensitive Area for purposes of OM&M

2. Proposals for an Environmentally Sensitive Area may be made by individuals, groups, or agencies within Yuba County.
3. OM&M requirements appropriate for the designated area would be developed by The Department and shared at public workshops with individuals and groups affected by the requirements including, but not limited to, property owners, developers, Realtors, surveyors, engineers, recreational groups, environmental groups
4. Designation of an Environmentally Sensitive Area and approval of OM&M requirements would be made by the Yuba County Board of Supervisors

N. Yuba County Environmental Health Quality Assurance

1. Registration

All program staff conducting Soil Mantle Observations or approving designs for new systems or repairs are required to be Registered Environmental Health Specialists (or a trainee) in the State of California. This registration assures that each staff has a four-year degree with a scientific emphasis and has passed a rigorous written examination.

2. Annual Performance Review

Annual performance reviews are conducted of all Yuba County Environmental Health program staff using the forms and procedures adopted by Yuba County to assure competency.

O. Certification Requirements for OM&M Specialists

1. Specialized Training and Examination

- a. OM&M Specialists will need to pass an examination developed by the Department and Yuba County Onsite Sewage Advisory Committee to assure a basic minimal competence in onsite sewage and OM&M
- b. Yuba County will provide specialized training or assure its availability to prepare applicants for the examination

2. Experience

OM&M Specialists need a minimum of 2 years' experience performing on-site sewage OM&M, system design, system installation, or septic tank pumping to assure familiarity with onsite systems and technology.

3. Continuing Education

OM&M Specialists are expected to stay current on issues related to onsite sewage treatment and system operation and maintenance through continuing education equivalent to a minimum of 6 training hours annually.

4. Reciprocity

Yuba County acknowledges and will apply the principle of reciprocity based on equivalency of requirements in other jurisdictions.

5. Renewal of Certification

- a. Certified OM&M Specialists will need to renew their certification every three years.
- b. Certified OM&M Specialists who have been performing OM&M services during the previous certification period will not be required to retake the examination.

P. Enforcement in Relationship to Certified OM&M Specialist

1. The following will be grounds for action by the Department against the certification of the OM&M Specialist

- a. Failure to inform the Department of a failing septic system
- b. Failure to submit OM&M reports within the time period specified within the program
- c. Falsifying findings or data
- d. Misrepresenting OM&M requirements to the homeowner

2. Action taken by The Department may include:

- a. Requirement for re-examination
- b. Suspension of certification
- c. Revocation of certification

Q. OM&M Management Through Third-Party Public Entity

An alternative recognized by this program is where

The Department may enter into an MOU to delegate oversight of the OM&M program to a Third Party Public Entity, such as a public utility district, city, or special district, that would take on limited administration of the OM&M program in their region as mutually agreed in the MOU

This variation is shown in the following diagram:

(SEE YUBA COUNTY OWTS MANUAL PAGE 45 for reference)

The Department may enter into an MOU with a Third Party Public Management Entity that would take on the role of assuring OM&M inspections are performed in a manner that meets or exceeds the requirements outlined in this plan.

The Department, at a minimum, would continue to issue the initial Renewable Operating Permit, manage the county-wide OM&M database, follow up on failing septic system, and provide quality assurance county-wide.

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Chapter 25. Experimental System Requirements

A. Purpose

The purpose of this program is to allow new onsite sewage conveyance, treatment, and disposal technology to be introduced into Yuba County in a methodical and monitored manner after review by a multi-disciplinary advisory committee.

B. Homeowner Responsibility

1. It is the responsibility of homeowners to properly operate their system and assure that it is maintained in accordance with the provisions stipulated at the time of permit issuance. Homeowners, after being informed of their responsibilities in the license agreement, shall be held accountable by the Department for the adequate functioning of their system and repair or replacement of the system should it fail.
2. It is the responsibility of the homeowner to consult with their own legal counsel about the adequacy of protection afforded to them by warranties and service agreements provided by onsite sewage system designers, installers, maintenance professionals, and manufacturers and distributors of proprietary devices. The County makes no representation or assurance concerning the adequacy of protection afforded the homeowner from said warranties and service agreements.
3. The following disclosure statements will be included in recorded license agreements to inform customers of potential risks involved in utilization of an experimental system:
 - a. Yuba County has made every effort to assure success by implementing an Experimental System Review Process. This system may or may not perform in the manner intended.
 - b. Yuba County is not responsible for any damages you may incur as a result of a defective installation or operation of system.
 - c. For your own protection, consult with an attorney before signing any contracts, agreements, warranties or guarantees related to the product and its installation.
 - d. If you intend to transfer your property while the system is still EXPERIMENTAL, you are obligated to notify any potential owner of this system's designation as experimental and of all owner responsibilities.
 - e. If the system is removed from the experimental system program, the property owner may be required to abandon the system and replace it with one approved by Yuba County.

f. The requirements developed for permitting and monitoring the specific type of experimental system utilized will be recorded as an attachment to the licensing agreement.

C. Quality Assurance

1. A treatment system may be considered to “fail” when the Department determines it cannot reliably perform the conveyance, treatment, and/or dispersal function for which it was designed and approved. Causative problems with the treatment system may include mechanical malfunction, structural problems, reliability issues, maintenance deficiencies, or non-compliance with the effluent specifications contained in the review package.
2. If an individual treatment system “fails” as described above, the Department will consider the homeowner to be the responsible party for system repair or replacement. However, nothing here prevents the homeowner from seeking recourse through service agreements and warranties with the manufacturer, distributor, designer, or contractor.
3. When, in the opinion of the Yuba County Environmental Health Director (EH Director), the nature, number, or frequency of product failure is such that reconsideration of the treatment system by the advisory committee for continued inclusion in the Experimental System Program is warranted, the Director will request that the committee review the data and make recommendations. Recommendations could include modified or additional conditions for approval, extension of the monitoring period, expansion of the number of units to monitor under the program, and removal of the product from the Experimental System Program.
4. Noncompliance with the conditions of Experimental System approval, including failure to report or notify Environmental Health as stipulated within the conditions of approval, will be considered grounds for reconsideration of the treatment system for continued inclusion in the Experimental System Program.

D. Experimental System Review Process

1. The review process steps are as follows:
 - a. The applicant will submit a preliminary treatment system proposal to the Department staff. A fee to cover a portion of review costs will be assessed at this point in the review process.
 - b. Staff will review the proposal for technical feasibility.
 - c. If the proposal is determined by staff to be feasible the applicant will prepare the Review Package and submit it to staff.

