

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.

SEPTEMBER 20, 2016

- 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 Abe**
 - II. ROLL CALL - Supervisors Vasquez, Nicoletti, Griego, Abe, Fletcher**
 - III. SPECIAL DISTRICTS PUBLIC HEARING:**
 - A. County Service Area**
 - 1. [\(411-0916\) Approve County Service Area \(CSA\) Assessments for CSA No. 2 through 70A in the total amount of \\$2,929,271.26](#)
 - B. Gledhill Landscaping and Lighting**
 - 1. [\(412-0916\) Adopt resolution adopting budget for Gledhill Landscaping and Lighting District in the total amount of \\$47,000 for Fiscal Year 2016-2017.](#)
 - C. Linda Street Lighting and Maintenance District**
 - 1. [\(413-0916\) Adopt resolution adopting budget for Linda Street Lighting Maintenance District in the total amount of \\$375,000 for Fiscal Year 2016-2017.](#)
 - IV. FINAL COUNTY BUDGET FISCAL YEAR 2016-2017 PUBLIC HEARING Budget Hearing may be continued on a day-to-day basis through September 30, 2016.**
 - A. County Administrator:**
 - 1. [\(414-0916\) Present overview and recommended adjustments for Fiscal Year 2016-2017 Final Budget.](#)
 - B. Receive comments from Bi-County/County Department Heads.**
 - C. Public Comments: Comments will be limited to five minutes per individual or group and may address only those items so identified with Final Budget Hearings.**
 - D. Board of Supervisors: Consider Fiscal Year 2016-2017 Final Budget, provide direction to staff, and take action as appropriate.**
 - V. RECESS TO DATE AND TIME CERTAIN OR CLOSE BUDGET HEARING**
 - VI. RECESS TO 1:30 P.M. COST ACCOUNTING HEARING**
 - VII. 1:30 P.M. COST ACCOUNTING HEARING**

- A. [\(154-0416\) 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. \(Continued from April 26, 2106, June 28, 2016, August 23, 2016\) \(Roll call vote\) \(Ten minutes\)](#)

VIII. **ADJOURN**

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

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

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(411-0916) Appro... - 1 of 4

5616

CODE ENFORCEMENT
749-5455 • Fax 749-5464

ENVIRONMENTAL HEALTH • CUF
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

Date: September 20, 2016

To: Yuba County Board of Supervisors

From: Mike Lee, Director of Public Works 

Subject: Adopt the County Service Area Assessment Summary

RECOMMENDATION:

Adopt the attached County Service Area Assessment Summary.

BACKGROUND:

Every year the County Service Area Assessment Summary is brought before the Board of Supervisors to Adopt with the Budget. The Assessments for each CSA vary depending on new parcels (Parcel Maps, or Tract Maps), lot line adjustments, structures, vacant land, and/or the Consumer Price Index. The total annual revenue for all the CSA's combined is estimated at \$2,929,271 for the fiscal year 2016/2017.

DISCUSSION:

The assessments will provide revenue needed for services within each County Service Area.

FISCAL IMPACT:

None on the General Fund. CSA assessments are collected concurrently with the ad valorem taxes and the revenues are spent on services provided to CSA's from within which the assessments were collected.

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Yuba County Public Works
County Service Area Assessments
2016-2017

(411-0916) Appro... - 3 of 4

CSA NO.	ASSESSMENT PER LOT - VACANT	ASSESSMENT PER LOT - IMPROVED	ANNUAL REVENUE \$
2	100.00	200.00	22,600.00
4	24.00	96.00	1,872.00
5	100.00	400.00	7,600.00
8	44.00	176.00	5,192.00
9	21.00	84.00	2,163.00
10	163.00	163.00	1,630.00
11	22.00	88.00	2,882.00
12	20.00	80.00	980.00
13	25.00	100.00	1,825.00
14	100.00	200.00	30,600.00
15	75.00	150.00	13,125.00
16	28.00	112.00	1,120.00
17	182.00	250.00	1,296.00
18	33.00	132.00	4,125.00
19	N/A	300.00	16,200.00
20	31.00	124.00	1,271.00
21	34.00	136.00	9,350.00
22	N/A	220.00	1,760.00
24	48.00	192.00	1,152.00
25	38.00	152.00	1,634.00
25A	N/A	75.00	2,325.00
26	18.00	72.00	864.00
28	250.00	500.00	4,000.00
29	21.00	84.00	861.00
30	60.00	240.00	840.00
31	10.00	10.00	70.00
32	15.00	60.00	360.00
33	43.00	172.00	2,193.00
34	20.00	80.00	1,020.00
36	48.00	192.00	864.00
37	38.00	152.00	2,964.00
38	90.00	360.00	13,410.00
39	150.00	300.00	9,150.00
40	84.00	336.00	3,948.00
42	27.00	108.00	1,539.00
43	15.00	60.00	405.00
44	110.00	440.00	2,640.00
45	60.00	240.00	2,100.00
46	45.00	180.00	1,575.00
48	60.00	60.00	12,720.00
52	23.00	148.00	96,791.00
52B	N/A	269.72	375,511.50
52C	N/A	425.80	55,158.64
53	100.00	200.00	900.00
54	100.00	200.00	1,300.00
55	18.00	72.00	234.00
59	200.00	400.00	4,200.00

Yuba County Public Works
County Service Area Assessments
2016-2017

(411-0916) Appro... - 4 of 4

CSA NO.	ASSESSMENT PER LOT - VACANT	ASSESSMENT PER LOT - IMPROVED	ANNUAL REVENUE \$
60	50	200	450.00
61	N/A	284.08	5,113.44
63	N/A	271.46	19,329.66
66A	N/A	449.62	1,458,806.60
66B	N/A	339.58	81,740.96
66C	N/A	569.18	289,578.34
66D	N/A	354.96	66,256.98
66E	N/A	593.94	59,976.18
69	N/A	276.84	23,427.40
70	N/A	163.52	108,740.56
70A	N/A	95.10	89,531.00
			2,929,271.26

The County of Yuba

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(412-0916) Adopt... - 1 of 4

CODE ENFORCEMENT
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FINANCE AND ADMINISTRATION
749-5430 • Fax 749-5434

TO: Yuba County Board of Supervisors

FROM: Mike Lee, Director of Public Works

A handwritten signature in black ink, appearing to read "Mike Lee".

