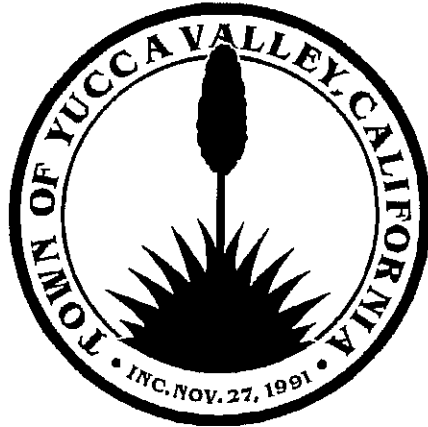


TOWN OF YUCCA VALLEY
TOWN COUNCIL MEETING



*The Mission of the Town of Yucca Valley is to
provide a government that is responsive to its citizens
to ensure a safe and secure environment
while maintaining the highest quality of life.*

**TUESDAY, MARCH 1, 2011
TOWN COUNCIL: 6:00 p.m.
YUCCA VALLEY COMMUNITY CENTER
YUCCA ROOM
57090 - 29 PALMS HIGHWAY
YUCCA VALLEY, CALIFORNIA 92284**

**CLOSED SESSIONS
YUCCA VALLEY TOWN HALL CONFERENCE ROOM
57090 - 29 PALMS HIGHWAY
YUCCA VALLEY, CALIFORNIA 92284**

* * * *

TOWN COUNCIL
*George Huntington, Mayor
Frank Luckino, Mayor Pro Tem
Isaac Hagerman, Council Member
Chad Mayes, Council Member
Dawn Rowe, Council Member*

* * * *

**TOWN ADMINISTRATIVE OFFICE:
760-369-7207
www.yucca-valley.org**

**AGENDA
MEETING OF THE
TOWN OF YUCCA VALLEY COUNCIL
TUESDAY, MARCH 1, 2011, 6:00 P.M.**

The Town of Yucca Valley complies with the Americans with Disabilities Act of 1990. If you require special assistance to attend or participate in this meeting, please call the Town Clerk's Office at 760-369-7209 at least 48 hours prior to the meeting.

If you wish to comment on any subject on the agenda, or any subject not on the agenda during public comments, please fill out a card and give it to the Town Clerk. The Mayor/Chair will recognize you at the appropriate time. Comment time is limited to 3 minutes.

(WHERE APPROPRIATE OR DEEMED NECESSARY, ACTION MAY BE TAKEN ON ANY ITEM LISTED IN THE AGENDA)

OPENING CEREMONIES

CALL TO ORDER

ROLL CALL: Council Members Hagerman, Luckino, Mayes, Rowe and Mayor Huntington.

PLEDGE OF ALLEGIANCE

PRESENTATIONS, INTRODUCTIONS, RECOGNITIONS

AGENCY REPORTS

APPROVAL OF AGENDA

Action: Move _____ 2nd _____ Voice Vote _____

CONSENT AGENDA

- 1-9 1. Regular Town Council Meeting Minutes of February 15, 2011.

Recommendation: Approve minutes as presented.

2. Waive further reading of all ordinances (if any in the agenda) and read by title only.

Recommendation: Waive further reading of all ordinances and read by title only.

- 10-15 3. Ordinance Amending the Town of Yucca Valley Municipal Code regarding Mayor and Town Council, Revising Commission Terms, and Disbanding Public Arts Advisory Committee, Traffic Commission and TEAM Yucca Valley Commission.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, REPEALING AND REENACTING CHAPTER 2.05 OF TITLE 2 RELATING TO MAYOR AND TOWN COUNCIL, REPEALING AND REENACTING CHAPTER 4.02 OF TITLE 4, RELATING TO BOARD AND COMMISSION MEMBERS, AMENDING SECTION 4.04.010 OF CHAPTER 4.04 RELATING TO PLANNING COMMISSION CREATION AND TERMS, AMENDING SECTION 4.10.030 OF CHAPTER 4.10 RELATING TO PARKS, RECREATION AND CULTURAL COMMISSION TERMS OF OFFICE AND VACANCY, REPEALING IN ITS ENTIRETY CHAPTER 4.11 OF TITLE 4 RELATING TO PUBLIC ARTS ADVISORY COMMITTEE, REPEALING IN ITS ENTIRETY CHAPTER 4.14 OF TITLE 4 RELATING TO TRAFFIC COMMISSION, AND REPEALING IN ITS ENTIRETY CHAPTER 4.16 OF TITLE 4, RELATING TO TEAM YUCCA VALLEY COMMISSION

Recommendation: Adopt the Ordinance

- 16-18 4. Treasurer's Report for Quarters Ending September 30, 2010 and December 31, 2010.

Recommendation: Receive and file the Treasurer's Report for 1st and 2nd Quarter FY 2010-11

- 19-31 5. Independent Audit Appointment

Recommendation: Amend the agreement with Rogers, Anderson, Malody & Scott, LLP, to be the Town's Independent Auditor for a three year period beginning with the fiscal year 2010-11 audit.

- 32-41 6. December 2010 Statewide Storms, FEMA-1952-Council Member Rowe, Project Application and Authorization.

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, FOR DESIGNATION OF APPLICANT'S AGENT FOR THE OFFICE OF EMERGENCY SERVICES

Recommendation: Ratify the Town's Project Application to the State Office of Emergency Services for participation in the California Disaster Assistance Act (CDAA) and adopt the Resolution designating the Town's Authorized Agent concerning all necessary written correspondence regarding the Town's Project Application and any

other related forms regarding the December 2010 storm event and the related local declaration of a state of emergency.

42-59 7. Warrant Register – March 1, 2011.

Recommendation: Ratify the Warrant Register total of \$389,143.08 for checks dated February 10, 2011. Ratify Payroll Registers total of \$146,632.60 for checks dated January 7, 2011 thru February 4, 2011.

All items listed on the consent calendar are considered to be routine matters or are considered formal documents covering previous Town Council instruction. The items listed on the consent calendar may be enacted by one motion and a second. There will be no separate discussion of the consent calendar items unless a member of the Town Council or Town Staff requests discussion on specific consent calendar items at the beginning of the meeting. Public requests to comment on consent calendar items should be filed with the Town Clerk/Deputy Town Clerk before the consent calendar is called.

Recommendation: Adopt Consent Agenda (items 1-7)(roll call vote)

Action: Move _____ 2nd _____ Roll Call Vote _____

PUBLIC HEARINGS

60-131 8. Senate Bill (SB) 1693, Five Year Findings for Public Facility Development Impact Fees, Resolution.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, CONTINUING THE PUBLIC FACILITY DEVELOPMENT IMPACT FEES FOR NEW DEVELOPMENT WITHIN THE TOWN OF YUCCA VALLEY

Staff Report

Recommendation: Receive the report and adopt the Resolution.

Action: Move _____ 2nd _____ Voice Vote _____.

132-142 9. Community Development Block Grant (CDBG) Prioritization Hearing.

Staff Report

Recommendation: Recommend that the Town's entire 2011-12 net CDBG allocation of \$126,395 be applied to the Town of Yucca Valley's Code Enforcement project, and direct staff to reflect the additional anticipated revenue in the 2011-2012 budget proposal.

Action: Move _____ 2nd _____ Roll Call Vote _____.

DEPARTMENT REPORTS

POLICY DISCUSSION

FUTURE AGENDA ITEMS

PUBLIC COMMENTS

In order to assist in the orderly and timely conduct of the meeting, the Council takes this time to consider your comments on items of concern which are on the Closed Session or not on the agenda. When you are called to speak, please state your name and community of residence. Notify the Mayor if you wish to be on or off the camera. Please limit your comments to three (3) minutes or less. Inappropriate behavior which disrupts, disturbs or otherwise impedes the orderly conduct of the meeting will result in forfeiture of your public comment privileges. The Town Council is prohibited by State law from taking action or discussing items not included on the printed agenda.

STAFF REPORTS AND COMMENTS

MAYOR AND COUNCIL MEMBER REPORTS AND COMMENTS

10. Council Member Mayes
11. Council Member Hagerman
12. Council Member Rowe
13. Mayor Pro Tem Luckino
14. Mayor Huntington

ANNOUNCEMENTS

Time, date and place for the next Town Council meeting.

Next Town Council Meeting, Tuesday, March 15, 2011, 6:00 p.m.

CLOSED SESSION

CLOSING ANNOUNCEMENTS

ADJOURNMENT

**TOWN OF YUCCA VALLEY
TOWN COUNCIL MEETING MINUTES
FEBRUARY 15, 2011**

Mayor Huntington called the regular meeting of the Town of Yucca Valley Council to order at 6:00 p.m.

Council Members Present: Hagerman, Luckino, Mayes, Rowe and Mayor Huntington.

Staff Present: Town Manager Nuaimi, Deputy Town Manager Stueckle, Town Attorney Laymon, Community Services Director Schooler, Administrative Services Director Yakimow, Police Capt. Miller, and Town Clerk Anderson

PLEDGE OF ALLEGIANCE

Led by Council Member Hagerman

PRESENTATIONS, INTRODUCTIONS, RECOGNITIONS

2010 Miss Yucca Valley Janice Park introduced 2011 Miss Yucca Valley Kasandra Paulino and her Court: 1st Princess Shelly Sanden; 2nd Princess Lindsey Quiroz; and Princesses Velda Denison, Amanda Ambrosius, and Miranda Monday.

AGENCY REPORTS

Fire Department

1. Monthly Report for January 2011

Battalion Chief Benfield gave the monthly statistical Fire Department Report for January 2011

APPROVAL OF AGENDA

Council Member Luckino moved to approve the agenda. Council Member Hagerman seconded. Motion carried 5-0 on a voice vote.

CONSENT AGENDA

2. **Approve**, Regular Town Council Meeting Minutes of February 1, 2011 as presented.
3. **Waive**, further reading of all ordinances and read by title only.
4. **Adopt**, Ordinance No. 222, amending Title 12, adding Chapter 12.50, Administrative Adjudication Procedures.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AMENDING TITLE 12, VEHICLES AND TRAFFIC OF THE MUNICIPAL CODE, ADDING CHAPTER 12.50, ADMINISTRATIVE ADJUDICATION PROCEDURES

- 5. **Receive and file**, AB 1234 Reporting Requirement Schedule for the month of January 2011.
- 6. **Ratify**, sale of the identified list of taxidermy shorebird specimens to the Santa Maria Natural History Museum and designate the proceeds to be used for collections care and acquisitions.
- 7. **Ratify**, Warrant Registers total of \$682,963.93 for checks dated January 21, 2011 thru January 31, 2011.