- d. Staff will review the Review Package and, if the packet is complete, distribute it to committee members at least two weeks prior to the next regularly scheduled Wastewater Advisory Committee (committee) meeting.
- e. The committee will study the Review Package and approve the system for inclusion in the Experimental System Program, request additional information, or determine that the proposal is not acceptable.
- f. If the committee recommends approval of the system for inclusion in the Experimental System Program, staff will prepare a set of conditions of approval for review by the committee.
- g. The committee will review the conditions prepared by staff and either suggest modification of the conditions or approval of the conditions.
- h. If the committee recommends approval of the conditions, staff will forward the committee's recommendation to the Regional Water Quality Control Board (RWQCB) and allow 30 days for review and comment by the Regional Board.
- i. At the conclusion of the 30 days, the EHDirector will either authorize staff to approve the treatment system under specified conditions, based upon committee recommendations, or refer the RWQCB comments back to the committee for further review.
- j. If the EH Director authorizes staff to approve the treatment system under specified conditions, the review period will commence. A treatment system will be considered "utilized" when it is properly designed, installed, and receiving wastewater in accordance with its designed wastewater loading. Influent and effluent sampling and analysis requirements for each experimental treatment system will generally take place a minimum of two years from the time the treatment system is first utilized. All utilized treatment systems will continue to be designated as experimental systems until the total number of systems stipulated in the Conditions for Approval have been utilized for a minimum of two years.
- k. During or at the conclusion of the review period, either the applicant or the EH Director may request review of the system and its performance by the committee.
- l. The committee may recommend the system be taken out of the Experimental System Program or that the conditions of approval be modified due to factors outlined in the preceding Chapter, or approval of the system as an Alternative System if all time, numerical, and performance conditions are met.
- m. If the committee recommends the system be approved as an Alternative System, staff will prepare a set of conditions of approval for review by the committee.

n. The committee will review the conditions prepared by staff and either suggest modification of the conditions or approval of the conditions.

o. If the committee recommends approval of the conditions, staff will forward the committee's recommendation to the Regional Water Quality Control Board (RWQCB) and allow 30 days for review and comment by the Regional Board.

p. At the conclusion of the 30 days, the Yuba County Environmental Health Director (EH Director) will either authorize staff to approve the treatment system as an Alternative System under specified conditions, based upon committee recommendations, or refer the RWQCB comments back to the committee for further review.

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Chapter 26. Off-Site Sewage Easements

A. General Statement

Per California Plumbing Code, each parcel will be self sufficient, therefore off-site sewage easements will not be allowed.

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Chapter 27. Large System Requirements

A. General Statement

A large system is a system with a projected daily sewage flow greater than two thousand five hundred (2,500) gallons from one residential or commercial facility.

B. Permit Application Procedures

Application shall be made to the Department on forms provided by the Department. Each application must be completed in full, signed by the applicant, and accompanied by the following:

1. The appropriate filing fee;
2. A narrative describing the details of the proposed project;
3. A site approval report;
4. A site development plan prepared by a consultant. Requirements of Chapter 3 shall apply to large system plans; and
5. A written assessment of the impact of the proposed system upon the quality of public waters and public health, (e.g. a groundwater mounding analysis and/or a nitrate study, etc.).

C. Alternative Design Requirements

Unless otherwise authorized by the Department, designs for large systems shall at a minimum meet all of the following:

1. Large systems shall be designed utilizing a pressurized distribution system in accordance with Chapter 11;
2. The disposal fields shall be divided into relatively small, approximately equal sized units, which are dosed alternately;
3. The system shall have at least two (2) alternating pumps;
4. Unless otherwise specified, septic tank design, materials, and construction shall conform to the provisions of Chapter 28. The Department shall review proposed tank designs and may impose certain standards to carry out the purposes of this Manual;
5. The project shall comply with all other Department requirements; and
6. The Department may require review by Regional Water Quality Control Board.

D. Installation Requirements

Construction shall be in conformance with the permit.

E. Inspection Requirements

Unless otherwise indicated, inspections and issuance of a Certificate of Satisfactory Completion shall be in conformance with Chapter 6.

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Chapter 28. Septic Tank Materials And Construction

A. General Statement

The requirements of this Chapter shall apply to all septic tanks manufactured for use in Yuba County unless otherwise indicated in this Manual.

B. Materials

Septic tanks shall be precast reinforced concrete or other material approved by the Department. Wood, metal, fiberglass, and cast-in-place septic tanks are prohibited. Polyethylene tanks may be considered on a case-by-case basis.

C. Tank Construction/Design Specifications

1. Precast concrete tanks shall have a minimum wall, compartment and bottom thickness of two and one-half (2-1/2) inches, and shall be adequately reinforced. The top shall be at least four (4) inches thick.
2. Septic tanks shall have a minimum of two compartments. Installation of multiple single compartment tanks in a series is not acceptable, unless approved by Department prior to installation. The first compartment shall have a liquid capacity of two-thirds (2/3) of the total required liquid capacity, as measured from the invert of the outlet fitting.
3. Each compartment shall have access provided by a manhole having not less than eighteen (18) inches across its shortest dimension unless otherwise approved by the Department.
4. Each compartment shall be provided with a concrete (or other material approved by the Department) watertight riser, extending to the ground surface or above, with a minimum inside horizontal measurement equal to or greater than the access man-hole. All joints shall be properly sealed with a sealant and/or an interlocking mechanism approved by the Department. Cement grout sealing alone is not an acceptable method of sealing joints. Surface water shall be diverted away from the riser cover by creating a sloping surface away from the riser, or extending the riser three (3) inches above ground surface. The cover shall be securely fastened with stainless steel or other corrosion resistant fasteners to make the riser vandal, tamper, and child resistant. No cover shall exceed seventy-five (75) pounds.
5. No riser shall have an inside horizontal dimension of less than twenty-four (24) inches. The liquid depth of any compartment shall be at least thirty (30) inches. Liquid depths greater than seventy-two (72) inches shall not be considered in determining the working liquid capacity.
6. Septic tanks shall be watertight. They shall be built such that any construction joints will be above the effluent level. An in-situ watertight test may be required of any septic or pump tank. Testing may require that the tank be filled with water 1 inch into the riser or that a county approved vacuum test be performed.

7. Septic tanks shall be capable of supporting an earth load of at least three hundred (300) pounds per square foot when the maximum coverage does not exceed three (3) feet. Tanks installed with more than three (3) feet of cover shall be reinforced to support the additional load. Tanks, risers, and riser covers installed beneath paved surfaces subject to vehicular traffic (e.g., driveways) shall be engineered to support the additional load.

8. At least ten (10) percent of the inside volume of the tank shall be above liquid level to provide scum storage.

D. Size

1. Septic tank size shall be determined in accordance with Chapter 8 for single-family dwellings or Chapter 9 for commercial facilities.

2. The liquid depth of any compartment shall be at least thirty (30) inches. Liquid depths greater than seventy-two (72) inches shall not be considered in determining the working liquid capacity.

E. Fittings

1. The inlet and outlet fittings shall be of Schedule 40 PVC, Schedule 40 ABS, or other materials approved by the Department, with a minimum diameter of three (3) inches.

2. The distance between the inlet and outlet fittings shall be equal to, or greater than, the liquid depth of the tank.

3. All fittings shall be secured with a sealant approved by the Department and shall be constructed so as to be watertight. Tank fitting locations shall be properly engineered to ensure the structural integrity of the tank.

4. The inlet fitting shall be a "sanitary tee" with minimum pipe diameter no less than the connecting building sewer nor less than three (3) inches. It shall extend at least four (4) inches above and twelve (12) inches below the liquid level.

5. The outlet fitting shall be a "sanitary tee" with minimum pipe diameter no less than the connecting effluent sewer pipe nor less than four (4) inches in order to accommodate an effluent filter. The outlet fitting shall extend at least four (4) inches above liquid level, and below liquid level a distance approximately equal to the flow level through the baffle. The diameter of the vertical leg extending below the liquid level shall not be less in size than the building sewer nor less than four (4) inches.

6. An effluent filter may be required prior to discharge of the effluent to the effluent sewer. It shall be commercially designed and manufactured, intended for effluent filtration, and be readily accessible for inspection and cleaning.

7. The invert of the inlet fitting shall not be less than one (1) inch and preferably three (3) inches above the invert of the outlet fitting.

8. Sanitary tees shall be accessible through the manhole access riser.

F. Baffles

A minimum three (3) inch diameter "tee" fitting or baffle slot (with the same opening area as the fitting) shall be placed in the common compartment (baffle) wall, using the same materials specifications as required for the outlet fitting. The invert of the "tee" fitting or baffle slot shall be located approximately at fifty (50) percent of the liquid depth. There shall be a minimum two-inch vent opening in the baffle above the liquid level. The baffle shall be constructed of the same material as the tank and extend a minimum of four (4) inches above the liquid level.