SUBJECT: Adopting the Budget for Gledhill Landscaping and Lighting District

DATE: September 20, 2016

Recommendation

Adopt the attached resolution adopting the budget for Gledhill Landscaping and Lighting District.

Background

On April 19, 2016, your Board approved a resolution adopting the Engineer's Report and on May 10, 2016 a public hearing was held and the Board of Supervisors approved a resolution confirming the assessments within the Gledhill Landscaping and Lighting District.

Discussion

The assessment, shown in the Engineer's Report, will provide revenue needed to operate the district for the fiscal year 2016/2017. There has been no change in the assessment rate from last year's rate and 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

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

**RESOLUTION ADOPTING BUDGET)
FOR GLEDHILL LANDSCAPING AND)
LIGHTING DISTRICT)**

RESOLUTION NO. _____

WHEREAS, the attached budget, Attachment 1 for Gledhill Landscaping and Lighting District has been prepared for Board approval, and

WHEREAS, on April 19, 2016, Resolution No. 2016-26, the Board of Supervisors held a public hearing to hear protest or objections to levy and collect assessments for fiscal year 2016/2017.

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors of the County of Yuba hereby approves and adopts this budget.

PASSED AND ADOPTED at a regular meeting of the Yuba County Board of Supervisors this _____ day of _____, 2016, by the following vote:

AYES:

NOES:

ABSENT:

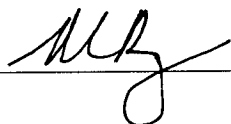
ABSTAIN:

Chairman

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

By: _____

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



Attachment 1

**GLEDHILL LANDSCAPING AND LIGHTING DISTRICT
BUDGET FOR FISCAL YEAR 2016-2017**

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	REQUEST 2016-2017
784-9984-431-23-00	PROFESSIONAL SERVICES	\$47,000.00
	TOTAL	\$47,000.00

ESTIMATED REVENUE

784-0000-351-30-00	INTEREST	\$ 300.00
784-0000-371-98-99	SPECIAL DISTRICT ASSESSMENT	\$48,787.20
	TOTAL	\$49,087.20

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(413-0916) Adopt... - 1 of 4

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FINANCE AND ADMINISTRATION
749-5430 • Fax 749-5434

TO: Board of Supervisors

FROM: Mike Lee, Director of Public Works

A handwritten signature in black ink, appearing to read "Mike Lee".

SUBJECT: Adopting the Budget for Linda Street Lighting Maintenance District

DATE: September 20, 2016

Recommendation

Adopt the attached resolution adopting the budget for Linda Street Lighting Maintenance District.

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.

On May 10, 2016 the Board of Supervisors approved a resolution confirming the assessments within the Linda Street Lighting Maintenance District.

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. The assessments will provide revenue needed to operate the district for fiscal year 2016/2017.

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

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

RESOLUTION ADOPTING BUDGET)
FOR LINDA STREET LIGHTING)
MAINTENANCE DISTRICT)

RESOLUTION NO. _____

WHEREAS, the attached budget, Attachment 1 for Linda Street Lighting Maintenance District has been prepared for Board approval, and

WHEREAS, on May 10, 2016, Resolution No. 2016-33, the Board of Supervisors held a public hearing to hear protest or objections to levy and collect assessments for fiscal year 2016/2017.

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors of the County of Yuba hereby approves and adopts this budget.

PASSED AND ADOPTED at a regular meeting of the Yuba County Board of Supervisors this _____ 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:



Attachment 1

**LINDA STREET LIGHTING MAINTENANCE DISTRICT
BUDGET FOR FISCAL YEAR 2016-2017**

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	REQUEST 2016-2017
785-9985-431-23-00	PROFESSIONAL SERVICES	\$100,000.00
785-9985-431-23-00	N BEALE RD IMPROVEMENTS	\$275,000.00
TOTAL		\$375,000.00

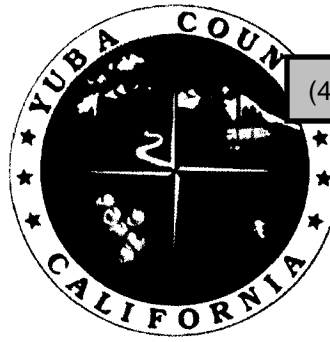
ESTIMATED REVENUE

785-0000-351-30-00	INTEREST	\$ 2,500.00
785-0000-371-98-99	SPECIAL DISTRICT ASSESSMENT	\$ 47,292.00
785-0000-311-01-00	SECURED TAXES	\$ 61,368.00
TOTAL		\$ 111,160.00
Use Fund Carryover		\$ 263,840.00

The County of Yuba

OFFICE OF THE COUNTY ADMINISTRATOR

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



ROBERT BENDORF
COUNTY ADMINISTRATOR

(414-0916) Prese... - 1 of 8

RUSS BROWN
COMMUNICATIONS & LEGISLATIVE AFFAIRS
COORDINATOR

AMANDA NIX
EXECUTIVE ASSISTANT TO THE
COUNTY ADMINISTRATOR

To: Board of Supervisors
From: Robert Bendorf, County Administrator
By: Grace Mull, Deputy County Administrator
Re: FY 2016-2017 Final Budget
Date: September 20, 2016

A handwritten signature, likely of Robert Bendorf, is written in black ink over the "From:" line of the memo.