Phyllis Lyte, Yucca Valley, spoke in opposition to Item 6, de-accession of taxidermy specimens. Community Services Director Schooler advised the items in question that are recommended for de-accession are not relevant to the museum’s exhibits and have been identified by staff as appropriate for de-accession. They are more appropriate to the Santa Maria Natural History Museum where the birds are native.

Council Member Luckino moved to adopt Consent Agenda Items 2-7. Council Member Mayes seconded. Motion carried 5-0 on a roll call vote.

- AYES:** Council Member Hagerman, Luckino, Mayes, Rowe and Mayor Huntington .
- NOES:** None
- ABSTAIN:** None
- ABSENT:** None

PUBLIC HEARINGS

- 8. **Service Charge for Release of Stored or Impounded Vehicles.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AMENDING RESOLUTION 04-38 BY ADDING VEHICLE IMPOUND RELEASE FEES FOR THE ADMINISTRATIVE SERVICES DIVISION

Administrative Services Director Yakimow reported the cost related to impounded vehicles is a non-recoverable expense for provision of public safety services to our citizens. It was noted that a Sheriff’s Deputy is required to be present to oversee the entire process regarding the impounding of a vehicle which takes about an hour of the Deputy’s and support staff time. The recommendation is a \$100 fee paid by the registered owner of the vehicle. There are exemptions provided.

Margo Sturges, Yucca Valley, commented regarding trailers that may be impounded noting they may be borrowed and the actual owner may be an innocent victim.

Council Member Luckino questioned if the fee has anything to do with the towing charges. Administrative Services Director Yakimow advised the fee is strictly to cover the Deputy's time and is in addition to any towing fees. He noted that insurance companies often pay towing fees for registered owners involved in an accident.

Council Member Hagerman questioned what happens in the case of a lien sale. Administrative Services Director Yakimow advised if the vehicle goes to a lien sale the fee is not recoverable unless the sale is sufficient for the registered owner to pay from the proceeds.

Council Member Mayes questioned if there is any increase to staff time. Capt. Miller advised the paper work is already being done.

Council Member Rowe clarified that this is for vehicles that are being impounded because they are causing hazard of some kind.

Council Member Mayes moved to adopt Resolution No.11-09, establishing a service charge for release of stored or impounded vehicles. Council Member Hagerman seconded. Motion carried 5-0 on a voice vote.

DEPARTMENT REPORTS

9. **Ordinance No. 169, Utility Undergrounding, Service Line/Drop Undergrounding, In-Fill Residential Development**

Deputy Town Manager Stueckle gave a PowerPoint presentation regarding the history of the ordinance, and advised potential modifications to the ordinance could include: exempting service lines to in-fill residential where adjacent property has aerial service; providing a mechanism whereby a project can petition the Town for a waiver based upon economic hardship due to unique site characteristics for new development or costly undergrounding for "service" expansion on developed property as required by Section 87.1140; or unlikelihood of future undergrounding (no in-lieu payment).

Mike Poland, Yucca Valley, commented regarding his service on the undergrounding committee, and presentations from Edison stating they are an overhead utility provider, and noted there are huge punitive amounts of money to a developer to place utilities underground. Requiring undergrounding is an unfair condition for those people who are building in a subdivision that already exists. He encouraged the Council to give serious thought to removing that requirement.

Council Member Luckino commented he has always had an issue with the ordinance. It makes sense to require undergrounding for large developments but he cannot support the requirement for in-fill lots. He stated he does not agree with exemptions for economic hardship noting it takes staff time and everyone will find a reason for an economic hardship. Commercial in-fill should also be exempt. Undergrounding needs to be done collectively if at all and not a few at a time.

Council Member Mayes stated he wouldn't want to repeal the ordinance, but there are instances where there should be exceptions such as for large lots that are not going to be subdivided, other than that he is fine with the residential provision of the current ordinance. On the commercial he would like to waive the requirement for undergrounding existing distribution lines and not require in-lieu fees for that. However, new lines would have to be underground.

Council Member Hagerman commented that the cost of \$1,000 for every 4' is a huge expense. He agreed with Council Member Mayes regarding the in lieu fee, noting he would rather see the owner put that money into their own business than one of our bank accounts. As far as commercial he does not see any reason to underground existing service, and he appreciates the comments stating that Edison is an overhead power company.

Council Member Rowe commented that cases such as the CARQUEST expansion where the owner had to underground the neighbor's lines is unfair. However, when there is new development and no existing distribution or service lines, there is an argument for placing the lines underground.

Council Member Luckino commented there has to be a financing mechanism to pay for undergrounding, noting if large portions are done at one time, the costs will go down.

Mayor Huntington commented that requiring service lines to be underground is justified, but distribution lines are something else. It will be much more costly if we allow all overhead and then go to underground at a future time. Underground service should be required, but there has to be some exemptions in certain circumstances.

Council Member Mayes commented there should be no more poles placed in Yucca Valley, because once they go up there is a cost to bring them back down again. Undergrounding the service line is not that much of an issue but there has always been an issue with undergrounding the distribution line.

Council Member Luckino commented regarding the fact that requiring service line undergrounding might not be that much money but the cost is in addition to all the other associated costs.

Mayor Huntington commented that Council is in agreement that existing distribution lines should not require undergrounding.

Council Member Mayes questioned if there is a mechanism in place to refund in-lieu fees back to developer if that part is removed. Town Manager Nuaimi advised that staff will research the issue.

Mayor Huntington advised that he and Council Member Mayes are in agreement that service lines should be underground but there should be some wiggle room. Council Member Rowe advised her agreement would depend on the language of wiggle room. Council Member Mayes recommended that staff draft language for Council to look at.

Mayor Huntington advised there is consensus regarding ceasing collection of in lieu of fees.

Council Member Rowe requested that anyone have the alternative to appeal a decision to the Planning Commission or Council.

Town Manager Nuaimi requested that Council support a fee to go through that appeal process noting the staff time required. Deputy Town Manager Stueckle noted that any staff level determination on a code interpretation can always be appealed.

Council Member Mayes suggested looking at some exemption for large lots.

Staff advised sufficient direction has been given to bring information back to Council.

10. Ordinance Amending the Town of Yucca Valley Municipal Code regarding Mayor and Town Council, Revising Commission Terms, and Disbanding Public Arts Advisory Committee, Traffic Commission and TEAM Yucca Valley Commission.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, REPEALING AND REENACTING CHAPTER 2.05 OF TITLE 2 RELATING TO MAYOR AND TOWN COUNCIL, REPEALING AND REENACTING CHAPTER 4.02 OF TITLE 4, RELATING TO BOARD AND COMMISSION MEMBERS, AMENDING SECTION 4.04.010 OF CHAPTER 4.04 RELATING TO PLANNING COMMISSION CREATION AND TERMS, AMENDING SECTION 4.10.030 OF CHAPTER 4.10 RELATING TO PARKS, RECREATION AND CULTURAL COMMISSION TERMS OF OFFICE AND VACANCY, REPEALING IN ITS ENTIRETY CHAPTER 4.11 OF TITLE 4 RELATING TO PUBLIC ARTS ADVISORY COMMITTEE, REPEALING IN ITS ENTIRETY CHAPTER 4.14 OF TITLE 4 RELATING TO TRAFFIC COMMISSION, AND REPEALING IN ITS ENTIRETY CHAPTER 4.16 OF TITLE 4, RELATING TO TEAM YUCCA VALLEY

COMMISSION

Town Manager Nuaimi gave the staff report and read the title of the ordinance, noting it captures all the direction Council provided us at the February 1st meeting. In addition, staff is requesting Council appoint an ad-hoc committee to review the rules and procedures that will be adopted by resolution. Commission terms will be amended to 4 year terms to coincide with the elected official's terms.

Marge Crouter, Yucca Valley, commented regarding the original council intent regarding selection of Mayor, Mayor Pro Tem.

Margo Sturges, Yucca Valley, suggested that citizens convicted of a felony or on probation should not be qualified to serve on a commission.

Phyllis Lyte, Yucca Valley, spoke in opposition to disbanding the Public Art Advisory Committee.

Town Manager Nuaimi answered questions asked during public comments.

Council Member Mayes explained the reason for removing the selection of Mayor and Mayor Pro Tem from the ordinance, noting that councils have always followed the tradition set up by the first council. He commented that staff has done what the Council requested, and noted he would like to serve on the ad hoc committee with Mayor Huntington if he is willing to meet in the evening or on weekends.

Council Member Luckino stated he does not support disbanding any commissions or committees or changing the Planning Commission to 4 year terms.

Council Member Mayes moved to introduce the Ordinance, concerning Mayor and Council Policies and commission appointments, and appoint Mayor Huntington and Council Member Mayes to an Ad-hoc committee to review Council Rules and Procedures. Council Member Rowe seconded. Motion carried 4-1 on a roll call vote.

AYES: Council Member Hagerman, Mayes, Rowe and Mayor Huntington .

NOES: Council Member Luckino

ABSTAIN: None

ABSENT: None

11. General Plan Update Authorization, Request for Qualifications/Request for Proposals (RFQ/RFP), Budget Amendment

Deputy Town Manager Stueckle gave the staff report and an overview of the desired outcome of the General Plan process.

Council Member Rowe commented regarding the mandate to update the Housing Element, and questioned if the entire General Plan has to be updated every so often by law. Deputy Town Manager Stueckle advised there is no specific time period for a complete general plan update noting the only mandatory requirement is update of the housing element, however, at year 10 we began to receive letters regarding the need for an update from the state and after 12 years we began to get letters from the Attorney General.

Council Member Hagerman questioned how the GPAC is formed. Deputy Town Manager Stueckle advised that process has not been laid out yet, but it is anticipated that there will likely be a Council Member representative to monitor and participate in the process, as well as members of the community at large to represent the different stakeholders groups. Staff will return to Council with recommendations as that step in the process comes closer. Council Member Hagerman commented he is happy this is a priority of the Council.

Council Member Luckino expressed concern about the cost, noting he would prefer to look at the budget before committing the funding. Administrative Services Director Yakimow advised that Council will be looking at the mid-year budget in March and the first cut of next year's budget in May. Town Manager Nuaimi advised that Council should assume the worse case scenario is this is going to be spent out of reserves, noting he believes there is sufficient rationale that the RDA should also pay up to 50% of the cost. This is a one time expense the Town needs to make. He noted there is no rush, but he would not want to try to get the update done after the market has reignited, and added the Town is exposed to litigation due to the age of the General Plan.

Council Member Mayes commented this is a must and the money must be spent whether it is now or later.

Mayor Huntington stated communities are supposed to look at the General Plan every 10 years and it has been 16 years for the Town. He questioned if the update will include a Town survey. Town Manager Nuaimi advised performance of a scientific survey is included in the scope of work. There will also be a mandatory bidders meeting. Mayor Huntington commented regarding the need to perform the update and requested that the RFP include the number of organizations in the valley who are doing research that will help in the process.