G. Markings

All septic tanks shall be marked on the uppermost tank surface with the liquid capacity of the tank and the manufacturer's business name.

H. Tank Documentation

For septic tanks proposed for use in Yuba County, or when a revised tank design is proposed the commercial manufacturer of the septic tank shall provide the Department with written documentation that the septic tank design, materials and construction comply with all requirements of this Manual. The manufacturer shall provide a set of plans and specifications prepared by a California registered professional engineer, for each tank design and a set reflecting any subsequent revisions. Plans shall include at a minimum: dimensions, reinforcing, structural calculations, materials specifications and the appropriate fee. The Department may conduct periodic manufacturer's facility inspection to verify compliance with this Manual.

Chapter 29. Distribution Box Materials And Construction

- A. Distribution boxes shall be constructed of concrete or other materials acceptable to the Department.
- B. Distribution boxes shall be watertight, and designed to accommodate the necessary distribution laterals and expected flows. The top, walls, and bottom of concrete distribution boxes shall be at least one and one-half (1-1/2) inches thick.
- C. For level sites, the distribution boxes shall be installed for parallel(equal) distribution to the disposal trenches. For sloping sites, the distribution boxes shall be installed so that the uppermost disposal trench receives effluent prior to the effluent being discharged to the subsequent, lower disposal trenches
- D. Each distribution box shall be provided with a sump extending at least two (2) inches below the invert of the outlets.
- E. For initial use of a manufacturer's distribution box design proposed for use in Yuba County, or when a revised box design is proposed for same, the commercial manufacturer of the prefabricated box shall provide the Department with written documentation that the box design, materials and construction comply with all requirements of this Manual.
- F. All distribution boxes shall be level, bedded on undisturbed soil, aggregate with a minimum of 90% compaction, or on concrete.

Chapter 30. Diversion Valve Materials And Construction

A. Diversion valves shall be constructed of durable material and be of a design approved by the Department. They shall be corrosion-resistant, watertight, and designed to accommodate the inlet and outlet pipes.

B. Each diversion valve shall have a positive stop.

C. The manufacturer's name shall be marked on the cover.

D. For initial use of a manufacturer's diversion valve design proposed for use in Yuba County, or when a revised valve design is proposed for same, the commercial manufacturer of the prefabricated valves shall provide the Department with written documentation verifying that the valve design, materials and construction comply with all requirements of this Manual.

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Chapter 31. Dosing/Pump Tank Materials And Construction

A. Dosing tanks shall be constructed in accordance with the minimum standards of Chapter 28 with the exception that the access manhole for the dosing tank shall be a minimum twenty (20) inches in diameter.

B. Each dosing tank employing one (1) or more pumps shall have a liquid capacity sufficient to deliver the design dose, and have a minimum additional capacity of one day's design flow above the high level alarm.

C. Each dosing tank shall be marked on the uppermost surface with the liquid capacity and manufacturer's business name, or a number assigned by the Department.

D. For dosing tanks proposed for use in Yuba County, or when a revised tank design is proposed, manufacturer of the tank shall provide the Department with written documentation that the tank design, materials and construction comply with all requirements of this Manual. The manufacturer shall provide a set of plans and specifications prepared by a registered professional engineer for each tank design and a set reflecting any subsequent revisions. The appropriate fee shall accompany plans.

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Chapter 32. Effluent Pump, Control, And Alarm Materials And Construction

A. General Statement

Unless otherwise specified, effluent pump, control box, and alarm materials and construction shall at minimum be in conformance with this Chapter.

B. Pumps, Controls, and Alarms

Electrical components used in systems shall comply with the California Electrical Code, and the following provisions:

1. Motors shall be continuous-duty, with overload protection.
2. Pumps shall have durable impellers of bronze, cast iron, or other materials approved by the Department.
3. Submersible pumps shall be provided with an easy, readily accessible means of electrical and plumbing disconnect, and a non-corrosive lifting device as a means of removal for servicing.
4. For pressure distribution systems, a corrosion-resistant screen or other filter device shall protect the pump. The screen shall have at least twelve (12) square feet of surface area, with one-eighth (1/8) inch openings. The use of a screen is not required if the pump does not discharge into a pressurized distribution system, and the pump has a non-clog impeller capable of passing a 3/4 inch diameter solid sphere.
5. Pumps shall be automatically controlled by sealed mercury float switches with a minimum mercury tube rating of twelve (12) amps at one hundred fifteen (115) volts AC or by a Department-approved equivalent.
6. Pumps shall have automatically resetting audible and visual high water level alarms with manual silence switch that is located in or near the building served by the pump. The audible alarm only may be user cancelable. The electrical box for the pump and alarm system shall not be located in an environment that may damage the components.
7. Wiring must be of proper construction and gauge and permanently fixed to a supporting structure under permit from the local Building Department, unless such permit is waived by the Building Department.
8. The pump and alarm must be connected to separate circuits.
9. There shall be a non-resettable digital pump cycle counter in the electrical box.
10. There shall be a manual override switch in the electrical box to facilitate dosing control during inspections.

Chapter 33. Pipe Materials And Construction

A. General Statements

Unless otherwise specified, piping shall consist of materials and be constructed in conformance with the standards of this Chapter. All piping shall be free of defects or damage. All connection of pipes of different diameters shall be made with the proper fittings.

B. Building Sewer Pipe

The building sewer pipe is within the jurisdiction of the Building Department and shall be constructed with materials in conformance to building sewer standards, as identified in the California Plumbing Code.

C. Effluent Sewer Pipe, Header Pipe, and Fittings

Tightline pipe shall extend a minimum of five (5) feet out of the distribution box. Effluent sewer, header pipe and fittings shall be a minimum three (3) inch diameter, watertight and one of the following:

1. Schedule 40 PVC that meets the most current ASTM D-1785 for three (3) inch pipe and D-2672 for minimum four (4) inch pipe.
2. Schedule 40 Acrylonitrile-Butadiene-Styrene (ABS) that meets the most current ASTM Specification D-2468.
3. ASTM SDR 35 with solvent-welded or rubber-gasketed joints.
4. Other material approved by the Department.

NOTE: The first ten feet of effluent sewer pipe extending from the septic tank outlet shall be either “(1)” or “(2)”. When the first distribution box is less than ten feet from the septic tank the effluent sewer pipe shall extend to the first distribution box.

All pipe and fittings shall be capable of passing a deflection test withstanding three hundred-fifty (350) pounds per foot without cracking or collapsing by using the method described in ASTM 2412. Markings shall meet requirements established in ASTM Specification D-2719, subsections 9.1.1, 9.1.2 and 9.1.4. The manufacturer of polyvinyl chloride pipe may be required to certify in writing to the Department, that pipe and fittings provided for use in absorption facilities within the County comply with all requirements of this Chapter.

D. Distribution Piping

Distribution piping for gravity flow systems shall be a minimum three (3) inches diameter Polyethylene (PE) pipe that meets the most current ASTM Specifications F-810, or other material approved by the Department. The pipe described above shall have two (2) rows of holes spaced one hundred-twenty

(120) degrees apart and sixty (60) degrees on either side of a centerline. For distribution pipe, a line of contrasting color shall be provided on the outside of the pipe along the line furthest away and parallel to the two (2) rows of perforations. Markings, consisting of durable ink, shall cover at least fifty (50) percent of the length of the pipe. Markings may consist of a solid line, letters, or a combination of the two. Intervals between markings shall not exceed twelve (12) inches. The holes of each row shall not be more than five (5) inches on center and shall have a minimum diameter of one-half (1/2) inch.