RECOMMENDATION

It is recommended that the Board of Supervisors hold a public hearing, receive recommended adjustments and approve the Fiscal Year 2016-2017 Final Budget.

BACKGROUND

On June 21, 2016, the Board of Supervisors adopted the FY 2016-2017 Proposed Budget as an interim spending plan. Since its adoption, several actions have occurred which have resulted in recommended adjustments for the Final Budget.

DISCUSSION

Those actions and resulting final adjustments are as follows:

- Revenue Adjustments The Assessor's Office recently completed the FY 2016-2017 Assessment Roll. Based on the new roll amount, increases in the amount of \$104,258 in Secured Property Taxes and \$25,000 in VLF Swap are recommended. In addition, a \$25,000 increase for Property Transfer Tax is also being recommended due to increased activity in home sales.
- Cash Balance After closing out FY 2015-2016, the Auditor-Controller reported that the County's General Fund Cash Balance after encumbrances was \$2,526,380. The Proposed Budget included an estimate of \$1,387,627. Staff is recommending the use of this one-time revenue along with the revenue adjustments noted above in the amount of \$154,258 in the following manner:
 - Increase General Fund Reserves in the amount of \$157,412. The additional funding will bring the FY 2016-17 General Fund Reserves amount to \$2,100,000.
 - Move \$901,164 to the County Capital Project Fund. The increased funding will allow the County to set aside funds for the \$1,300,000 local match required for Yuba County's share of the Tri-County Juvenile Hall project.

- Utilize \$234,435 to cover additional General Fund costs that were determined after the Proposed Budget was submitted.

(414-0916) Prese... - 2 of 8

- General Fund Reserves: General Fund Reserves are held outside of the General Fund. The amount allocated for FY 2015-2016 was \$1,942,588. The FY 2016-2017 Proposed Budget recommended no changes to the reserves amount. The Final Budget increases this amount to \$2,100,000 (8% policy level) by adding \$157,412. The new amount exceeds the base policy level of 5% and moves towards the stated policy goal of 10%.
- General Fund Contingencies: The Proposed Budget recommended that General Fund Contingencies remain the same as FY 2015-16 at \$769,272. The Final Budget increases this amount to \$943,954. The new Contingency level exceeds the policy level of 1.5% and is budgeted at 3.25%.

The attached Recommended Adjustments to the Proposed Budget FY 2016-2017 worksheet reflect the items noted above as well as other recommended adjustments. The following is a summary of the additional recommended adjustments:

- Board of Supervisors A budget increase in the amount of \$9,929 is being recommended. \$1,129 for the County share of LAFCO as the final amount was received after the Proposed Budget was approved, \$5,000 for additional costs related to new supervisor training and \$3,800 for previously Board approved litigation costs.
- Economic Development A budget adjustment in the amount of \$23,168 is being recommended for the Economic Development budget. The adjustment is being requested to fund membership dues to the Greater Sacramento Area Economic Council. The annual amount was received after the Proposed Budget.
- Human Resources A one-time budget increase in the amount of \$61,843 is being recommended in salary and benefits and professional services to fund an extra help position and professional services due to increased workload processing recruitments.
- County Counsel A one-time budget increase in the amount of \$8,100 is being recommended to fund costs associated with updating the Muni-Code.
- County Administrator A one-time budget adjustment in the amount of \$11,980 is being recommended in salary and benefits to fund an extra help position to assist the County enhance its social media presence.
- Public Defender A budget increase in the amount of \$8,625 is being recommended to reimburse the Public Defender for one-time costs associated with Prop 47 cases.
- Ag Commissioner A budget increase in the amount of \$58,040 is being recommended for a one-time vacation and sick leave payout.
- Code Enforcement A one-time fund transfer to the Code Enforcement Relocation & Repair Fund in the amount of \$25,000 is being recommended. The Code Enforcement Relocation & Repair Fund was utilized to set up a temporary shelter facility (14 Forward). The transfer will help sustain the fund until future revenue is collected.
- Public Guardian A budget increase in the amount of \$27,750 is being recommended for one-time professional services costs associated with specialized recruitment as well as a routine exit audit due to the pending resignation of the Public Guardian.

In addition, the following recommendations are included within the FY 2016-17 Final Budget:

- Sheriff Operations Addition of two (2) new Community Services Officer positions and funding of a vacant Community Services Officer position and a vacant Office Specialist position. The

additional positions are necessary to cover non-emergency services due to current vacancies in the patrol division. Staff may come back to your Board during the event budget adjustments are necessary. Due to the number of vacancies if any are unknown at this time.

(414-0916) Prese... - 3 of 8

- Child Support Fund Balance Audit Child Support Services was a County General Fund function located in the District Attorney's Office. Recently, an audit was performed to determine the source of the funds residing in the Child Support Services Fund Balance. The audit determined that approximately \$674,000 was General Fund dollars that remained in the fund prior to the state taking over the program. The Audit further recommended that amount should be transferred out to keep the fund purely Fed/State dollars. A fund transfer in the amount of \$674,682 is being recommended to move the amount from this fund to the following:
 - \$500,000 to the County Capital Improvement Fund
 - \$174,682 to General Fund Contingency

Summary

The Final Budget reflects a total operating budget of \$174,575,562. The budget includes General Fund Reserves and Contingencies budgeted above current Board adopted policy levels, actual end of year General Fund cash balance, and a reduced use of one-time funds.