Council Member Mayes questioned why the Town isn't setting aside approximately \$100,000 on an annual basis for future updates. Town Manager Nuaimi advised there will be future discussions regarding reserves and categorizing them differently.

Mayor Huntington expressed concern regarding the proposed number of GPAC meetings.

Council Member Mayes moved to authorize the General Plan Update, approve the Request for Qualifications/Request for Proposals, appropriate \$300,000 from the General Fund Undesignated Reserves for the first of three anticipated appropriations for the project, direct staff to schedule additional appropriations in the 2011-2012 and 2012-2013 fiscal years to complete the project, estimated at approximately \$1.0 million, and authorize the Town Manager to make non substantive and technical changes to the RFQ/RFP as deemed necessary. Council Member Hagerman seconded. Motion carried 5-0 on a voice vote.

FUTURE AGENDA ITEMS

None

PUBLIC COMMENT

Marge Crouter, Yucca Valley, commented regarding the process when amending ordinances, questioned why Council doesn't hold study sessions, and requested that the night sky ordinance be amended so that it can be enforced.

Margo Sturgis, Yucca Valley, commented regarding the work people do on the committees in the Town, and public notification of meetings.

Curt Duffy, Yucca Valley, commented regarding the wastewater treatment project.

STAFF REPORTS AND COMMENTS

None

MAYOR AND COUNCIL MEMBER REPORTS AND COMMENTS

12. Council Member Mayes

None

13. Council Member Hagerman

None

14. Council Member Rowe

Thanked the Fire Department for the ride on the new fire engine.

15. Mayor Pro Tem Luckino

Congratulated Miss Yucca Valley and her Court.

Commented regarding the need to get the State and Country's economies under control.

16. Mayor Huntington

Reported regarding attendance at the Miss Yucca Valley pageant noting the participants are exceptional young ladies who will represent the community very well.

Commented he enjoyed the ride on fire engine.

Reported regarding attendance at the meeting for the SR 247/62 stop light and medians.

Reported regarding attendance at the Healthy Hearts Run, and commented regarding the low attendance this year due to activities in Palm Springs.

ANNOUNCEMENTS

The next Town Council Meeting is Tuesday, March 1, 2011 at 6:00 p.m.

ADJOURNMENT

There being no further business the meeting was adjourned at 7:55 p.m.

Respectfully submitted,

Jamie Anderson, MMC
Town Clerk

ORDINANCE NO.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, REPEALING AND REENACTING CHAPTER 2.05 OF TITLE 2, RELATING TO MAYOR AND TOWN COUNCIL, REPEALING AND REENACTING CHAPTER 4.02 OF TITLE 4, RELATING TO BOARD AND COMMISSION MEMBERS , AMENDING SECTION 4.04.010 OF CHAPTER 4.04 RELATING TO PLANNING COMMISSION CREATION AND TERMS, AMENDING SECTION 4.10.030 OF CHAPTER 4.10 RELATING TO PARKS, RECREATION AND CULTURAL COMMISSION TERMS OF OFFICE AND VACANCY, REPEALING IN ITS ENTIRETY CHAPTER 4.11 OF TITLE 4, RELATING TO PUBLIC ARTS ADVISORY COMMITTEE, REPEALING IN ITS ENTIRETY CHAPTER 4.14 OF TITLE 4, RELATING TO TRAFFIC COMMISSION, AND REPEALING IN ITS ENTIRETY CHAPTER 4.16 OF TITLE 4, RELATING TO TEAM YUCCA VALLEY COMMISSION

The Town Council of the Town of Yucca Valley does hereby ordain as follows:

SECTION 1. MUNICIPAL CODE AMENDED

- 1.1 Chapter 2.05 of the Town of Yucca Valley Municipal Code is hereby repealed, the repeal to be effective only upon the effective date of the reenactment of said chapter as set forth in Section 2 of this Ordinance.
- 1.2 Chapter 4.02 of the Town of Yucca Valley Municipal Code is hereby repealed, the repeal to be effective only upon the effective date of the reenactment of said chapter as set forth in Section 3 of this Ordinance.
- 1.3 Section 4.04.010 of Chapter 4.04 of the Town of Yucca Valley Municipal Code is hereby amended as set forth in Section 4 of this Ordinance.
- 1.4 Section 4.10.030 of Chapter 4.10 of the Town of Yucca Valley Municipal Code is hereby amended as set forth in Section 5 of this Ordinance.
- 1.5 Chapter 4.11 of Title 4, of the Town of Yucca Valley Municipal Code is hereby repealed in its entirety.
- 1.6 Chapter 4.14 of Title 4 of the Town of Yucca Valley Municipal Code is hereby repealed in its entirety.
- 1.7 Chapter 4.16 of Title 4 of the Town of Yucca Valley Municipal Code is hereby repealed in its entirety.

SECTION 2. REENACTMENT OF CHAPTER 2.05. Chapter 2.05 of the Town of Yucca Valley Municipal Code is hereby reenacted in its entirety to read as follows:

“Chapter 2.05

MAYOR AND TOWN COUNCIL

Sections:

Part I. General Provisions

- 2.05.010 Salary of Council Members
- 2.05.020 Administrative Services of the Town
- 2.05.030 Appointment as Redevelopment Agency
- 2.05.040 Salary of Redevelopment Agency Members
- 2.05.050 Eligibility of Council Members
- 2.05.060 Adoption of Rules and Procedures for Council Meetings and Other Related Functions and Activities

Part II. Elections

- 2.05.070 Filing Fee Required
- 2.05.080 Payment of Fee
- 2.05.090 Elections to be Held in Even Numbered Years

PART I. GENERAL PROVISIONS

2.05.010 SALARY OF COUNCIL MEMBERS:

- A. Pursuant to California Government Code Section 36516, compensation shall be paid to each member of the Town Council in the amount set forth in the schedule of such section. More particularly, the amount of compensation to be paid to each member of the Town Council shall be the sum of four hundred eighty eight dollars and sixty three cents (\$488.63), in accordance with California Government Code Section 36516. The compensation prescribed herein is and shall be exclusive of any amounts payable to each member of the Town Council as reimbursement for actual and necessary expenses incurred in the performance of official duties for the Town; and, accordingly, each member of the Town Council shall receive reimbursement to such actual and necessary expenses incurred in the performance of official duties of the Town, pursuant to the provisions of California Government Code Section 36514.5. Such reimbursement shall be as established by policy resolution adopted by the Town Council.
- B. Members of the Town Council are entitled to those same benefits that are available, and paid by the Town, for its employees in accordance with California Government Code Section 36515(d).

2.05.020 ADMINISTRATIVE SERVICES OF THE TOWN:

- A. The Town Council and its members shall deal with the administrative services of the Town only through the Town Manager, except for the purpose of inquiry, and neither the Council nor any members thereof shall give orders to any subordinates of the Town Manager, either publicly or privately.
- B. Neither the Council nor any of its Commissions or members shall direct, request or attempt to influence, either directly or indirectly, the appointment of any person to office or employment by the Town Manager or in any manner interfere with the Town Manager or prevent him/her from exercising his/her own judgment in the appointment of officers and employees in the administrative service.

2.05.030 APPOINTMENT AS REDEVELOPMENT AGENCY: The Town Council finds and declares there is a need for a Redevelopment Agency to function in the Town pursuant to the provisions of the Community Redevelopment Law (Section 33000 et. seq., of the Health and Safety Code). The Town Council declares itself to be the Redevelopment Agency of the Town.

2.05.040 SALARY OF REDEVELOPMENT AGENCY MEMBERS: Pursuant to California Health and Safety Code Section 33114, compensation shall be paid to each member of the Redevelopment Agency in the amount set forth in the schedule of such section. More particularly, the amount of compensation to be paid to each Member of the Redevelopment Agency shall be the sum of thirty dollars (\$30.00) per Agency meeting attended by the member, in accordance with California Health and Safety Code Section 33114.5. No member shall receive compensation for attending more than four (4) meetings of the agency per month. The compensation prescribed herein is and shall be exclusive of any amounts payable to each Member of the Redevelopment Agency as reimbursement for actual and necessary expenses incurred by him/her in the performance of official duties for the Agency; and accordingly, each Member of the Agency shall receive reimbursement for such actual and necessary expenses incurred in the performance of official duties of the Agency. Such reimbursement shall be as established by a policy resolution adopted by the Town Council.

2.05.050 ELIGIBILITY OF COUNCIL MEMBERS: No member of the Town Council shall be eligible for appointment to any authorized position, contract employment position or town lobbyist until one year has elapsed after such Council Member has ceased to be a member of the Town Council.

2.05.060 ADOPTION OF RULES AND PROCEDURES FOR COUNCIL MEETINGS AND OTHER RELATED FUNCTIONS AND ACTIVITIES:

Rules and procedures for Council meetings and other related functions and activities shall be adopted by Resolution of the Town Council.

PART II. ELECTIONS

2.05.070 FILING FEE REQUIRED: A filing fee of twenty five dollars (\$25.00) is established for candidates' nomination papers for elective offices at municipal elections held in the Town.

2.05.080 PAYMENT OF FEE: The filing fee required by Section 2.05.070 of this Chapter shall be paid to the Town Clerk by each candidate for elective office at the time the candidate's nomination paper is filed with the Clerk. All fees collected in accordance with this section shall be deposited in the General Fund of the Town of Yucca Valley.

2.05.090 ELECTIONS TO BE HELD IN EVEN NUMBERED YEARS: General municipal elections for the Town shall be held on the same day as the statewide general election (i.e. the first Tuesday after the first Monday of November in each even numbered year).

SECTION 3. REENACTMENT OF CHAPTER 4.02. Chapter 4.02 of the Town of Yucca Valley Municipal Code is hereby reenacted in its entirety to read as follows:

"Chapter 4.02

BOARD AND COMMISSION MEMBERS

Sections:

- 4.02.010 Appointments
- 4.02.020 Residency Requirements
- 4.02.030 Officers

4.02.010 APPOINTMENTS:

- A. Town Council to Appoint: Unless otherwise specifically provided in this code or by state law, all Town board and commission appointments, except for ex officio members where applicable, shall be made by the Town Council.
- B. Terms: Unless otherwise provided by law, or by ordinance or resolution, or unless by the very nature of a situation the provisions hereof may not be made applicable, all members of boards and commissions of the Town shall be appointed by the Town Council for four (4) year terms commencing on February 1 of the year of appointment; provided, that interim vacancies shall be filled by appointment for the unexpired term of the member replaced. The term shall coincide with the term of the Council Member nominating the Commission Member. This rule shall not, however, apply in regard to a newly established board or commission to which initial appointments are made on a staggered-term basis, provided that the longest such term shall not exceed the term of the Council Member nominating the appointee.