E. Pressure Transport Pipe, Pressure Distribution Manifolds, and Pressure Distribution Laterals

Pressure transport pipe, pressure distribution manifolds, and pressure distribution lateral (piping and fittings), shall meet the most current requirements for schedule 40 PVC pressure pipe as identified in ASTM Specifications D-1785, or other material approved by the Department. All pressure distribution laterals and all pressure transport and manifold piping shall be adequately sized for the design flow.

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Chapter 34. Vault Privy And Portable Toilet Materials And Construction

A. General Requirements for Vault Privy and Portable Toilet Shelters

1. Structures shall be free of hazardous surface features, such as exposed nail points, splinters, sharp edges, and rough or broken boards, and shall provide privacy and protection from the elements.
2. Building ventilation shall be equally divided between the bottom and top halves of the room. All vents shall be screened with sixteen (16) mesh screen of durable material.
3. Buildings shall be fly and rodent proof, and shall have self-closing doors with an inside latch.
4. Vaults shall be vented to the outside atmosphere by a flue or vent stack having a minimum inside diameter of four (4) inches.
5. Interior floors, walls, ceilings, partitions, and doors shall be finished with readily cleanable impervious material resistant to wastes, cleansers and chemicals. Floors and risers shall be constructed of impervious material and in a manner that shall prevent entry of vermin.
6. The seat opening shall be covered with attached, open-front toilet seats with lids, both of which can be raised to allow use as a urinal.
7. A toilet tissue holder shall be provided for each seat.

B. Additional Provisions for Vault Privy Shelters

In addition to complying with the requirements of Chapter 34, vault privies shall be provided with:

1. Vents equal in area to a minimum of three (3) square feet; and
2. A minimum clear space of twenty-four (24) inches between multiple-unit installations and a clear space of twelve (12) inches from the seat opening to the side building wall in single and multiple units.

C. Additional Provisions for Portable Toilet Shelters

Portable shelters may be prefabricated, skid mounted, or mobile. In addition to complying with the requirements of Chapter 34, portable toilet shelters shall:

1. Provide screened ventilation to the outside atmosphere having a minimum area of one (1) square foot per seat;
2. Provide a minimum floor space outside of the riser of nine (9) square feet per seat; and
3. Provide separate compartments with doors and partitions or walls of sufficient height to ensure privacy in multiple-unit shelters except that separate compartments are not required for urinals.

D. General Requirements for Vault Privy and Portable Toilet Facilities

1. They shall have watertight chambers constructed of reinforced concrete, plastic, fiberglass, metal, or other material of acceptable durability and corrosion resistance, approved by the Department, and designed to facilitate the removal of the wastes.
2. Wastes shall be stored in an appropriate chamber until proper removal for final disposal elsewhere. Wastes shall be removed from the chamber as necessary to prevent overflow.
3. All surfaces subject to soiling shall be impervious, easily cleanable, and readily accessible.

E. Additional Provisions for Vault Privy Facilities

In addition to meeting the provisions of Chapter 34, vault privy facilities shall meet the following:

1. The capacity of vaults shall be adequately sized to accommodate the proposed use.
2. A caustic shall be added routinely to vault chambers to control odors.

F. Additional Provisions for Portable Toilet Facilities

In addition to meeting the provisions of Chapter 34, portable toilets shall meet the following:

1. Have toilet bowls constructed of stainless steel, plastic, fiberglass, or ceramic or of other material approved by the Department;
2. Waste passages shall have smooth surfaces and be free of obstructions, recesses or cross braces which would restrict or interfere with flow of wastes;
3. Biocides and oxidants shall be added to waste detention chambers at rates and intervals recommended by the manufacturer;
4. Chambers and receptacles shall provide a minimum storage capacity of fifty (50) gallons per seat; and
5. Portable shelters housing chemical toilets shall display the business name of the licensed sewage disposal service that is responsible for servicing them.
6. Portable toilet rental companies shall obtain a permit to operate from the Department.

Chapter 35. Artificial Drain Design, Materials And Construction

A. General Statement

For the purposes of this Manual, an artificial drain means a curtain drain or vertical drain that drains or diverts groundwater from the disposal field.

B. General Criteria for Approval of an Artificial Drain

Unless otherwise approved, an artificial drain shall meet the minimum requirements as follows:

1. All artificial drains shall be designed by a consultant and generally conform to the requirements of alternative systems, Chapter 9.
2. Artificial drains shall meet the minimum setback requirements to disposal area and replacement area and septic tank as indicated in Table 1 (contained in Chapter 36). The discharge pipe and drainage trench pipe are integral parts of the system, but do not need to meet setback requirements to property lines, streams, lakes, ponds or other surface water bodies.
3. All other requirements for system approval, except depth to groundwater, can be met. However, after the drain is installed, the groundwater levels shall conform to the requirements for vertical separation to groundwater for the proposed system.
4. For a curtain drain, the site will allow discharge to the ground surface.
5. The Department has the discretion of requiring demonstration that a proposed artificial drain is effective prior to issuing a permit.

C. Design, Construction, and Materials Requirements for Artificial Drains

1. The artificial drain shall be filled with filter material. Prior to backfilling the trench, the filter material shall be enveloped and covered with filter fabric. A minimum of six (6) inches of soil cover shall be placed over each trench.
2. A four (4) inch minimum diameter Polyvinyl Chloride (PVC) or Polyethylene (PE) perforated pipe shall be laid the entire length of the trench with two (2) inches of gravel underneath the pipe. EXCEPTION: This provision is not applicable to a vertical drain that penetrates a limiting layer and discharges into an underlying permeable soil.
3. The trench shall be situated so that captured water drains by gravity-flow out of outlet pipes. Trench bottoms shall maintain a minimum of one (1) percent slope throughout the drainage trench. In areas where the outlet pipe will be subject to damage, the pipe shall be adequately protected. EXCEPTION: This provision is not required for a vertical drain that penetrates a limiting layer and discharges into an underlying permeable soil.

4. The trench shall be a minimum of twelve (12) inches wide. For a curtain drain, it shall extend from ground surface at least 6 inches into a limiting layer. For a vertical drain, the trench shall penetrate through the limiting layer into a permeable soil.

5. The trench shall be installed upslope of the disposal area to be protected.

D. Discharge Outflow

In the event that the discharge outflow from a curtain drain will impact a neighboring property, the trench outlet from a curtain drain shall only discharge into a drainage channel or other conveyance designed for the transport of water, unless otherwise approved by the Department.

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Chapter 36. Tables

Table One: Features Requiring Setback: Min. Horizontal Separation Distance In Feet *

Distance Required From:	From Disposal Field Initial, Re- placement, MUSDA	From Septic Tank And Sand Filter	From Seepage Pit
Wells			
Public well	150'	100'	200'
Private well	100'	100'	150'
Other wells, excluding monitoring wells	100'	100'	150'
Surface waters¹			
Reservoirs, lakes, or perennial streams	100'	100'	150'
Springs or Ponds upgradient	50'	50'	100'
Springs or Ponds downgradient	100'	100'	100'
Intermittent streams, drainage swales	50'	50'	50'
Artificial drains--Vertical/Curtain drains			
Upgradient of system	15'	15'	NA
Downgradient of system	50'	25'	NA
Water canals²			
Flat area	50'	50'	100'
Sloping area			
Distance Required From:	From Disposal Field Initial, Re- placement, MUSDA	From Septic Tank And Sand Filter	From Seepage Pit
-Upgradient	Clear ROW ³	Clear ROW ³	100'
-Downgradient	100'	50'	100'

Cuts manmade in excess of 2.5 feet (top of downslope cut) or escarpments	4 X height ⁴ of the bank, to a maximum of 50'	20'	4 X height ⁴ of the bank, to a maximum of 50'
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Property lines

Adjacent property served by public water	10'	5'	10'
Adjacent property served by water well	50'	25'	75'
Foundation lines of any structure including garages, out-buildings,** paved areas	8' or 15' ⁶	5' ⁷	5'
Swimming pools			
In-ground	20'	20'	20'
Above-ground	5'	5'	5'
All Water lines	10' ⁹	5' ⁸	10'
Easements ⁹	Clear	Clear	Clear

FOOTNOTES:

* If a setback is not specified in this Table, the most recently Board of Supervisors-adopted California Plumbing Code setback will be applied.