Recommended Adjustments To The Proposed Budget FY 2016/2017

Adjustments 9/20/16 Budget Hearing

(414-0916) Prese... - 4 of 8

(414-0916) Prese... - 4 of 8

Department/Unit Account	Recommended Adjustments		Description	Revised Account Total	Proposed Budget
	Appropriation Adjustment Increase / (Decrease)	Estimated Revenue Increase / (Decrease)			
BOS					
101-0100-411-20-00	\$ (275)		Memberships	\$ 20,704	\$20,979
101-0100-411-29-00	\$ 5,275		Travel	\$ 30,075	\$24,800
BOS-Special					
101-0101-411-23-15	\$ 3,800		Litigation	\$ 3,800	\$0
101-0101-411-23-34	\$ 1,129		LAFCO County Share	\$ 71,727	\$70,598
Human Resources					
101-0300-414-01-03	\$ 35,391		Extra Help	\$ 35,391	\$0
101-0300-414-02-02	\$ 5,850		Co Shares PERS	\$ 134,400	\$128,550
101-0300-414-02-05	\$ 501		Medicare	\$ 11,558	\$11,057
101-0300-414-02-08	\$ 101		Unemployment Ins	\$ 2,299	\$2,198
101-0300-414-23-00	\$ 20,000		Professional Services	\$ 68,304	\$48,304
County Counsel					
101-0700-413-28-00	\$ 8,100		Special Department Expense	\$ 39,100	\$31,000
Buildings & Grounds					
101-0900-417-18-03	\$ 32,300		Maintenance Bldg /Imprv Courthouse	\$ 62,496	\$30,196
101-0000-372-99-01		\$ 32,300	Operating Trans In	\$ 1,203,896	\$1,171,596
County Administrator					
101-1700-411-22-00	\$ (2,529)		Office Expense	\$ 4,471	\$7,000
101-1700-411-25-00	\$ 2,529		Rents & Leases Equipment	\$ 2,529	\$0
101-1700-411-01-03	\$ 11,465		Extra Help	\$ 11,465	\$0
101-1700-411-02-03	\$ 345		COPST	\$ 345	\$0
101-1700-411-02-05	\$ 170		Medicare	\$ 7,774	\$7,604
Clerk of the Board					
101-1701-411-23-00	\$ 2,500		Professional Services	\$ 34,500	\$32,000
101-0000-372-99-01		\$ 2,500	Operating Transfers In	\$ 1,206,396	\$1,203,896
CAO-Economic Dev					
101-1702-411-28-00	\$ 23,168		Special Department Expense	\$ 111,568	\$88,400
Public Defender					
101-2300-421-23-00	\$ 8,625		Professional Services	\$ 876,669	\$868,044
Ag Commissioner					
101-3400-426-90-00	\$ 23,000		Reimbursements	\$ -	(\$23,000)
101-3400-426-23-00	\$ 32,000		Professional Services	\$ 83,158	\$51,158
101-0000-371-96-01		\$ 55,000	Contributions & Donations	\$ 1,033,234	\$978,234
101-3400-426-01-01	\$ (27,452)		Salaries	\$ 609,761	\$637,213
101-3400-426-01-07	\$ 53,743		Vacation Pay	\$ 53,743	\$0
101-3400-426-01-08	\$ 31,749		Sick Leave	\$ 31,749	\$0
Probation					
101-3100-423-01-01	\$ 57,469		Salaries	\$ 2,932,361	\$2,874,892
101-3100-423-02-02	\$ 8,239		Co Share PERS	\$ 697,949	\$689,710
101-3100-423-02-04	\$ (6,263)		Health Insurance	\$ 519,058	\$525,321
101-3100-423-02-05	\$ 833		Medicare	\$ 43,172	\$42,339
101-3100-423-02-06	\$ 179		Workers Comp	\$ 169,263	\$169,084
101-3100-423-02-07	\$ 53		Life Insurance	\$ 2,173	\$2,120
101-3100-423-02-08	\$ 171		Unemployment Insurance	\$ 8,931	\$8,760
101-3100-423-15-00	\$ 2,005		Insurance	\$ 22,587	\$20,582
101-3100-423-22-00	\$ 3,730		Office Expense	\$ 30,940	\$27,210
101-3100-423-27-00	\$ 5,000		Small Tools	\$ 20,600	\$15,600
101-3100-423-28-00	\$ 79,270		Special Department Expense	\$ 183,126	\$103,856
	\$ 422,171	\$ 89,800			
Net Appr/Rev	\$ 332,371				