C. Removal; Vacancies: Any member of a Board or Commission of this Town may be removed from office at any time, with or without cause, by a majority vote of the Town Council, except in cases where the Mayor or Town Council is not the appointing authority, in which case such regular appointing authority may exercise the power of removal. If a member absents himself without advance permission of the Board or Commission or of his/her appointing authority, from three (3) consecutive regular meetings or from twenty five percent (25%) of the duly scheduled meetings of the Board or Commission within any fiscal year, his/her office thereupon becomes vacant and shall be filled as any other vacancy. If a member absents him/herself from three (3) consecutive regular meetings or twenty five percent (25%) of the duly scheduled meetings of the Board or Commission, with or without permission of the Board, the Chairperson shall forward the member's absence record to the appointing authority.

4.02.020 RESIDENCY REQUIREMENTS: Unless otherwise provided by law or by Ordinance or Resolution of the Town Council, all members of any Board or Commission of the Town appointed by the Town Council shall be, initially and during their incumbencies, bona fide residents of the Town.

4.02.030 OFFICERS: Unless otherwise provided by law or by Ordinance or Resolution, each Board and Commission of the Town shall, annually, choose one of its members as Chairperson and one as Vice Chairperson. Each Chairperson and Vice Chairperson shall have authority and perform such duties as are commonly associated with their respective titles, or as may be specially prescribed by law or by the bylaws or other rules of the Board or Commission. Vacancies in either such position may be filled as in the first instance, and a new Chairperson or Vice Chairperson may be chosen at any time by majority vote of the members of the Board or Commission.

SECTION 4. AMENDMENT OF SECTION 4.04.010 OF CHAPTER 4.04. Section 4.04.010 of Chapter 4.04 of the Town of Yucca Valley Municipal Code regarding Planning Commission is hereby amended to read as follows:

"4.04.010 PLANNING COMMISSION CREATED: There is created a Planning Commission for the Town. It shall consist of five (5) members, appointed by the Town Council; the members shall be appointed for four (4) year terms commencing on February 1 of the year of appointment; provided, that interim vacancies shall be filled by appointment for the unexpired term of the member replaced. The term shall coincide with the term of the Council Member nominating the Commission Member. There is no maximum number of terms that may be served by any individual Planning Commissioner. The Town Council may, by majority vote, remove any Planning Commissioner from office at any time without cause."

SECTION 5. AMENDMENT OF SECTION 4.10.030 OF CHAPTER 4.10. Section 4.10.030 of Chapter 4.10 of the Town of Yucca Valley Municipal Code regarding Parks, Recreation and Cultural Commission, is hereby amended to read as follows:

"4.10.030 TERMS OF OFFICE AND VACANCIES: Members of the Commission shall serve a period of four (4) years commencing on February 1 of the year of appointment; provided

that interim vacancies shall be filled by appointment for the unexpired term of the member replaced. The term shall coincide with the term of the Council Member nominating the Commission Member. There is no maximum number of terms that may be served by any individual Commissioner. The Town Council may, by majority vote, remove any Parks, Recreation and Cultural Commissioner from office at any time without cause.”

SECTION 6. REPEAL OF CHAPTER 4.11 OF TITLE 4. Chapter 4.11 of Title 4 of the Town of Yucca Valley Municipal Code regarding Public Arts Advisory Committee is hereby repealed in its entirety.

SECTION 7. REPEAL OF CHAPTER 4.14 OF TITLE 4. Chapter 4.14 of Title 4 of the Town of Yucca Valley Municipal Code regarding Traffic Commission is hereby repealed in its entirety.

SECTION 8. REPEAL OF CHAPTER 4.16 OF TITLE 4. Chapter 4.16 of Title 4 of the Town of Yucca Valley Municipal Code regarding TEAM Yucca Valley Commission is hereby repealed in its entirety.

SECTION 9. NOTICE OF ADOPTION. Within fifteen (15) days after the adoption hereof, the Town Clerk shall certify to the adoption of this Ordinance and cause it to be published once in a newspaper of general circulation printed and published in the Council and circulated in the Town pursuant to Section 36933 of the Government Code.

SECTION 10. EFFECTIVE DATE. This Ordinance shall become effective thirty (30) days from and after the date of its adoption.

APPROVED AND ADOPTED by the Town Council, signed by the Mayor, and attested by the Town Clerk this ____ day of _____, 2011.

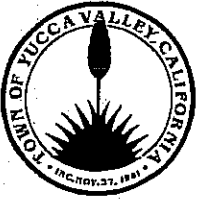
MAYOR

ATTEST:

APPROVED AS TO FORM

TOWN CLERK

TOWN ATTORNEY



TOWN COUNCIL STAFF REPORT

To: Honorable Mayor & Town Council
From: Curtis Yakimow, Administrative Services Director
Date: February 22, 2011
For Council Meeting: March 1, 2011

Subject: Treasurer's Report for Quarters Ending Sep 30, 2010 and Dec 31, 2010


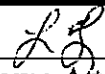

Recommendation: Receive and File the Treasurer's Report for 1st & 2nd Quarter FY2010-11.

Order of Procedure:

- Staff Report
- Public Comment
- Questions of Staff
- Council Discussion
- Motion/Second
- Discussion on Motion
- Roll Call Vote (Consent)

Discussion: The investment policy of the Town of Yucca Valley requires that quarterly Treasurer's reports be filed with the Town Council. Effective January 1, 2010, State law no longer requires nor provides for submission of any such quarterly investment report to the California Debt and Investment Advisory Commission (CDIAC). The attached Treasurer's Reports are for the 1st and 2nd Quarter of FY 2010-11.

Attachments: Treasurer's report, 1st and 2nd Quarter FY2010-11.

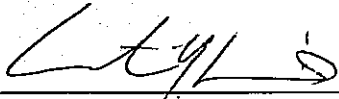
Reviewed:   
Town Manager Town Attorney Admin Svcs

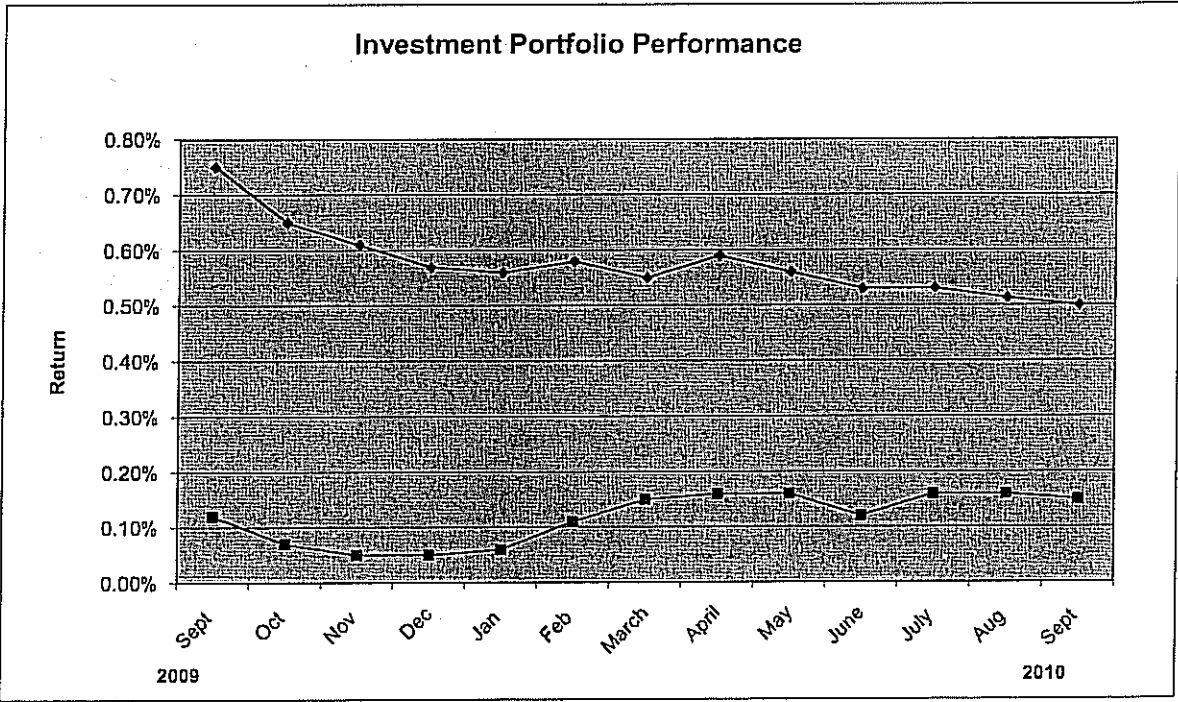
Department Report Request of other Agency Ordinance Receive and File
 Consent Presentation Resolution Public Hearing

Town of Yucca Valley
Treasurer's Report
As of Sept 30, 2010

Institution/Investment	Market Value	Percent of Portfolio	Yield	Maturity Date
US Trust Bank - Checking Acct	\$ 111,641	0.55%	0.00%	Liquid
US Trust Bank - Money Market	106,976	0.53%	0.20%	Liquid
Local Agency Investment Fund (LAIF)	20,032,545	98.90%	0.51%	Liquid
Petty Cash	3,400	0.02%	0.00%	Liquid
Total Cash & Investments	\$ 20,254,562	100.00%	0.505%	Fully Liquid

I certify that to the best of my knowledge, this report accurately reflects all pooled investments, and is in conformity with the Town's investment policy effective February 2010, which complies with the California Government Code. A copy of this investment policy, along with the supporting banking and investment statements, is available in the office of the Town Clerk. This investment program provides sufficient cash flow liquidity to meet the next six months of budgeted expenditures.