** No setback requirements for a septic tank to a paved surface

1. Setbacks from streams and creeks shall be measured from bank drop-off or mean yearly high water mark

2. Unless otherwise indicated in this table, in the case of flat ground surface and when a different distance is given for upgradient and downgradient, the greater setback distance shall apply.

3. "ROW" = Right of Way

4. The height (in feet) of the cut or escarpment as measured from the toe of the cut or escarpment vertically to the projection of the natural ground slope.

5. The ten (10) feet separation applies where adjacent parcels have been developed with a dwelling and approved water supply. The 50-foot separation shall be used when adjacent parcels have not been so

developed. For subdivisions, disposal fields may be ten (10) feet from interior property lines in private well areas if a well has been drilled on the affected parcel and meets Department standards for an approved domestic water supply. The greater setback shown above shall apply to parcels adjacent to the subdivision. However, written approval from any affected, adjacent property owner to allow a reduction of the required setback can be approved by the Department.

6. In cases with cover soil, leach lines must be 15' from foundations/structures to allow for cover to extend 10' beyond edge of trench and taper at a 4:1 slope.

7. The Department encourages the placement of septic tanks and other treatment units as close as feasible to the minimum separation from the building foundation in order to minimize possible clogging of the building sewer.

8. Unless otherwise approved by the Department, crossing of water lines and effluent sewer lines is prohibited.

9. A system may be installed underneath overhead power lines or cross other utilities (e.g., canals) providing all of the following conditions are met:

- Written authorization is received from the utility company operating and maintaining the utility affected or for which the easement or restriction was granted;
- The Department determines that the encroachment is necessary and there is no other viable area in which to install the system; and
- All construction modifications required by the Department and the affected utility company(ies) are instituted to carry out the purposes of this Manual.

Table Two: Design Flows Type of Business or Facility	Minimum Flow (Gallons per Day)
Airports, bus terminals, train stations	8 (per employee)
Bathhouses and swimming pools	10 (per person)
Camps (4 persons per campsite, where applicable)	
-with central comfort stations	
-with flush toilets, no showers	35 (per person)
-construction camps (semi-permanent)	25 (per person)
-day camps (no meals served)	50 (per person)
-resort camps (night and day) with limited plumbing	15 (per person)
-luxury camps	50 (per person)
Churches	
-with kitchen	100 (per person)
-without kitchen	5 (per seat)
Country clubs	
-per resident member	100
-add per nonresident member present	25
-add per employee	20 (per 8 hour shift)

Dentist office	
-per wet chair	200
-add per non-wet chair	50
Dwellings	200
Guest house, for authorization notice approval (one bedroom)	300 min or 150/bedroom 150 (per bedroom)
Guest house, for connection to new system (more than 1 bedroom)	10 (per person) 80 (per person)
Boarding houses	300 (per unit)
-additional for non-residential boarders	300
Rooming houses	150 each additional bedroom
Condominiums, apartments and other dwellings except for single-family dwellings	300 150 each additional bedroom
Single family dwellings, 1-2 bedrooms	200
-with more than 2 bedrooms	
Secondary dwelling with individual system, 1-2 bedrooms	
-with more than 2 bedrooms	
Secondary dwelling, for authorization notice approval (requires sep-arate septic tank)	
Factories	35 (per person, per shift)
-with shower facilities, no food service or industrial wastes	15 (per person, per shift)
-without shower facilities, no food, service or industrial wastes	
Hospitals	250 (per bed space)
Hotels or motels	120 (per room)
-with private baths	100 (per room)
-without private baths	
Institutions other than hospitals	125 (per bed)
Laundries, self-service washing machines	500 (per machine)
Mobile home parks	250 (per space)
Parks, public picnic areas	5 (per person)
-with toilet wastes only	10 (per person)
-with bathhouses, showers and flush toilets	
Restaurants	50 (per seat)
-with multi-use utensils	25 (per seat)
-with single service utensils	50 (per seat)
-with bars and/or cocktail lounges	50 (per car space)
-drive-in restaurant	
Retail stores	650 (per toilet)
-for customer	15 (per shift)
-add for each employee	
(add 100 gallons/day for each utility sink)	
Schools	100 (per person)
-boarding	15 (per person)

-day (without gyms, cafeterias or showers)	25 (per person)
-day (with gyms, cafeterias and showers)	20 (per person)
-day (with cafeteria, no gym or showers)	
Service stations	10 (per vehicle served)
Swimming pools and bathhouses	10 (per person)
Theaters	5 (per seat)
-movie	20 (per car space)
-drive-in	
Recreational vehicle parks	50 (per space)
-without individual water and sewer hookups	100 (per space)
-with individual water sewer hookups	
Workers	50 (per person)
-Construction (temporary camps)	15 (per shift)
-day, at schools and offices	

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COUNTY OF YUBA
LOCAL AGENCY MANAGEMENT PLAN
PART 3
ADDITIONAL CONSIDERATIONS

Responsibilities and Duties

3.3 Annual Report. Yuba County shall submit a report to the Regional Water Quality Control Board (RWQCB) that includes the following information:

- Number and location of complaints, complaint investigations and outcomes
- Permits issued for septic tank pumper trucks (Yuba County Code Chapter 7.07)
- Number, location, and description of permits issued for new and replacement OWTS with Tier indicated

3.3.2 OWTS Cleanings. Yuba County Ordinance does not require ongoing, routine inspections of standard OWTS. However, it does require that any time an OWTS is serviced the tank is to be inspected for signs of deterioration and other system deficiencies. In addition, a report detailing the results of the inspection is to be submitted to Environmental Health Services within 30 days unless the system is in a state of failure. Under those circumstances the report must be submitted within 24 hours.

If the report identifies any deficiencies, a tiered enforcement response is implemented. Initially, a notice is generated and mailed to the property owner. Depending on the severity of the problem, the notice will either recommend corrective action or direct that a repair of the OWTS be completed by a specified date. If the property owner makes the necessary repairs, then no further action is taken. Should the property owner not take the needed action, a second notice is sent.

The majority of property owners make the needed repairs after receiving the Second Notice. In those cases when the property owner fails to comply with the Second Notice by the stated deadline, EHS will implement the next enforcement tier and issue a Notice of Violation. The Notice of Violation contains essentially the same information as the previous notices but it more emphatically states that the property owner is in violation of the County Code and corrective action is necessary to avoid additional enforcement measures.

3.4 Permanent Records- Installation permit records are maintained as hard files that remain in the office as well as on Envision-Connect® which includes information on the Tier under which the permit was issued. Annual operating permit information for alternative sewage treatment systems is maintained as hard files and on the Envision-Connect® electronic database. Permit information can be extracted from either the database or hardcopy files within 10 working days upon written request for review by any RWQCB.