Recommended Adjustments To The Proposed Budget FY 2016/2017

Adjustments 9/20/16 Budget Hearing

(414-0916) Prese... - 5 of 8

(414-0916) Prese... - 5 of 8

Department/Unit Account	Recommended Adjustments		Description	Revised Account Total	Proposed Budget
	Appropriation Adjustment Increase / (Decrease)	Estimated Revenue Increase / (Decrease)			
Probation cont'd					
101-0000-361-56-03		\$ (100,000)	Probation Title IV-E	\$ 50,000	\$150,000
101-0000-363-74-11		\$ (81,575)	Probation PASS Program	\$ 190,611	\$272,186
101-0000-363-74-12		\$ 15,800	Probation Matthews School Program	\$ 50,000	\$34,200
101-0000-341-22-01		\$ (19,053)	Probation Fees	\$ 115,947	\$135,000
101-0000-361-56-06		\$ 8,876	Juvenile Program Funding	\$ 194,493	\$185,617
101-0000-371-93-11		\$ (1,450)	Probation Counselor Fees	\$ 34,000	\$35,450
101-0000-361-64-02		\$ 366,096	AB 109 Probation	\$ 1,255,228	\$889,132
101-0000-372-99-01		\$ (24,620)	Operating Trans In	\$ 1,181,776	\$1,206,396
101-0000-371-93-12		\$ (13,388)	Probation Fees for Services	\$ 146,303	\$159,691
Vic Witness-Child Abuse					
101-3102-423-01-01	\$ 40,592		Salaries	\$ 184,913	\$144,321
101-3102-423-02-02	\$ 6,988		Co Share PERS	\$ 31,711	\$24,723
101-3102-423-02-04	\$ 4,964		Health Insurance	\$ 26,600	\$21,636
101-3102-423-02-05	\$ 636		Medicare	\$ 2,680	\$2,044
101-3102-423-02-06	\$ 238		Workers Comp	\$ 1,093	\$855
101-3102-423-02-07	\$ 40		Life Insurance	\$ 179	\$139
101-3102-423-02-08	\$ 124		Unemployment Ins	\$ 555	\$431
101-3102-423-29-00	\$ 5,191		Travel	\$ 5,191	\$0
101-0000-361-56-01		\$ 58,773	Victim Witness Program	\$ 358,358	\$299,585
Crime Prev Act 2000					
101-3117-423-01-01	\$ 3,463		Salaries	\$ 142,497	\$139,034
101-3117-423-02-02	\$ 854		Co Share PERS	\$ 33,140	\$32,286
101-3117-423-02-05	\$ 50		Medicare	\$ 2,066	\$2,016
101-3117-423-02-06	\$ (295)		Workers Comp	\$ 8,159	\$8,454
101-3117-423-02-08	\$ 10		Unemployment Ins	\$ 427	\$417
101-0000-362-72-03		\$ 4,082	Federal JAG Grant	\$ 300,197	\$296,115
Youth Offender Block Grant					
101-3120-423-01-01	\$ 1,143		Salaries	\$ 133,959	\$132,816
101-3120-423-02-04	\$ 256		Health Insurance	\$ 39,965	\$39,709
101-3120-423-02-05	\$ 16		Medicare	\$ 1,942	\$1,926
101-3120-423-02-06	\$ 118		Workers Comp	\$ 10,198	\$10,080
101-3120-423-02-08	\$ 4		Unemployment Ins	\$ 402	\$398
101-0000-361-56-13		\$ 1,537	Youthful Offender Block Grant	\$ 247,593	\$246,056
Public Guardian					
101-4100-427-28-00	\$ 27,750		Special Department Expense	\$ 27,750	\$0
Animal Care Services					
101-4400-427-14-00	\$ 1,262		Household Expense	\$ 14,000	\$12,738
101-4400-427-15-00	\$ (1,262)		Insurance	\$ 12,474	\$13,736
County Parks					
101-4900-471-64-00	\$ (130,000)		Infrastructure/Improvements	\$ -	\$130,000
101-4900-471-62-00	\$ 130,000		Fixed Assets/Equipment	\$ 130,000	\$0
District Attorney					
108-2500-421-22-00	\$ 2,500		Office Expense	\$ 77,385	\$74,885
108-2500-421-23-00	\$ 4,500		Professional Services	\$ 9,500	\$5,000
108-2500-421-29-00	\$ 5,000		Travel	\$ 17,544	\$12,544
108-0000-372-99-01		\$ 12,000	Operating Transfers In	\$ 391,943	\$379,943
Sheriff					
108-2700-422-25-00	\$ (38,700)		Rents & Leases Equipment	\$ 17,895	\$56,595
108-2700-422-26-00	\$ 38,700		Rents & Leases Structure	\$ 38,700	\$0
		\$ 104,142	\$ 227,078		

Net Appr/Rev \$ (122,936)

Recommended Adjustments To The Proposed Budget FY 2016/2017

Adjustments 9/20/16 Budget Hearing

(414-0916) Prese... - 6 of 8

Department/Unit Account	Recommended Adjustments		Description	Revised Account Total	Proposed Budget
	Appropriation Adjustment Increase / (Decrease)	Estimated Revenue Increase / (Decrease)			
Jail					
108-2900-423-23-00	\$ 35,000		Professional Services	\$ 799,755	\$764,755
108-2900-423-28-00	\$ 43,682		Special Department Expense	\$ 128,682	\$85,000
108-0000-372-99-01		\$ 78,682	Operating Transfers In	\$ 470,625	\$391,943
Debt Service					
125-0000-481-42-01	\$ 51,209		Principal Payments	\$ 618,925	\$567,716
125-0000-481-42-51	\$ (26,117)		Interest Payments	\$ 4,912,710	\$4,938,827
125-0000-372-99-05		\$ 25,092	Other Transfers In	\$ 5,531,635	\$5,506,543
Airport					
130-9500-432-23-01	\$ 47,235		Consultant Fees	\$ 97,085	\$49,850
130-9500-432-69-00	\$ 74,225		Construction in Progress	\$ 74,225	\$0
130-0000-361-40-00		\$ 123,008	Aid for Aviation	\$ 157,508	\$34,500
130-0000-351-32-00		\$ (1,548)	Rents & Concessions	\$ 319,307	\$320,855
Auto Service Fund					
150-9600-410-90-00	\$ 623,320		Reimbursements	\$ -	(\$623,320)
150-0000-351-32-00		\$ 623,320	Rents & Concessions	\$ 623,320	\$0
Sheriff Auto Service Fund					
151-9400-410-90-00	\$ 779,885		Reimbursements	\$ -	(\$779,885)
151-0000-351-32-00		\$ 779,885	Rents & Concessions	\$ 779,885	\$0
Workers Comp					
155-0000-371-98-99		\$ (1,997,799)	Miscellaneous Revenue	\$ -	\$1,997,799
155-0000-371-96-01		\$ 1,997,799	Contributions & Donations	\$ 1,997,799	\$0
Liability Insurance					
156-0000-371-98-99		\$ (1,013,254)	Miscellaneous Revenue	\$ -	\$1,013,254
156-0000-371-96-01		\$ 1,013,254	Contributions & Donations	\$ 1,013,254	\$0
Health Insurance					
157-0000-371-98-99		\$ (210,950)	Miscellaneous Revenue	\$ -	\$210,950
157-0000-372-99-01		\$ (12,016,696)	Operating Trans In	\$ -	\$12,016,696
157-0000-371-96-01		\$ 12,227,646	Contributions & Donations	\$ 12,227,646	\$0
General Insurance					
158-0000-371-98-99		\$ (57,808)	Miscellaneous Revenue	\$ -	\$57,808
158-0000-371-96-01		\$ 57,808	Contributions & Donations	\$ 57,808	\$0
Unemployment Insurance					
159-0000-371-98-99		\$ (157,536)	Miscellaneous Revenue	\$ -	\$157,536
159-0000-371-96-01		\$ 157,536	Contributions & Donations	\$ 157,536	\$0
Short Term Disability					
160-0000-372-99-01		\$ (69,363)	Operating Trans In	\$ -	\$69,363
160-0000-371-96-01		\$ 69,363	Contributions & Donations	\$ 69,363	\$0