Curtis Yakimow
Administrative Services Director



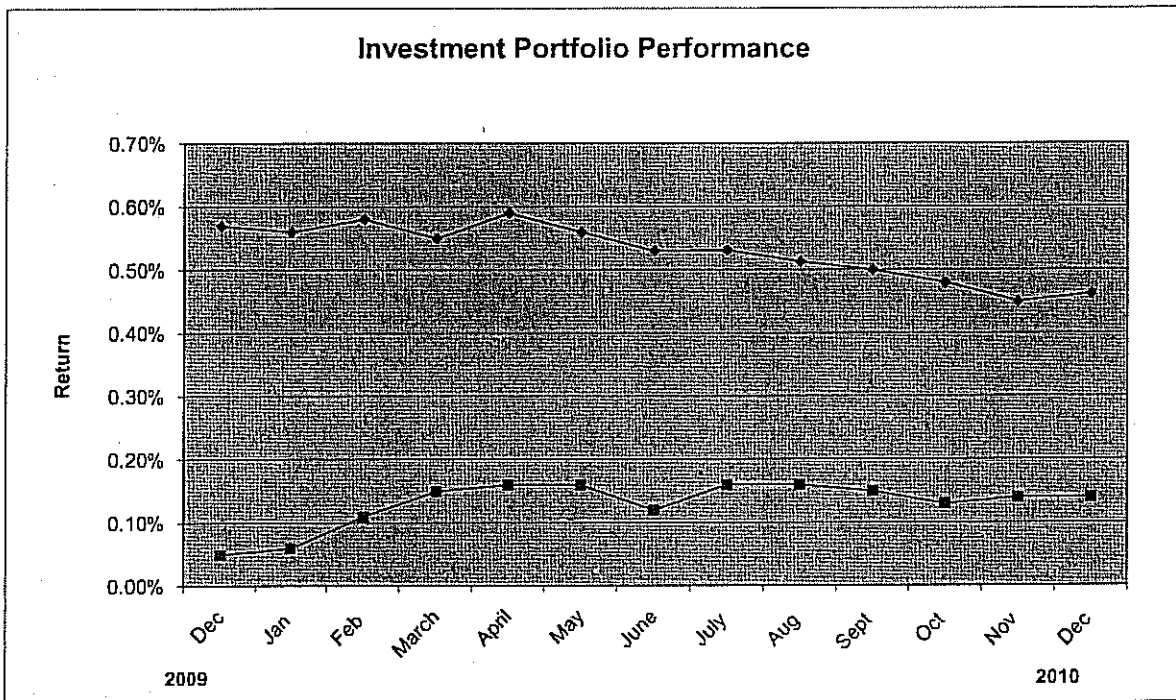
Town of Yucca Valley
Treasurer's Report
As of December 31, 2010

Institution/Investment	Market Value	Percent of Portfolio	Yield	Maturity Date
US Trust Bank - Checking Acct	\$ 144,077	0.70%	0.00%	Liquid
US Trust Bank - Money Market	704,471	3.40%	0.20%	Liquid
Local Agency Investment Fund (LAIF)	19,859,331	95.89%	0.46%	Liquid
Petty Cash	3,400	0.02%	0.00%	Liquid
Total Cash & Investments	<u>\$ 20,711,279</u>	<u>100.00%</u>	<u>0.448%</u>	Fully Liquid

I certify that to the best of my knowledge, this report accurately reflects all pooled investments, and is in conformity with the Town's investment policy effective February 2010, which complies with the California Government Code. A copy of this investment policy, along with the supporting banking and investment statements, is available in the office of the Town Clerk. This investment program provides sufficient cash flow liquidity to meet the next six months of budgeted expenditures.



Curtis Yakimow
Administrative Services Director





TOWN COUNCIL STAFF REPORT

To: Honorable Mayor & Town Council
From: Curtis Yakimow, Director of Administrative Services
Kathy Ainsworth, Senior Accountant
Date: February 16, 2011
For Council Meeting: March 1, 2011
Subject: Independent Audit Appointment

Prior Council Review: Town Council appointed Rogers, Anderson, Malody & Scott, LLP, to be the Town's Independent Auditor on February 14, 2008.

Recommendation: Amend the agreement with Rogers, Anderson, Malody & Scott, LLP, to be the Town's Independent Auditor for a three year period beginning with the fiscal year 2010-11 audit.

Order of Procedure:

- Request Staff Report
- Request Public Comment
- Council Discussion / Questions of Staff
- Motion/Second
- Discussion on Motion
- Roll Call Vote (Consent)

Discussion: Pursuant to Town Code, the Town Council will appoint an independent auditor who will provide an annual report of the accounts and records of the Town. In May 2008, the Council appointed Rogers, Anderson, Malody & Scott, LLP, as the Town's Independent Auditor, for a three year period ending with the fiscal year 2009-10 audit. The agreement provided an option to extend thereafter for one year terms. Over the past three years Rogers, Anderson, Malody and Scott, LLP. have completed all audits in a timely manner, met with the audit committee and reported their findings to the Town Council. They have enhanced the Town's audit functions, developed a Transient Occupancy Tax work plan to audit hotel Transient Occupancy Tax revenue and enhanced the Town's internal control protocol.

Reviewed By:


Town Manager


Town Attorney

Admin Services

Dept Head

Department Report

Ordinance Action

Resolution Action

Public Hearing

Consent

Minute Action

Receive and File

Study Session

In an effort to control and maintain professional services fees related to audit services and provide clarity of schedule, staff is recommending that the current agreement be amended as follows:

1. The fixed term is to be extended for a three year period through fiscal year 2012-2013.
2. The not to exceed costs will be:

<u>Year</u>	<u>Cost</u>	<u>% Increase</u>
FY 2010-11	\$45,750	0.0%
FY 2011-12	\$46,400	1.4%
FY 2012-13	\$47,330	2.0%

3. All other terms of the agreement remain unchanged.

If approved, staff will return to Council in early April with the proposed engagement letter for the 2010-11 fiscal year audit. The interim audit will be scheduled for late May and an ad hoc committee will be requested to work with the Audit team in the completion of the 2010-11 fiscal year audit.

Alternatives: Direct staff to continue with RAMS on a year to year basis; direct staff to go out to bid for audit services.

Fiscal Impact: None at this time.

Attachments:

- Original Agreement
- Amendment #1

AGREEMENT FOR PROFESSIONAL SERVICES

This Agreement is made and entered into as of the 13th day of May, 2008, by and between the TOWN OF YUCCA VALLEY, a municipal corporation ("Town") and Rogers, Anderson, Malody & Scott, LLP (RAMS), a Professional Corporation ("Auditors").

RECITALS

- A. Auditor is specially trained, experienced and competent to perform the special services which will be required by this Agreement; and
- B. Auditor possesses the skill, experience, ability, background, certification and knowledge to provide the services described in this Agreement on the terms and conditions described herein.
- C. Town desires to retain Auditor to render professional auditing services as set forth in this Agreement.

AGREEMENT

1. Scope of Services. Auditor shall perform the services described in the Auditor's Proposal for Professional Auditing Services, dated March 21, 2008, attached as Exhibit "A" and incorporated herein by reference. Auditor shall provide said services at the time, place, and in the manner specified in the Engagement Letter, subject to the direction of the Town through its staff that it may provide from time to time.
2. Time of Performance. The services of Auditor are to commence upon execution of this Agreement and shall continue until all authorized work is approved by the Town for the audit associated with the fiscal year end June 30, 2010.
3. Term. Unless earlier terminated in accordance with Section 7 of this Agreement, this Agreement shall continue in full force and effect until completion of the services described in the Auditor's Proposal for Professional Auditing Services dated March 21, 2008. Unless either party gives thirty (30) days written notice to the other party of intent not to renew, this Agreement shall automatically renew for services to be provided for each succeeding fiscal year.
4. Compensation. Compensation to be paid to Auditor shall be in accordance with the Schedule of Charges set forth in Exhibit "A". In no event shall Auditor's compensation exceed the amounts specified in Exhibit A without additional authorization from the Town.

Payment by Town under this Agreement shall not be deemed a waiver of defects, even if such defects were known to the Town at the time of payment.

5. Method of Payment. Auditor shall submit monthly billings to Town describing the work performed during the preceding month. Auditor's bills shall include a brief description of the services performed and the period for which the services were performed. Town shall pay Auditor no later than 30 days after approval of the monthly invoice by Town staff.

6. Extra Work. At any time during the term of this Agreement, Town may request that Auditor perform Extra Work. As used herein, "Extra Work" means any work which is determined by Town to be necessary, but which the parties did not reasonably anticipate would be necessary at the execution of this Agreement. Auditor shall not perform, nor be compensated for, Extra Work without authorization from Town.

7. Termination. This Agreement may be terminated by Town immediately for cause or by either party without cause upon fifteen days' written notice of termination. Upon termination, Auditor shall be entitled to compensation for services performed up to the effective date of termination.

8. Ownership of Documents. All plans, studies, documents and other writings prepared by and for Auditor, its officers, employees and agents and subcontractors in the course of implementing this Agreement, except for audit working papers, notes, and internal documents determined to be the property of the auditor under professional auditing standards, shall become the property of the Town upon payment to Auditor for such work, and the Town shall have the sole right to use such materials in its discretion without further compensation to Auditor or to any other party.

9. Auditor's Books and Records.

a. Auditor shall maintain any and all ledgers, books of account, invoices, vouchers, canceled checks, and other records or documents evidencing or relating to charges for services, or expenditures and disbursements charged to Town for a minimum period of three (3) years, or for any longer period required by law, from the date of the final period audited by Auditor.

b. Auditor shall maintain all documents and records which demonstrate performance under this Agreement for a minimum period of three (3) years, or for any longer period required by law, from the date of termination or completion of this Agreement.

10. Independent Contractor. It is understood that Auditor, in the performance of the work and services agreed to be performed, shall act as and be an independent contractor and shall not act as an agent or employee of the Town. Neither the Town nor any of its employees shall have any direct control over the manner, mode or means by which Auditor, its agents or

employees, perform the services required. The Town shall have no voice in the selection, discharge, supervision or control of Auditor's employees, servants, representatives or agents, or in fixing their number, compensation or hours of service. Auditor shall obtain no rights to retirement benefits or other benefits which accrue to Town's employees, and Auditor hereby expressly waives any claim it may have to any such rights.

11. Interest of Auditor. Auditor (including principals, associates and professional employees) covenants and represents that it does not now have any investment or interest in real property and shall not acquire any interest, direct or indirect, in the area covered by this Agreement or any other source of income, interest in real property or investment which would be affected in any manner or degree by the performance of Auditor's services hereunder. Auditor further covenants and represents that in the performance of its duties hereunder no person having any such interest shall perform any services under this Agreement.

Auditor is not a designated-employee within the meaning of the Political Reform Act because Auditor:

a. will conduct research and arrive at conclusions with respect to his/her rendition of information, advice, recommendation or counsel independent of the control and direction of the Town or of any Town official, other than normal agreement monitoring; and

b. possesses no authority with respect to any Town decision beyond rendition of information, advice, recommendation or counsel. (FPPC Reg. 18700(a)(2).)

12. Professional Ability of Auditor. Town has relied upon the professional training and ability of Auditor to perform the services hereunder as a material inducement to enter into this Agreement. Auditor shall therefore provide properly skilled professional and technical personnel to perform all services under this Agreement. All work performed by Auditor under this Agreement shall be in accordance with applicable legal requirements and shall meet the standard of quality ordinarily to be expected of competent professionals in Auditor's field of expertise.

13. Compliance with Laws. Auditor shall use the standard of care in its profession to comply with all applicable federal, state and local laws, codes, ordinances and regulations.