3.5 YCEH shall notify the owner of a public well or water intake by telephone, email and/or site visit as soon as practicable but no later than 72 hours, upon discovery of a failing OWTS within the allowable setbacks as follows: OWTS Policy Section 7.5.6: 150' from a public water well where the depth of the effluent dispersal field does not exceed 10' OWTS Policy Section 7.5.7: Within 1200' from a public water system surface water intake if the failing system is 400 feet or less from high water mark OWTS Policy Section 7.5.8: Within 2500' from public water system surface intake if the failing system is 200' or less from high water mark Public Water Well and Public Water System shall have the meaning as found in the State OWTS Policy. All public water system wells and surface water intake locations will be captured in the County GIS database within six (6) months of full implementation of the LAMP. Water systems to be notified shall be determined using the appropriate GIS buffer based on the location of the failing OWTS. Until mapping is complete, EH land use staff will consult with the Yuba County Local Primacy Agency (LPA) staff on locations of public water system wells and water intake locations.

Tier 2 LAMP

9.0 Local Agency Management Program for Minimum OWTS Standards

This LAMP establishes minimum standards that provide an alternate method from Tier 1 to achieve the same policy purpose of protecting water quality and public health.

9.1 Considerations for LAMP

9.1.1 Degree of vulnerability to pollution from OWTS due to hydrogeological conditions. Yuba County will begin to collect monitoring data after approval and implementation of the LAMP as a part of the Alternative Sewage Disposal System monitoring program. If evidence indicates a hydrogeologically vulnerable area, the LAMP will be updated based on the data collected during the five (5) years between LAMP assessment reports.

All designs for new sewage dispersal systems require a site evaluation to be conducted by a qualified professional. Such professionals will generally consider site specific soil application rates of the least permeable relevant soil horizons, best available evidence of shallowest seasonal groundwater (including but not limited to soil mottling and direct observation), threats to sensitive receptors such as wells and surface water, and potential geotechnical issues.

9.1.2 High quality waters and other environmental conditions. Minimum parcel sizes are dictated by Yuba County Development Code Chapter 11.06 and Table 11.06.030. All residential zones except for Residential Estate (RE) have a minimum parcel size of 5 acres which is substantially larger than the densities considered in Table 1 of Section 7.8 of the OWTS policy and as such are more protective of groundwater and the environment. RE zones have a minimum parcel size requirement of 1.0 acre The minimum average annual rainfall in Yuba is 22"/year and according to Table 1 that density would be 1.5 dwelling unit/acre. Existing geographic areas with existing higher densities that predate current code requirements are considered as Tier 0 and will remain as such until or unless a failure is documented, in which case the failure will be mapped and the system will be repaired per the requirements of this Tier II LAMP.

9.1.3 Shallow soils requiring a dispersal system installation that is closer to ground surface than is standard. Yuba County OWTS Technical Standards requires a qualified professional perform site evaluations. If shallow soils are found an alternative sewage treatment system (ASTS) shall be designed and installed in accordance with Yuba County OWTS Technical Standards. Yuba County OWTS Technical Standards require conventional systems to have a minimum of 12" of soil cover which may be acceptable fill material. If unable to provide a minimum of 12" of soil cover over conventional dispersal system due to shallow soil depth and still provide 60" minimum suitable soil below trench bottom, an alternative sewage treatment system is required.

9.1.4 High domestic well usage area. Yuba County staff will GPS all new well location sites over the next five (5) years. If a pattern of areas with high domestic well usage develops, consideration will be given to further study these areas relative to areas identified as having a high incidence of sewage dispersal system failure or potential for soft failures with pathogen transport toward receptor wells. Considering the low density that results from our minimum parcel sizes this is not likely to be an issue.

9.1.5 Fractured bedrock. Yuba County OWTS Technical Standards requires a qualified professional perform site evaluations. If shallow soils are found due to fractured bedrock, an alternative sewage Treatment system (ASTS) shall be designed and installed in accordance with Yuba County OWTS Technical Standards. A minimum of 2 feet of acceptable soil between the dispersal area and the fractured bedrock is required for the design of any ASTS. Specific ASTSs with advanced treatment (mound, aerobic treatment, etc.) are suitable for sites with only 2 feet of soil between the dispersal area and the limiting condition.

9.1.6 Poorly drained soils. Yuba County OWTS Technical Standards requires a qualified professional perform site evaluations. If poorly drained soil is identified, limiting the amount of acceptable soil, an alternative sewage dispersal system (ASTS) shall be designed and installed in accordance with Yuba County OWTS Technical Standards. A minimum of 2 feet of acceptable soil above the poorly drained soils is required for the design of any ASTS. Specific ASTSs with advanced treatment (mound, aerobic treatment unit, etc) are suitable on sites with only 2 feet of soil. Other options for improving drainage may be identified during the site evaluation. An example would be the requirement to construct an interceptor drain if located on a sloping site.

9.1.7 Vulnerable surface water. Yuba County Code requires a 200 foot setback to any water supply watershed reservoir. Code will be modified to require a 400 foot setback if the disposal system is located less than 1200 feet to a public water system intake line. The areas around our surface water supplies are sparsely populated except where public sewer is available.

9.1.8 Impaired water bodies. Yuba County does not have any impaired water bodies requiring special considerations. If in the future Yuba County determines there are impaired bodies requiring special considerations appropriate revisions to the LAMP will be made.

9.1.9 High OWTS density areas. Nitrate has not been identified as a chronic issue in any area of Yuba County. Should monitoring results (see comprehensive monitoring plan in section 9.3.2) or data analysis show a concerning trend over the next five years for nitrate contamination this LAMP will be

reevaluated and updated as needed to consider nitrogen loading per area. Yuba County Code Section XX.XX.XXX includes the requirement for total and fecal coliform testing as well as nitrate testing whenever a yield test is required for new development.

9.1.10 Limits to parcel size. Minimum parcel sizes are dictated by Yuba County Development Code Table 11.06.030 and Chapter 11.06. All residential zones except for Residential Estate (RE) have a minimum parcel size of 5 acres which is larger than the densities considered in Table 1 of Section 7.8 of the OWTS policy and as such are more protective of groundwater and the environment. RE zones have a minimum parcel size requirement of 1.0 acre. County Code requires dedicated replacement areas for all newly created parcels or adjusted parcels. No parcel shall be improved beyond its capacity to properly provide for a code compliant sewage disposal system (County Code 07.07.XX).

9.1.11 Areas with OWTS that predate adopted standards are dispersed throughout the County. Existing conditions are allowed to continue as is under Tier 0 until or unless a failure is identified. These failures will be captured in a data base and mapped to a GIS layer. If a particular area with OWTS that predate adopted standards is identified during the 5 years between LAMP assessment reports as being one with a significantly higher number of failures, the LAMP will be updated as needed to address and include special considerations for continued protection of groundwater and the environment.

9.1.12 Areas with OWTS either within prescriptive, Tier 1 setbacks, or within setbacks that a Local Agency finds appropriate. There are no areas in Yuba County with known multiple, higher density developments with existing OWTS that are within the prescriptive setbacks set forth in Tier 1. Those that may exist are limited and dispersed throughout the County with no known concentrations of systems of this type.