\$ 1,628,439 \$ 1,628,439

Net Appr/Rev

\$ -

Recommended Adjustments To The Proposed Budget FY 2016/2017

Adjustments 9/20/16 Budget Hearing

(414-0916) Prese... - 7 of 8

Department/Unit Account	Recommended Adjustments		Description	Revised Account Total	Proposed Budget
	Appropriation Adjustment Increase / (Decrease)	Estimated Revenue Increase / (Decrease)			
<i>Contingencies</i>					
101-6900-410-71-01	\$ 174,682		Contingencies-General	\$ 943,954	\$769,272
<i>Operating Trans Out</i>					
101-0000-372-99-03	\$ (25,000)		Operating Trans Out	\$ (200,000)	(\$175,000)
<i>Gen Fund-One Time Rev</i>					
101-0000-311-01-00	\$ 104,258		Secured Property Taxes	\$ 10,667,758	\$10,563,500
101-0000-312-11-00	\$ 25,000		Documentary Transfer Tax	\$ 375,000	\$350,000
101-0000-361-41-01	\$ 25,000		VLF Swap	\$ 8,025,000	\$8,000,000
<i>Gen Fund-Fund Balance</i>					
101 Cash Balance	\$ 1,138,753		101 Cash Balance	\$ 2,526,380	\$1,387,627
<i>Other Trans Out</i>					
101-0000-372-99-06	\$ (1,558,576)		Increase Reserves \$157,412 Trans to Co Capital Trust \$1,401,164	\$ (1,563,576)	(\$5,000)
<i>Fund Transfer from 107 107 to 101</i>	\$ 674,682		Fund Transfer from 107	\$ 674,682	\$0

\$ 174,682 \$ 384,117

Net Appr/Rev \$ (209,435)

Recommended Adjustments To The Proposed Budget FY 2016/2017

Adjustments 9/20/16 Budget Hearing

(414-0916) Prese... - 8 of 8

Department/Unit Account	Recommended Adjustments		Description	Revised Account Total	Proposed Budget
	Appropriation Adjustment Increase / (Decrease)	Estimated Revenue Increase / (Decrease)			

	\$	-	\$	-
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Net Increase Appr/Rev

\$	-
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Net Incr Appr/Rev Pg 1

\$	332,371
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Net Incr Appr/Rev Pg 2

\$	(122,936)
----	-----------

Net Incr Appr/Rev Pg 3

\$	-
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Net Incr Appr/Rev Pg 4

\$	(209,435)
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\$	-
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Total Incr Appr/Rev

\$	-
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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



154-0416
(154-0416) Hold ... - 1 of 12

CODE ENFORCEMENT
749-5455 • Fax 749-5464

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

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

PLANNING
749-5470 • Fax 749-5434

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

FINANCE AND ADMINISTRATION
749-5430 • Fax 749-5434

DATE: April 12, 2016
TO: Yuba County Board of Supervisors
FROM: Community Development & Services Agency, Code Enforcement Division
Jeremy Strang, Division Manager
SUBJECT: Cost Accounting Hearing to Determine Costs of Abatement and Penalties to be Assessed Against Property Located at 9943 Camper Lane, Brownsville, CA 95919 and to Authorize a Special Tax Assessment and Abatement Lien

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

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

BACKGROUND: On July 27, 2015, Code Enforcement staff accompanied the Yuba County Sheriff's Department in executing a criminal Search Warrant. The warrant exposed the illegal cultivation of 505 marijuana plants by the property owners Rufus M. & AE Sun Monts. A Notice and Order to Abate Public Nuisance [Order] was issued to the property owners of record, Rufus M. & AE Sun Monts. The Order required the immediate removal of marijuana plants, and alleged violations of the Yuba County Ordinance Code consist of:

1. Cultivating of an excessive amount of marijuana – 505 plants
2. Cultivating outdoors and not within an approved accessory structure
3. Cultivating marijuana without first registering with the County
4. Constructing a building/structure without required construction permits

On July 27, 2015, Rufus M. & AE Sun Monts were properly served with the Order by posting the property, and on July 29, 2015, a duplicate Order was mailed, both by First Class and Certified with Return Receipt, to the property owners, Rufus M. & AE Sun Monts. A copy of the Order, which includes appeal procedures, is attached hereto and marked as Attachment C.

On August 27, 2015, a compliance inspection by Officers Jacenich and Monaco confirmed that all of the marijuana plants had been removed. However, the Administrative Penalty was stopped on August 4, 2015 based on information provided by the property owner, Rufus M. Monts.

Rufus M. & AE Sun Monts did not exercise their right to a hearing to contest the determination of a public nuisance, nor did they exercise their right to appeal the amount of Administrative Penalty imposed. The Demand for Payment sent to Rufus M. & AE Sun Monts for enforcement costs and penalties remains unpaid. Attached hereto and marked as Attachment A is the current accounting of those enforcement costs and penalties, the total now being \$462,954.42.

Rufus M. & AE Sun Monts were given written notice of this Accounting Hearing, a copy of which is attached hereto and marked as Attachment B.