14. Licenses. Auditor represents and warrants to Town that it has all licenses, permits, qualifications, insurance and approvals of whatsoever nature which is legally required of Auditor to practice its profession. Auditor represents and warrants to Town that Auditor shall, at its sole cost and expense, keep in effect or obtain at all times during the term of this Agreement, any licenses, permits, insurance and approvals which are legally required of Auditor to practice its profession.

15. Insurance. Auditor, at Auditor's own cost and expense, shall procure and maintain, for the duration of the contract, the following insurance policies as applicable to the services performed under this Agreement.

- 15.1 Worker's Compensation Coverage. Auditor shall maintain Workers' Compensation Insurance and Employer's Liability Insurance for his/her employees in accordance with the laws of the State of California. In addition, Auditor shall require each sub-consultant to similarly maintain Workers' Compensation Insurance and Employer's Liability Insurance in accordance with the laws of the State of California for all of the sub-consultant's employees. Any notice of cancellation or non-renewal of all Workers' Compensation policies must be received by the Town at least thirty (30) days prior to such change. The insurer shall agree to waive all rights of subrogation against the Town, its officers, agents, employees and volunteers-for-losses arising from work performed by Auditor for Town.
- 15.2 General Liability Coverage. Auditor shall maintain commercial general liability insurance in an amount not less than one million dollars (\$1,000,000) per occurrence for bodily injury, personal injury and property damage. If a commercial general liability insurance form or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to the work to be performed under this Agreement or the general aggregate limit shall be at least twice the required occurrence limit.
- 15.3 Automobile Liability Coverage. Auditor shall maintain automobile liability insurance covering bodily injury and property damage for all activities of the Auditor arising out of or in connection with the work to be performed under this Agreement, including coverage for owned, hired and non-owned vehicles, in an amount of not less than one million dollars (\$1,000,000) combined single limit for each occurrence.
- 15.4 Professional Liability Coverage. Auditor shall maintain professional errors and omissions liability insurance for protection against claims alleging negligent acts, errors or omissions which may arise from Auditor's operations under this Agreement, whether such operations be by the Auditor or by its employees, sub-Auditors, or sub-consultants. The amount of this insurance shall not be less than one million dollars (\$1,000,000) on a claims-made annual aggregate basis, or a combined single-limit per occurrence basis.

- 15.5 Endorsements. Each general liability and automobile liability insurance policy shall be with insurers possessing a Best's rating of no less than A:VII and shall be endorsed with the following specific language:
- 15.5.01.1 The Town, its elected or appointed officers, officials, employees, agents and volunteers are to be covered as additional insureds with respect to liability arising out of work performed by or on behalf of the Auditor, including materials, parts or equipment furnished in connection with such work or operations.
 - 15.5.01.2 This policy shall be considered primary insurance as respects the Town, its elected or appointed officers, officials, employees, agents and volunteers. Any insurance maintained by the Town, including any self-insured retention the Town may have shall be considered excess insurance only and shall not contribute with it.
 - 15.5.01.3 This insurance shall act for each insured and additional insured as though a separate policy had been written for each, except with respect to the limits of liability of the insuring company.
 - 15.5.01.4 The insurer waives all rights of subrogation against the Town, its elected or appointed officers, officials, employees or agents.
 - 15.5.01.5 Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the Town, its elected or appointed officers, officials, employees, agents or volunteers.
 - 15.5.01.6 The insurance provided by this policy shall not be suspended, voided, canceled, or reduced in coverage or in limits except after thirty (30) days written notice has been received by the Town.
- 15.6 Deductibles and Self-Insured Retentions. Any deductibles or self-insured retentions must be declared to and approved by the Town. At the Town's option, Auditor shall demonstrate financial capability for payment of such deductibles or self-insured retentions.
- 15.7 Certificates of Insurance. Auditor shall provide certificates of insurance with original endorsements to Town as evidence of the insurance coverage required herein. Certificates of such insurance shall be filed with the Town on or before commencement of performance of this Agreement.

Current certification of insurance shall be kept on file with the Town at all times during the term of this Agreement.

16. Notices. Any notice required to be given under this Agreement shall be in writing and either served personally or sent prepaid, first class mail. Any such notice shall be addressed to the other party at the address set forth below. Notice shall be deemed communicated within 48 hours from the time of mailing if mailed as provided in this section.

If to Town: Administrative Services Director
Town of Yucca Valley
57090 Twentynine Palms Highway
Yucca Valley, CA 92284

If to Auditor: Scott W. Manno
Rogers, Anderson, Malody & Scott, LLP
Vanir Tower
290 North "D" Street, Suite 300
San Bernardino, California 92401

17. Entire Agreement. This Agreement constitutes the complete and exclusive statement of Agreement between the Town and Auditor. All prior written and oral communications, including correspondence, drafts, memoranda, and representations, are superseded in total by this Agreement.

18. Amendments. This Agreement may be modified or amended only by a written document executed by both Auditor and Town and approved as to form by the Town Attorney.

19. Assignment and Subcontracting. The parties recognize that a substantial inducement to Town for entering into this Agreement is the professional reputation, experience and competence of Auditor. Assignments of any or all rights, duties or obligations of the Auditor under this Agreement will be permitted only with the express consent of the Town. Auditor shall not subcontract any portion of the work to be performed under this Agreement without the written authorization of the Town. If Town consents to such subcontract, Auditor shall be fully responsible to Town for all acts or omissions of the subcontractor. Nothing in this Agreement shall create any contractual relationship between Town and subcontractor nor shall it create any obligation on the part of the Town to pay or to see to the payment of any monies due to any such subcontractor other than as otherwise required by law.

20. Waiver. Waiver of a breach or default under this Agreement shall not constitute a continuing waiver of a subsequent breach of the same or any other provisions under this Agreement.

21. Severability. If any term or portion of this Agreement is held to be invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions of this Agreement shall continue in full force and effect.

22. Execution. This Agreement may be executed in several counterparts, each of which shall constitute one and the same instrument and shall become binding upon the parties when at least one copy hereof shall have been signed by both parties hereto. In approving this Agreement, it shall not be necessary to produce or account for more than one such counterpart.

23. Authority to Enter Agreement. Auditor has all requisite power and authority to conduct its business and to execute, deliver, and perform the Agreement. Each party warrants that the individuals who have signed this Agreement have the legal power, right, and authority to make this Agreement and to bind each respective party.

24. Prohibited Interests. Auditor maintains and warrants that it has not employed nor retained any company or person, other than a bona fide employee working solely for Auditor, to solicit or secure this Agreement. Further, Auditor warrants that it has not paid nor has it agreed to pay any company or person, other than a bona fide employee working solely for Auditor, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. For breach or violation of this warranty, Town shall have the right to rescind this Agreement without liability. For the term of this Agreement, no member, officer or employee of Town, during the term of his or her service with Town, shall have any direct interest in this Agreement, or obtain any present or anticipated material benefit arising therefrom.

25. Equal Opportunity Employment. Auditor represents that it is an equal opportunity employer and it shall not discriminate against any subcontractor, employee or applicant for employment because of race, religion, color, national origin, handicap, ancestry, sex or age. Such nondiscrimination shall include, but not be limited to, all activities related to initial employment upgrading, demolition, transfer, recruitment or recruitment advertising, layoff or termination. Auditor shall also comply with all relevant provisions of Town's Minority Business Enterprise program, Affirmative Action Plan or other related programs or guidelines currently in effect or hereinafter enacted.

26. Public Records Disclosure. All information received by the Town from Auditor or any source concerning this Agreement, including the Agreement itself, may be treated by the Town as public information subject to disclosure under the provisions of the California Public Records Act, Government Code §6250 et seq. (the "Public Records Act"). Auditor understands that although all materials received by the Town in connection with this Agreement are intended for the exclusive of the Town, they are potentially subject to disclosure under the provisions of the Public Records Act. In the event a request for disclosure of any part or all of any information which Auditor has reasonably requested Town to hold in confidence is made to the Town, the Town shall notify Auditor of the request and shall thereafter disclose the requested information

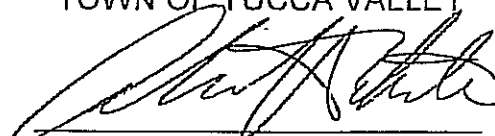
unless Town, within five (5) days of receiving notice of the disclosure request, requests nondisclosure, provides Town a legally sound basis for the nondisclosure, and agrees to indemnify, defend, and hold Town harmless in any/all actions brought to require disclosure. Auditor waives any and all claims for damages, lost profits, or other injuries of any and all kinds in the event Town fails to notify Auditor of any such disclosure request and/or releases any information concerning the contract received from Auditor or any other source.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the date first written above.

Approved as to form:


Naomi Silvergleid,
Town Attorney

TOWN OF YUCCA VALLEY


Andy Takata,
Town Manager

ROGERS, ANDERSON, MALODY & SCOTT, LLP
Professional Corporation


Scott W. Manno
Partner

**FIRST AMENDMENT TO THE AGREEMENT FOR PROFESSIONAL SERVICES
DATED MAY 13, 2008 BETWEEN THE TOWN OF YUCCA VALLEY, A MUNICIPAL
CORPORATION ("TOWN"), AND ROGERS, ANDERSON, MALODY & SCOTT, LLP,
A LIMITED LIABILITY PARTNERSHIP ("AUDITORS")**

RECITALS

1. On May 13, 2008 TOWN and AUDITORS entered in an Agreement for the provision of Professional Auditing Services (the "Agreement").
2. Based on the successful completion of the scope of work for the identified time of performance and term of contract, TOWN desires to continue the agreement for a second three-year term.
3. Based on the successful completion of the scope of work for the identified time of performance and term of contract, AUDITOR desires to continue the agreement for a second three-year term.
4. TOWN and AUDITOR desire to identify a known cost structure for the proposed extension of term.

That certain Agreement for Professional Auditing Services between the TOWN and the AUDITOR dated May 13, 2008 and attached hereto is amended in the following respects only:

Section 1. Agreement Section 2 pertaining to "Time of Performance" is hereby amended to read as follows:

~~"Section 2. Time of Performance. The services of Auditor are to commence upon execution of the Agreement and shall continue until all authorized work is approved by the Town for the audit associated with the fiscal year end June 30, 2013.~~

Section 2. Agreement Section 4 pertaining to "Compensation" is hereby amended to read as follows:

Section 4. Compensation. Compensation to be paid to Auditor shall be in accordance with the Schedule of Charges set forth in Exhibit "A" to this Amendment. In no event shall Auditor's compensation exceed the amounts specified in Exhibit A without additional authorization from the Town. Payment by Town under this Agreement shall not be deemed a waiver of defects, even if such defects were known to the Town at the time of payment.

Section 3. Except as specifically amended herein, all of the terms and conditions of the original Agreement shall continue in full force and effect without revision.

Dated: _____, 2011.