9.2 The Yuba County LAMP shall cover the following types of Onsite Wastewater Treatment Systems (OWTS): residential and commercial domestic wastewater systems producing flows of 5,000 gallons-per-day or less; high strength domestic wastewater systems from commercial food service buildings that do not exceed 900 mg/L BOD. The LAMP shall provide regulations/guidelines for the local site evaluation conducted by a qualified professional, siting, design, construction monitoring and maintenance requirements (see Yuba County OWTS technical standards). It additionally covers each of the following:

9.2.1 Installation and inspection permits. The LAMP provides requirements for OWTS inspection, monitoring, maintenance, and repairs, including procedures to ensure that replacements or repairs to failing systems are done under permit from Yuba County Environmental Health Division (see Chapter XX.XX of County Code related to repairs and variances). Refer additionally to Yuba County OWTS technical document. All new installations require a plan review, installation permit and construction inspections. Additionally all new ASTS and private sewage disposal systems require annual operating permits and routine inspections by a service provider and bi-annual inspections by County staff. An administrative review of the service providers inspections shall be conducted by County staff on an annual basis. A standard operation and maintenance manual (O&M) will be provided by the County for

conventional sewage disposal systems. All ASTS systems will have an O&M manual prepared by the design professional.

9.2.2 Yuba County does not currently have any impaired water bodies. If any water bodies are identified, the LAMP will be updated to address those as they arise.

9.2.3 The LAMP recognizes that not all new, replacement, or repair OWTS will be able to meet minimum required setbacks, soil depth, groundwater separation, and/or additional minimum requirements and has therefore provided for a variance section to address such circumstances (see Chapter XX.XX of Yuba County Code). Variances will not be permitted for cesspools of any kind or size or for new, replacement, or repair OWTS where public sewer is available. The variance process will not authorize any of the prohibited items in Section 9.4 of the Policy.

9.2.4 The LAMP provides educational, training, certification, and/or licensing requirements that will be required of OWTS Service Providers, Site Evaluators, Designers, Installers, Maintenance Contractors, and any other person relating to OWTS activities (see "Definitions" of the Yuba County Code).

9.2.5 The LAMP provides a plan for an education and outreach program including informational materials to inform OWTS owners about how to locate, operate, and maintain their OWTS. Additionally see section 9.2.2 above. Regarding education related to ongoing operation and maintenance, alternative OWTS designers must provide the homeowner with an operation and maintenance manual specific to the type of system installed. Verification of delivery of a copy of the operation and maintenance manual must be documented in the final letter from the design professional. The County will retain an electronic copy of the operations manual for future replacement needs. The operation manual shall cite homeowner or Service Provider procedures to ensure maintenance, repair, or replacement of critical items within 48 hours following failure. Yuba County will provide an operations manual to homeowners that install a conventional system.

9.2.6 Septage receiving facilities for septage generated

9.2.7 Presently there are no onsite wastewater maintenance districts in Yuba County and currently none are under consideration. Yuba County Code Section XX.XX.XXX prohibits the development of a subdivision using individual sewage disposal systems where such subdivisions can be connected to an existing public sewer system. County Code further restricts the creation of small lot subdivisions (by minimum parcel size requirements) which geographically restricts the possibilities for an onsite wastewater maintenance district. Should a proposal be submitted in the future for any onsite wastewater maintenance district and/or community type wastewater solution in a particular area, feasibility studies would have to include, as project alternatives, consideration of such formation in accordance within the provisions of Health and Safety Code.

9.2.8 At this time Yuba County does not anticipate developing or implementing a Regional Salt and Nutrient Management Plan. Yuba County will consider collaborating with regional efforts on a plan if asked to participate in the future.

9.2.9 The County does not currently work with any watershed management groups and does not anticipate doing so in the future.

9.2.10 The LAMP includes procedures for evaluating the proximity of public sewer systems to new or replacement OWTS installations (See County Code Sections XX.XX.XXX). Currently sewer district boundaries are mapped and if a property is close to a boundary, staff will consult with the district prior to issuance of any permits. Parcels within designated service areas will not be issued a permit until or unless the district issues a waiver based on specific conditions (see County Code Chapter XX.XX).

9.2.11 The County will notify the owner of a public water system prior to issuing an installation permit for any new, replacement, or repair OWTS in such cases that the OWTS is; within 1200 feet of an intake point for a surface water treatment plant for drinking water, is in the drainage area catchment in which the intake point is located, and is located such that it may impact water quality at the intake point such as upstream of the intake point for a flowing water body, or if the OWTS is within a horizontal sanitary setback from a public well. See section 3.5 above and County Code table XX.XX.XXX040. Yuba County staff, during regulated water system inspections for the 2015-2016 fiscal year will use GPS to identify all parcels having public water systems and will identify all public water system wells, surface collection reservoirs and surface water intakes. Additionally, staff will coordinate with City jurisdictions to identify those large public water systems as well. This data will be used to create a GIS data base layer for use upon approval of this LAMP. Any new OWTS within 1200 feet of a located public water supply will be identified using GIS buffers and will require notification prior to permit issuance.

9.2.12 The LAMP outlines policies and procedures to be followed when a proposed OWTS dispersal area is within the horizontal sanitary setback of a public well or a surface water intake point. These policies and procedures establish best available technology and siting practices which shall mitigate the potential adverse impact to the public water source (County Code section XX.XX.XXX and XX.XX.XXX). New or replacement OWTS shall meet a minimum horizontal setback of 150 feet from a public water well where the depth of the effluent dispersal system does not exceed 10 feet in depth. Yuba County does not allow any OWTS with effluent dispersal deeper than 10 feet, without supplement treatment. For replacement OWTS that do not meet the above horizontal separation requirements, the replacement OWTS shall meet the horizontal separation to the greatest extent practicable. In such case, the replacement OWTS shall utilize supplemental treatment and other mitigation measures, unless the permitting authority finds that there is no indication that the previous system is adversely affecting the public water source, and there is limited potential that the replacement system could impact the water source based on topography, soil depth, soil texture, and groundwater separation. For new OWTS, installed on parcels of record existing at the time of the effective date of this Policy that cannot meet the 150 horizontal setback to a public water supply, the OWTS shall meet the horizontal separation to the greatest extent practicable and shall utilize supplemental treatment which may include disinfection for pathogens and other mitigation measures as described in the LAMP and County Code Chapter XX.XX.

9.2.13 Cesspools are not permitted in Yuba County and any Cesspool discovered shall be properly abandoned and a repair or replacement system installed as soon as practicable.

9.3 Minimum Local Agency Responsibilities

9.3.1 OWTS that are granted a variance will be mapped on the GIS "OWTS" layer. If a permit is issued based on County Code Chapter XX.XX for a variance or repair, this will be captured in the permitting data base application specific information (ASI) fields and identified on the OWTS layer. Information on the number, location and description of permits can be queried in a report as needed.

9.3.2 Water quality assessment program

GIS layer for data management- OWTS layer will be used to capture the location of systems for which a variance was granted and for which a repair was installed.

Failures. There are several ways in which failures are identified. In some instances a property owner will work with a contractor who in turn works with the County on a repair. In other instances, a complaint is received about a possible failing septic system and will be logged into the County Envision-Connect® database (see below). Failures that result in the issuance of a repair permit will be captured in Envision-Connect® and mapped to the OWTS layer as a repair.

Complaints are currently logged to the Envision-Connect® data base. As a part of this LAMP, these complaints will be mapped to the OWTS layer as a 'complaint'. Upon receipt of a complaint, an investigation will be conducted. Based on the outcome of the investigation, a repair permit may be required.

Inspection data. All ASTS systems are inspected either by a service provider or service provider overseen by County staff. Information from the inspection reports is captured electronically in the Envision-Connect® database. Key fields will be used to identify failing systems and this information will be mapped to the OWTS layer as an 'inspection failure'. Additionally, service providers are required to report results of inspections electronically. Any systems for which an actual failure is identified by the service provider will also be mapped to the OWTS layer and identified in the same manner.