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

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

COMMITTEE ACTION: None Required

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

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

COUNTY OF YUBA,	)	CASE NO.	MMJ15-0028
)		
Plaintiff,	)	RE:	9943 Camper Lane
	)		Brownsville, CA 95919
vs.)		
	)	APN:	060-240-002
RUFUS M. & AE SUN)		
MONTs)		
)		
	)	FINDINGS OF FACT	
	)	CONCLUSIONS OF LAW	
Defendant.	)	ORDERS OF THE BOARD OF SUPERVISORS	

FINDINGS OF FACT

1. Assessor's Parcel # 060-240-002 is located at 9943 Camper Lane, Brownsville, CA 95919, and is owned by Rufus M. & AE Sun Monts.
2. On July 27, 2015, the property owners Rufus M. & AE Sun Monts, were properly served with a Notice and Order to Abate Public Nuisance. The Notice and Order to Abate Public Nuisance required the immediate removal of 505 marijuana plants.
3. On August 4, 2015 the Administrative Penalty was stopped based on information provided the property owner Rufus M. Monts, and on August 27, 2015, a compliance inspection by Officer Jacenich and Monaco confirmed that all of the marijuana plants had been removed.
4. Rufus M. & AE Sun Monts did not exercise their right to a hearing to contest the determination of a public nuisance, nor did they exercise their right to appeal the amount of Administrative Penalty imposed.
5. Rufus M. & AE Sun Monts did not take action to abate the public nuisance as ordered.

6. The Demand for Payment for enforcement costs and penalties incurred remains unpaid.
7. A public Cost Accounting Hearing was held on April 12, 2016, to determine if the enforcement costs and Administrative Penalty imposed are accurate and reasonable.
 - (a) A two-page memorandum that included three attachments, marked as Attachment A (Cost Accounting), Attachment B (Notice of Hearing), and Attachment C (Notice and Order to Abate Public Nuisance) along with a PowerPoint presentation was submitted at the Hearing by Jeremy Strang, Code Enforcement Supervisor.
 - (b) The owners, Rufus M. & AE Sun Monts were () were not () present.
8. Rufus M. & AE Sun Monts were properly served with written notice of this Cost Accounting Hearing.
9. Jeremy Strang, Supervising Code Enforcement Officer, sustained the burden of proof showing that the enforcement costs and penalties exhibited in Attachment A in the amount of \$462,954.42 are accurate and reasonable.

CONCLUSIONS OF LAW

1. Rufus M. & AE Sun Monts were properly notified to appear before the Board of Supervisors on April 12, 2016 at 8:30 a.m. to show cause, if any, why the enforcement costs and penalties for their property located at 9943 Camper Lane, Brownsville, CA 95919, APN 060-240-002, are not accurate and reasonable, and should not become a special tax assessment against the property and why a Notice of Abatement Lien should not be recorded.
2. Rufus M. & AE Sun Monts were unable to discredit the testimony and evidence presented in order to persuade the Board of Supervisor that the enforcement costs and penalties were not accurate and reasonable, and therefore the enforcement costs and penalties regarding APN 060-240-002 were properly incurred in the amount of \$462,954.42 and the property and its owner shall bear the costs of same.

ORDERS

1. It is hereby ordered that the enforcement costs and penalties to date incurred by the County of Yuba in the amount of \$462,954.42 shall become a special tax assessment against the property located at 9943 Camper Lane, Brownsville, CA 95919, APN 060-240-002.
2. It is hereby ordered that the enforcement costs and penalties shall be assessed against the property as provided by Government Code Section 25845 (d) and that a Notice of Abatement Lien of the enforcement costs and penalties shall be recorded as authorized by Government Code Section 25845(e).

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

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

AYES:

NOES:

ABSENT:

ABSTAIN:

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

ATTEST: Donna Stottlemeyer
Clerk of the Board of Supervisors

APPROVED AS TO FORM: Angil Morris-Jones
County Counsel

YUBA COUNTY CODE ENFORCEMENT COST ACCOUNTING

Date: April 12, 2016

Case #: MMJ15-0028

APN: 060-240-002

Owners: Rufus M. & AE Sun Monts

Situs: 9943 Camper Lane, Brownsville, CA 95919

Date	Reason for Charge	Hours	Total
5/4/2015	Received Complaint, Opened Case*	0.5	\$ 73.50
5/7/2015	Phone Call*	0.25	36.75
5/8/2015	Received Additional Complaint*	0.25	36.75
6/24/2015	Inspection Request Mailed*	0.5	73.50
7/16/2015	Phone Call*	0.25	36.75
7/17/2015	Inspection with YCSO*	1.0	147.00
7/27/2015	Inspection, Multi-Departments, YCSO Warrant*	2.0	294.00
8/4/2015	Phone Call*	0.25	36.75
8/27/2015	Inspection, Verify Compliance*	1.0	147.00
8/28/2015	Phone Call*	0.25	36.75
9/16/2015	Phone Call*	0.25	36.75
	Total Staff Hours at \$147.00 per Hour	6.5	\$ 955.50
7/27/2015	Notice & Order to Abate Public Nuisance*	FEE	1,470.00
8/4/2015	Administrative Penalty, Nine Days @ \$50,900.00 Per Day, Accrued Daily (July 27, 2015 - August 4, 2015)*	PENALTY	458,100.00
8/28/2015	Notice of Non-Compliance*	FEE	147.00
8/28/2015	CDSA Processing Fee, Recording Doc*	FEE	73.50
4/12/2016	Cost Accounting Hearing Before BOS	FEE	1,470.00
4/12/2016	Release of Abatement Lien	FEE	147.00
4/12/2016	Notice of Compliance	FEE	147.00
4/12/2016	CDSA Processing Fee, Two Documents	FEE	147.00
4/12/2016	Recordation Fee, Two Documents	COST	24.00
4/12/2016	CDSA Support Fee (6%)	FEE	273.42
		Total	\$462,954.42

*Charges are reflected on unpaid Demand for Payment



The County Of Yuba

Community Development &
Services Agency

CODE ENFORCEMENT

Telephone: (530) 749-5455

Fax: (530) 749-5616

(154-0416) Hold ... - 7 of 12



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

Rufus M. Monts
P O Box 441
Oregon House, CA 95962

NOTICE OF HEARING TO ASSESS PROPERTY AND RECORD ABATEMENT LIEN

YOU ARE HEREBY NOTIFIED to appear before the Yuba County Board of Supervisors at 915 8th Street, Marysville, California, in the Board of Supervisors Chambers, on April 12, 2016, at the hour of 8:30 a.m., or as soon thereafter as the matter may be heard, to show cause, if any there may be, why the enforcement costs and penalties for the property located at 9943 Camper Lane, Brownsville, CA 95919, APN 060-240-002, abated pursuant to the Notice and Order to Abate Public Nuisance, should not be assessed against the property and why an abatement lien should not be recorded thereby.