TOWN OF YUCCA VALLEY

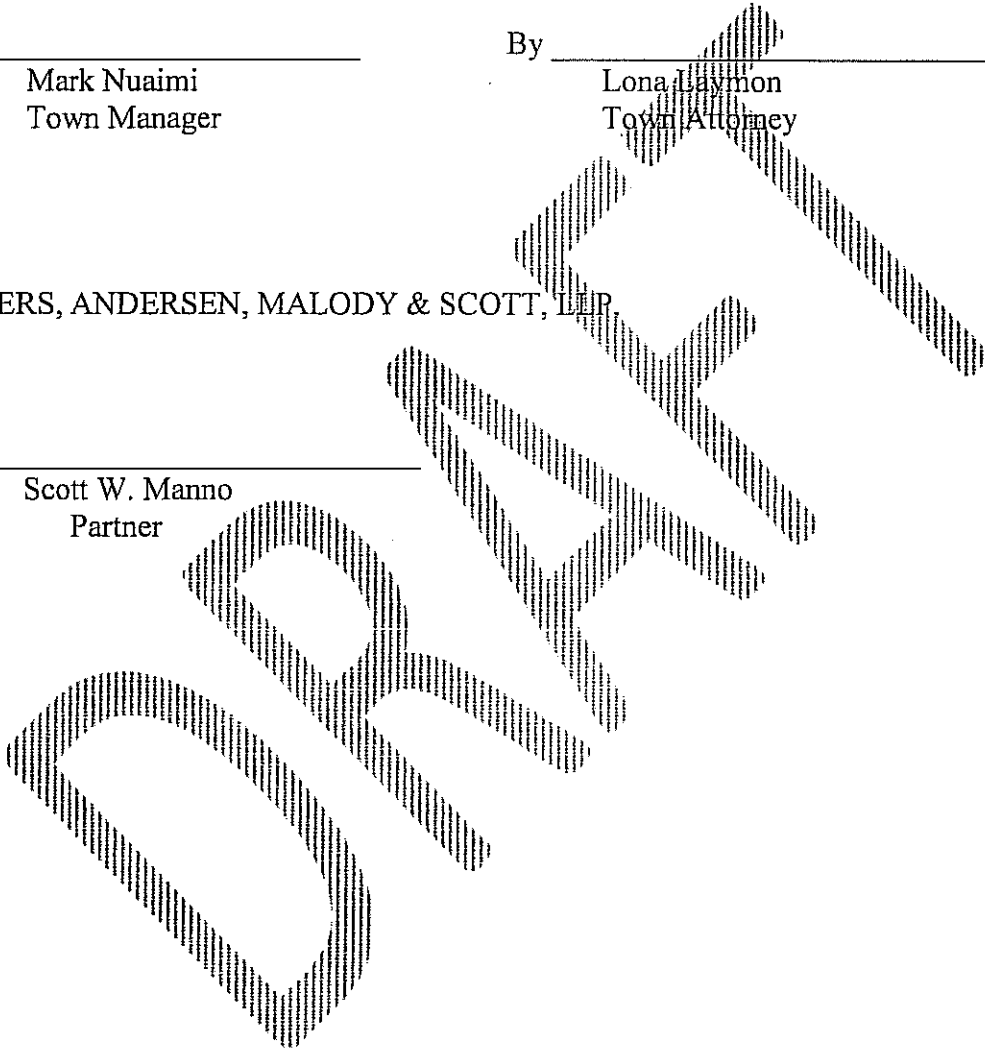
APPROVED AS TO FORM.

By _____
Mark Nuaimi
Town Manager

By _____
Lona Laymon
Town Attorney

ROGERS, ANDERSEN, MALODY & SCOTT, LLP.

By _____
Scott W. Manno
Partner



TOWN OF YUCCA VALLEY

Proposal for continuing professional auditing services

For the fiscal years ending June 30, 2011, 2012 and 2013

PREPARED BY:

ROGERS, ANDERSON, MALODY AND SCOTT, LLP
CERTIFIED PUBLIC ACCOUNTANTS

290 NORTH "D" STREET, SUITE 300
SAN BERNARDINO, CALIFORNIA 92401
(909) 889-0871

February 2, 2011

Certification: Scott Manno is entitled to represent Rogers, Anderson, Malody & Scott, LLP, empowered to submit this bid, and are authorized to sign a contract with the Town of Yucca Valley.

Our proposed all-inclusive maximum fee for the audit of the Town of Yucca Valley is set forth below:

<u>Fiscal year ended June 30,</u>	<u>Amount</u>
2011	\$ 45,750
2012	46,400
2013	47,330



TOWN COUNCIL STAFF REPORT

To: Honorable Mayor & Town Council
From: Curtis Yakimow, Director of Administrative Services
Date: February 18, 2011
For Council Meeting: March 1, 2011

Subject: December 2010 Statewide Storms FEMA-1952-DR
 Project Application and Authorization

Recommendation: That the Town Council ratify the Town's Project Application to the State Office of Emergency Services for participation in the California Disaster Assistance Act (CDAA), and adopt the Resolution designating the Town's Authorized Agent concerning all necessary and written correspondence regarding the Town's Project Application and any other related forms regarding the December 2010 storm event and the related local declaration of a state of emergency.

Order of Procedure:

- Request Staff Report
- Request Public Comment
- Council Discussion / Questions of Staff
- Motion/Second
- Discussion on Motion
- Roll Call Vote (Consent)

Discussion: Town staff recently contacted both the State Office of Emergency Service (OES) and the County Office of Emergency Services regarding the December 2010 storm event and the related state and locally declared state of emergency. Because of the emergency declaration, the Town may be in a position to obtain reimbursement for some of the costs incurred for the related clean-up and repair efforts. While the State and County are in the process of identifying the specific steps related to this particular event, there are general guidelines for Agencies to adhere to when seeking reimbursement monies from the state.

The first step in any CDAA grant is the submittal of a Project Application. This application simply identifies the particular event, date, applicant, and project summary. The Project Application is to be submitted no later than 60 days after the local declaration. For the Town, the deadline was February 24, 2011 and Town staff submitted the application package prior to that

Reviewed By:


 Town Manager


 Town Attorney

Admin Services

Dept Head

Department Report

Ordinance Action

Resolution Action

Public Hearing

Consent

Minute Action

Receive and File

Study Session

date. While the submittal of a Project Application does not imply that the Town will receive reimbursement, the submittal is necessary to be considered for any possible reimbursement.

Signatory Resolutions

Accompanying the Project Application is a resolution identifying the Applicant's Agent for the reimbursement grant process. The agent would be the staff member authorized to execute any and all necessary forms and communications related to the grant process. The proposed resolution identifies the Town's Director of Administrative Services and the Town's Deputy Town Manager as the authorized agents for this disaster event.

AS the Town moves forward in this process, staff will keep Council apprised of the ongoing efforts related to this reimbursement grant.

Alternatives: None at this time.

Fiscal Impact: Depending on the State resources available, the Town may be able to recover up to 92% of eligible storm related expenditures.

Attachments: Resolution
 FEMA/OES Project Application
 FEMA/OES Fact Sheet

RESOLUTION NO. 11-

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
YUCCA VALLEY, CALIFORNIA, FOR DESIGNATION OF
APPLICANT'S AGENT FOR THE OFFICE OF EMERGENCY
SERVICES

BE IT RESOLVED BY THE Town Council of the Town of Yucca Valley, California, that Curtis Yakimow, Director of Administrative Services or Shane Stueckle, Deputy Town Manager, are hereby authorized to execute for and in behalf of the Town of Yucca Valley, a public entity established under the laws of the State of California, this application and to file it in the Office of Emergency Services for the purposes of obtaining certain federal financial assistance under P.L. 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act.

THAT the Town of Yucca Valley, a public entity established under the laws of the State of California, hereby authorizes its agent(s) to provide to the State Office of Emergency Services for all matters pertaining to such state disaster assistance the assurances and agreements required.

This is a Disaster Specific Resolution and is effective for the disaster number FEMA-1952-DR 2010 Statewide Storms.

PASSED AND APPROVED this 1st day of March, 2011.

MAYOR

ATTEST:

TOWN CLERK



State of California
Office of
Emergency Services

<i>For Internal Use Only</i>
OES APPLICATION NO.: _____
DISASTER NO.: _____

PROJECT APPLICATION
CALIFORNIA DISASTER ASSISTANCE ACT PROGRAM

1. APPLICANT'S NAME AND ADDRESS

APPLICANT TOWN OF YUCCA VALLEY
 ADDRESS 57090 29 Palms Hwy
 CITY & ZIP YUCCA VALLEY, CA 92284
 PHONE (760) 369-7207

DUNS # 788 807 449

2. APPLICANT'S AGENT

(Attach Resolution of Designation unless an accurate "universal" resolution is on file.)

NAME Curtis YAKIMOW
 TITLE Director of Admin Services
 ADDRESS 57090 29 Palms Hwy
 CITY & ZIP YUCCA VALLEY, CA 92284
 PHONE (760) 369-7207

FACSIMILE 760 369-0626

E-MAIL CYAKIMOW@YUCCA-VALLEY.ORG

3. PROJECT SUMMARY – Attach a List of Projects as defined in Title 19 of the California Code of Regulations, Section 2970(a)(4).

ASSURANCES AND AGREEMENTS

- A. The applicant certifies (to the best of his knowledge and belief) the disaster relief work herein described for which state financial assistance is requested, is eligible in accordance with the criteria contained in the Disaster Assistance Act (Government Code, Section 8680 et seq.)
- B. The applicant is the legal entity responsible under law for the performance of the work detailed and accepts such responsibility.
- C. The applicant certifies that the disaster relief work herein described for which state assistance is requested hereunder does not, or will not duplicate benefits received for the same loss from another source.
- D. The applicant certifies that they have undertaken to recover maximum federal participation in funding street and highway project and public facility projects.
- E. The applicant certifies that all information given herein is to the best of its knowledge and belief, true and correct.
- F. The applicant agrees to (1) provide without cost to the state all lands, easements, and rights-of-way necessary for accomplishment of the approved work;
(2) hold and save the State of California, its officers, agents and employees free from damages due to the approved work.
- G. (1) The applicant agrees to comply with Section 3700 of the Labor Code which requires every employee to be insured against liability for Workmen's Compensation, or to undertake self insurance in accordance with provisions of the code; and will comply with such provisions before commencing the performance of the work.

(2) The applicant agrees to comply with the Fair Practices Act in connection with the performance of work under this agreement wherein it agrees it will not willfully discriminate against any employee or applicant for employment because of race, color, religion, ancestry, sex, age or national origin; and it agrees to take affirmative action to insure that applicants for employment are employed, and that employees are treated during employment, without regard to their race, color, religion, ancestry, sex, age or national origin, and hereby gives assurance that it will immediately take any measures necessary to effectuate this agreement.