Periodic sampling of OWTS monitoring wells. County staff will develop a groundwater monitoring program that will be used to evaluate groundwater levels and identify constituents of concern (ie nitrates and pathogens) within and in the vicinity of OWTS dispersal areas. Using the County GIS mapping tools, areas for periodic sampling will be identified based upon such factors as location, topography, and OWTS density. Within each area, certain OWTS may be chosen for routine groundwater level monitoring, and random quality samples will be taken from a selected number OWTS. Monitoring and sampling will be completed during the winter months and the information shall be collected and stored for further evaluation and mapping.

9.3.2.1 Domestic well sampling- Yuba County currently requires well testing of total and fecal coliform and nitrates on all wells when a yield test is required for development. The county does not have a random well sampling program and does not anticipate developing one in the future.

9.3.2.2 Real estate transactions-no information is captured at this time and there are no plans to require this in the future.

9.3.2.3 Yuba County Environmental Health staff is the LPA overseeing the small public water system program. Public Water Systems will continue to conduct water quality sampling as required by the small water system program. Environmental Health Staff reviewing water quality data for the small water system program will alert Environmental Health staff working in the LAMP program if results reveal some change in groundwater quality that may stem from a sewage treatment system related problem. Additionally, LAMP program staff will alert water system program staff in the event of a failure at a site or close to a site of a small public water system.

9.3.2.4 New Development- County well ordinance (Section XX.XX.XXX) currently requires new wells to be used for new development to be tested for total and fecal coliform and nitrates when a yield test is required prior to new development. This information will be captured in our permitting data base and mapped to a GIS layer when the MCL is exceeded.

9.3.2.5 Public beaches-N/A no beach sampling proposed.

9.3.2.6 Sampling related to NPDES permits. County Environmental Health Staff will work with County Public Works staff in the area of overall water quality monitoring, sampling and data collection. Currently NPDES sampling is specific to that program however this may be expanded as part of an ongoing collaborative effort over the next several years. As this evolves, any changes or additions to the water quality monitoring and assessment will be evaluated and the LAMP revised as needed.

9.3.3 Annual Report. No later than February 1st of each year, County will submit to the CVRWQCB, a report in tabular, spreadsheet form summarizing the status of the following items:

- 1) The number and location of complaints pertaining to OWTS and how the complaints were resolved. (LAMP 3.3, 9.3.2)
- 2) Applications and registrations issued as part of the County septic tank cleaning registration (pumper truck) program pursuant to Section 117400 et. seq. of the California Health and Safety Code and Chapter X.XX of the Yuba County Code. (LAMP 3.3.)
- 3) The number, location and description of permits issued for new and replacement OWTS and under which tier the permit was issued. (LAMP 3.3)
- 4) Number, location and description of permits issued for OWTS where a variance is granted. (LAMP 9.3.1)
- 5) Results of water quality assessment program. (9.3.2) Five Year Water Quality Assessment Report. Every five years the annual report to the CVRWQCB will be accompanied by a Water Quality Assessment Evaluation Report that summarizes the information and findings from the Water Quality Assessment Program (9.3.2). The report will provide an assessment of any evidence of water quality impacts from OWTS along with any recommended changes to the LAMP to address the identified impacts. The Water Quality Control Board is expecting to issue a guidance document on how this information should be gathered and organized for submittal. Upon receipt of such guidance, this section of the LAMP can be updated to include specifics

identified. Any water quality data generated by the County from monitoring activities will be submitted in an electronic data format as required.

9.4 Prohibitions-Components Not Allowed or Authorized in LAMP

9.4.1- Cesspools Cesspools are not permitted for new construction in Yuba County. Any Cesspool discovered shall be properly abandoned and a repair or replacement system installed as soon as practicable (Yuba County Code XX.XX.XXX,).

9.4.2 Projected Flow greater than 5,000 gallons per day The Yuba County LAMP applies to OWTS producing flows of less than five thousand (5,000) gallons per day (Yuba County Code XX.XX.XXX). If the proposed flow is greater than five thousand (5,000) gallons per day the method of treatment and disposal shall be approved by the CVRWQCB.

9.4.3 OWTS with surface discharge. Yuba County will NOT allow any surface discharge of sanitary wastewater. All proposed surface disposal of sanitary effluent shall be under the jurisdiction of the CVRWQCB (Yuba County OWTS Technical Standards).

9.4.4 Installations on slopes greater than 30% are prohibited without a registered professional's report (Yuba County Code XX.XX.XXX, Yuba County OWTS Technical Standards).

9.4.5 Sizing reduction and decreased leaching area for International Association of Plumbing and Mechanical Officials (IAPMO) certified dispersal systems is not allowed (Yuba County OWTS Technical Standards).

9.4.6 Supplemental treatment without Monitoring and Inspection is not allowed. All systems with supplemental treatment (ASTS) require annual permitting and monitoring as well as inspection by either a service provider or County or both (Yuba County OWTS Technical Standards Part III).

9.4.7 Significant Waste from R.V. Holding Tanks-Yuba County Code (XX.XX.XXX) defines domestic wastewater to include only incidental RV holding tank dumping but does not include wastewater consisting of a significant portion of RV holding tank wastewater such as a RV dump station.

9.4.8 Encroachment above groundwater. The absolute minimum amount of soil allowed for installation of any type of sewage dispersal system is two (2) feet between the dispersal area and the limiting layer, including groundwater (Yuba County OWTS Technical Standards).

9.4.9 Installations near existing sewers. Yuba County Code (XX.XX.XXX) defines unavailability of public sewer and when connection will be required. For any property where the installation of a new, expanded or replacement OWTS is proposed, Yuba County Code Section XX.XX.XXX and XX.XX.XXX require connection to a public sewer when the nearest building proposed on any lot or parcel is no more than 200' from a public sewer and will not require the installation of a pump station which is not maintained by the sewer district.

9.4.10 Minimum setbacks identified in 9.4.10 (9.4.10.1-9.4.10.5 and County Code Table XX.XX.XXX) shall be maintained unless authorized through the repair/variance process (9.4.11, 9.4.12 and Yuba County Code Chapter XX.XX).

9.4.11 Supplemental Treatment, Replacement OWTS that do not meet minimum setback requirements. For replacement OWTS unable to meet the horizontal setback requirements of 9.4.10.1-9.4.10.5, the replacement dispersal field shall meet the setback requirements to the greatest extent practicable as set forth in County Code Chapter XX.XX and shall incorporate supplemental treatment and other measures, as appropriate, unless there is no evidence of an existing or potential threat of impact to the public water source by the OWTS based on topography, soil depth and composition, and ground water conditions. When the established horizontal setbacks cannot be met, in no case shall a repair sewage system be installed any closer than the existing system to a public water supply well or public surface water intake point.

9.4.12 Supplemental Treatment, New OWTS That Do Not Meet Minimum Setback Requirements. For new OWTS on parcels created prior to the effective date of the LAMP that are unable to meet the horizontal setback requirements of 9.4.10.1- 9.4.10.5, the new dispersal field shall meet the setback requirements to the greatest extent practicable. Per County Code Chapter XX.XX, an alternative sewage treatment system with supplemental treatment shall be required and shall be sited to meet the required setback to the maximum extent possible. Supplemental treatment with disinfection may be required when deemed necessary by the administrative authority for protection of the water supply. In no case shall a new sewage system that is a result of new construction be installed any closer than 100 feet to a public water supply well or public surface water intake point.

9.5 Technical Support of LAMP. The LAMP including all technical documents includes adequate detail, to support how all the criteria in this local program work to protect water quality and public health.

9.6 The CVRWQCB will consider past performance of local programs to protect water quality based on reviews of annual status and evaluation reports. Should deficiencies be identified, the County and the CVRWQCB will work together to make programmatic improvements.