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

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

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

Dated: March 23, 2016

Certified Mail # 7013 3020 0000 6317 9277

Enclosure: Attachment A, Cost Accounting

BY: Melanie Marquez
Melanie Marquez
Administrative Technician
Code Enforcement Division



The County Of Yuba

(154-0416) Hold ... - 8 of 12

Community Development &
Services Agency

CODE ENFORCEMENT

Telephone: (530) 749-5455

Fax: (530) 749-5616



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

NOTICE AND ORDER TO ABATE PUBLIC NUISANCE

MMJIS-0028

CULTIVATOR(S) ADDRESS:	PROPERTY OWNER: ADDRESS
Terra Canna Collective 345 Franklin Street San Francisco, CA 94102	Rufus & AE Sun Mounts P.O. Box 441, Oregon House, CA 95962 - 0441

See Back Page Continued

VIOLATION ADDRESS: 9943 Camper Lane, Brownsville, CA 95919

APN: 060-140-002

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

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

- ☒ Outdoor cultivation 7.40.300A
- ☐ Cultivation w/in dwelling 7.40.300B
- ☒ Cultivation of more than 12 plants 7.40.300C **NUMBER OF PLANTS:** 505
- ☐ Water source/discharges 7.40.300D
- ☒ Cultivation environment; health, safety, welfare; dust, odor, traffic, chemicals 7.40.300E
- ☐ Active Code case 7.40.300F
- ☐ Lack of dwelling 7.40.310
- ☐ Permitted accessory structure 7.40.320A1
- ☐ Accessory structure w/in setback 7.40.320A2
- ☐ Use of extension cord(s) 7.40.320A3
- ☒ Lack of mechanical filtration system 7.40.320A4
- ☐ Lack of adequate fence around accessory structure (height; security) 7.40.330
- ☒ Lack of registration 7.40.340

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

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

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

of plants: 505

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

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

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

YOU ARE HEREBY ADVISED that Administrative Penalties in the amount of \$50,000.00 per day pursuant to Yuba County Code § 7.40.550 have begun to accrue and will continue to accrue until the date compliance with the Order has been met and verified by the Enforcement Officer; you must call this office to schedule an inspection to verify compliance.

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

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

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

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

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

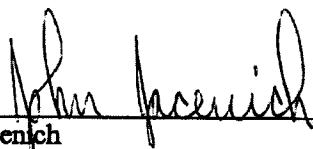
IMPORTANT: READ THIS NOTICE CAREFULLY. FAILURE TO RESPOND WITHIN THE TIME SET FORTH IN THIS NOTICE WILL LIKELY RESULT IN ADMINISTRATIVE AND/OR JUDICIAL ABATEMENT AND TERMINATION OF USES OF, OR CONDITIONS ON YOUR PROPERTY WHICH THE ENFORCEMENT OFFICER CONTENDS ARE IN VIOLATION OF THE YUBA COUNTY ORDINANCE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

☒ POSTED PROPERTY

☐ PERSONAL SERVICE

☒ CERTIFIED MAIL 7013 3020 0000 6318 1102 \$1119

DATED: 7/27/15


 John Jacenich
 Code Enforcement Officer

Encl: Excerpts from Yuba County Ordinance Code, Chapter 7.40, Billing #652

cc: Rufus & KE Sun Mounts, P.O. Box 441, Oregon House, CA 95962
 Ben Gaddy, 7900 Vonnac Rd, Dublin, CA 94568
 Caitlin Mae Hill, 2635 Durango Lane, San Ramon, CA 94583



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

Billing

(154-0416) Hold ... - 11 of 12

DATE	INVOICE #
7/29/2015	652

BILL TO:

Rufus M. & AE Sun Monts
P O Box 441
Oregon House, CA 95962-0441

CASE INFORMATION

Number: MMJ15-0028
Officer: J. Jacenich
APN: 060-240-002
9943 Camper Ln, Brownsville
Cert # 7013 3020 0000 6318 1102 & 1119

TERMS	DUE DATE
Net 30	8/28/2015

SERVICE DATE	DESCRIPTION OF CHARGES	RATE	HOURS	AMOUNT
5/4/2015	Received Complaint, Opened Case	147.00	0.5	73.50
5/7/2015	Phone Call with Complainant	147.00	0.25	36.75
5/8/2015	Received Additional Complaint	147.00	0.25	36.75
6/24/2015	Inspection Request Mailed	147.00	0.5	73.50
7/16/2015	Phone Call with Complainant	147.00	0.25	36.75
7/17/2015	Inspection w/ YCSO	147.00	1	147.00
7/27/2015	Inspection Multi-Depts, Warrant	147.00	2	294.00
7/27/2015	Notice & Order to Abate	1,470.00		1,470.00
7/27/2015	Admin Penalty 1 Day (7/27/2015)	50,900.00		50,900.00
7/27/2015	CDSA Support Fees (6%)	130.10		130.10

Total	\$53,198.35
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**FAILURE TO MAKE PAYMENT BY THE DUE DATE LISTED ABOVE
WILL RESULT IN THE FOLLOWING LATE-PAYMENT PENALTIES:**

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

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

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