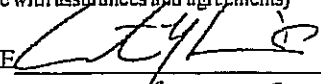
(3) If any real property or structure thereon is provided or improved with the aid of the state financial assistance extended to the applicant, this assurance shall obligate the applicant, or in the case of such property, any transferee for the period during which the provision of similar services or benefits. If any personal property is so provided, this assurance shall obligate the applicant for the period during which it retains ownership or possession of the property. In all other case, this assurance shall obligate the applicant for the period during which the state financial assistance is extended to it by the agency.

(4) This assurance is given in consideration of, and for the purpose of obtaining any and all state grants, loans, reimbursement, advances, contracts, property, discount, or other state financial assistance extended after the date hereon to the applicant. The applicant recognizes and agrees that such state financial assistance will be extended in reliance on the representations and agreements made in this assurance and that the state shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the applicant, its successors, transferees and assignees, and a person or person whose signatures appear on the reverse, or authorized to sign this assurance on behalf of the applicant.

- H. The applicant certifies that all financial assistance received under this application will be, or has been expended in accordance with applicable laws and regulations. The applicant certifies that any work performed by a state agency at their request shall be agreed upon in writing and be subject to the State Contract Act. The applicant certifies that the work performed, or to be performed is in accordance with the state and local laws governing the performance of such work.
- I. The applicant certifies compliance with Standardized Emergency Management (SEMS) requirements as stated in the California Emergency Services Act, Government Code, Chapter 7 of Division 1 of Title 2, Section 8607.1(e) and CCR Title 19, Section 2445, 2446, 2447 and 2448.
- J. The applicant certifies that on contracts involving expenditures in excess of \$25,000, it obtained from the contractor a payment bond in accordance with Sections 3247 through 3252 of the Civil Code.
- K. **BY ACCEPTING THESE FUNDS, THE APPLICANT IS NOT FORFEITING ANY RIGHTS WHATSOEVER, INCLUDING THE RIGHT TO A FAIR HEARING.**

4. SIGNATURE OF APPLICANT'S AGENT

(Indicates concurrence with assurances and agreements)

SIGNATURE 
TITLE Dir of Admin Services

DATE 12/18/2011

5. OES APPROVAL

SIGNATURE _____
TITLE: _____

DATE APPROVED _____

RESOLUTION NO. 11-XX

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, FOR DESIGNATION OF APPLICANT'S AGENT FOR THE OFFICE OF EMERGENCY SERVICES

BE IT RESOLVED BY THE Town Council of the Town of Yucca Valley, California, that Curtis Yakimow, Director of Administrative Services or Shane Stueckle, Deputy Town Manager, are hereby authorized to execute for and in behalf of the Town of Yucca Valley, a public entity established under the laws of the State of California, this application and to file it in the Office of Emergency Services for the purpose of obtaining certain federal financial assistance under P.L. 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act.

THAT the Town of Yucca Valley, a public entity established under the laws of the State of California, hereby authorizes its agent(s) to provide to the State Office of Emergency Services for all matters pertaining to such state disaster assistance the assurances and agreements required.

This is a Disaster Specific Resolution and is effective for disaster number FEMA-1952-DR December 2010 Statewide Storms.

PASSED AND APPROVED this 1st day of March, 2011.

MAYOR

ATTEST:

TOWN CLERK

FEDERAL EMERGENCY MANAGEMENT AGENCY
REQUEST FOR PUBLIC ASSISTANCE

O.M.B. No. 3067-0151
 Expires April 30, 2001

PAPERWORK BURDEN DISCLOSURE NOTICE

Public reporting burden for this form is estimated to average 10 minutes. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the needed data, and completing and submitting the forms. You are not required to respond to this collection of information unless a valid OMB control number is displayed in the upper right corner of the forms. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing the burden to: Information Collections Management, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, Paperwork Reduction Project (3067-0151). **NOTE: Do not send your completed form to this address.**

APPLICANT (Political subdivision or eligible applicant.)

Town of Yucca Valley

DUNS # 788 807 449

DATE SUBMITTED

February 18, 2011

COUNTY (Location of Damages. If located in multiple counties, please indicate.)

San Bernardino County

APPLICANT PHYSICAL LOCATION

STREET ADDRESS

57090 29 Palms Hwy

CITY

Yucca Valley

COUNTY

San Bernardino

STATE

CA

ZIP CODE

92284

MAILING ADDRESS (If different from Physical Location)

STREET ADDRESS

POST OFFICE BOX

CITY

STATE

ZIP CODE

Primary Contact/Applicant's Authorized Agent

Alternate Contact

NAME

Curlls Yakimow

NAME

Shane Stueckle

TITLE

Director of Administrative Services

TITLE

Deputy Town Manager

BUSINESS PHONE

760-369-7207 ext 232

BUSINESS PHONE

760-369-1265 ext 305

FAX NUMBER

760 369-0626

FAX NUMBER

760 228-0084

HOME PHONE (Optional)

HOME PHONE (Optional)

CELL PHONE

CELL PHONE

E-MAIL ADDRESS

cyakimow@yucca-valley.org

E-MAIL ADDRESS

sstueckle@yucca-valley.org

PAGER & PIN NUMBER

PAGER & PIN NUMBER

Did you participate in the Federal/State Preliminary Damage Assessment (PDA)?

Yes No

Private Non-Profit Organization? Yes No

If yes, which of the facilities below best describe your organization? _____

Title 44 CFR, part 206.221(e) defines an eligible private non-profit facility as: "... any private non-profit educational, utility, emergency, medical or custodial care facility, including a facility for the aged or disabled, and other facility providing essential governmental type services to the general public, and such facilities on Indian reservations." "Other essential governmental service facility" means museums, zoos, community centers, libraries, homeless shelters, senior citizen centers, rehabilitation facilities, shelter workshops and facilities which provide health and safety services of a governmental nature. All such facilities must be open to the general public.

Private Non-Profit Organizations must attach copies of their Tax Exemption Certificate and Organization Charter or By-Laws. If your organization is a school or educational facility, please attach information on accreditation or certification.

Official Use Only: FEMA-

-DR-

P. 3 8 FIPS #

Date Received:

PROJECT APPLICATION FOR FEDERAL ASSISTANCE

SUBGRANTEE'S NAME: Town of Yucca Valley
(Name of Organization)

ADDRESS: 57090 29 Palms Hwy

CITY: Yucca Valley STATE: CA ZIP CODE: 92284

TELEPHONE: 760 369 7207 FAX NUMBER: 760 369 0626

AUTHORIZED AGENT: Curtis Yakimow TITLE: Director of Admin Svcs

EMAIL ADDRESS: cyakimow@yucca-valley.org

ASSURANCES - CONSTRUCTION PROGRAMS

Note: Certain of these assurances may not be applicable to all of your projects. If you have questions, please contact the Governor's Office of Emergency Services. Further, certain federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

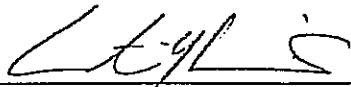
As the duly authorized representative of the applicant I certify that the subgrantee named above:

1. Has the legal authority to apply for federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the state, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the federal interest in the title of real property in accordance with awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with federal assistance funds to assure nondiscrimination during the useful life of the project.
4. Will comply with the requirements of the assistance-awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progress reports and such other information as may be required by the assistance awarding agency or state.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gains.
8. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.), which prohibits the use of lead based paint in construction or rehabilitation of residence structures.
9. Will comply with all federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683 and 1685-1686) which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794) which prohibit discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107) which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 93-255) as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616) as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, rtp. 3 9 to confidentiality of alcohol and drug abuse patient

records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to nondiscrimination in the sale rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for federal assistance is being made, and (j) the requirements on any other nondiscrimination statute(s) which may apply to the application.

10. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced or whose property is acquired as a result of federal and federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of federal participation in purchases.
11. Will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$5,000 or more.
12. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.O. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved state management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.); (f) conformity of federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.O. 93-205).
13. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
14. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and preservation of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).
15. Will comply with Standardized Emergency Management (SEMS) requirements as stated in the California Emergency Services Act, Government Code, Chapter 7 of Division 1 of Title 2, Section 8607.1(e) and CCR Title 19, Sections 2445, 2446, 2447 and 2448.
16. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984 and the Single Audit Act Amendments of 1996.
17. Will comply with all applicable requirements of all other federal laws, Executive Orders, regulations and policies governing this program.
18. Has requested through the State of California, federal financial assistance to be used to perform eligible work approved in the subgrantee application for federal assistance. Will, after the receipt of federal financial assistance, through the State of California, agree to the following:
 - a. The state warrant covering federal financial assistance will be deposited in a special and separate account, and will be used to pay only eligible costs for projects described above;
 - b. To return to the State of California such part of the funds so reimbursed pursuant to the above numbered application, which are excess to the approved actual expenditures as accepted by final audit of the federal or state government.
 - c. In the event the approved amount of the above numbered project application is reduced, the reimbursement applicable to the amount of the reduction will be promptly refunded to the State of California.
19. Will not make any award or permit any award (subgrant or contract) to any party which is debarred or suspended or is otherwise excluded from or ineligible for participation in Federal assistance programs under Executive Order 12549 and 12689, "Debarment and Suspension."

The undersigned represents that he/she is authorized by the above named subgrantee to enter into this agreement for and on behalf of the said subgrantee.



SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL

Director of Admin Services 2/18/2011

TITLE

DATE

**CALIFORNIA EMERGENCY
MANAGEMENT AGENCY
DECEMBER 2010 STATEWIDE STORMS
FEMA-1952-DR
FACT SHEET**



Cal E·M·A
CALIFORNIA EMERGENCY
MANAGEMENT AGENCY

**DESIGNATED COUNTIES**

Inyo	Riverside	San Luis Obispo
Kern	San Bernardino	Santa Barbara
Kings	San Diego	Tulare
Orange		

INCIDENT PERIOD

December 17, 2011, to January 4, 2011

DISASTER NUMBER AND TYPE

FEMA-1952-DR, December 2010 Statewide Storms

ELIGIBLE APPLICANTS

State Agencies	Certain Private Non-Profit Organizations
School Districts	Special Districts or Regional Authorities
Local Governments	

AVAILABLE PUBLIC ASSISTANCE**EMERGENCY WORK**

Debris Removal (Category A)
Emergency Response and Protective Measures (Category B)

PERMANENT WORK

Roads and Bridges (Category C)	Utilities (Category F)
Water Control Facilities (Category D)	Parks, Recreational Facilities, other items (Category G)
Buildings and Equipment (Category E)	

Hazard Mitigation Grant Program – All counties within the state of California are eligible to apply for Section 404 Mitigation.

IMPORTANT APPLICATION INFORMATION

Application packets must contain the following:

- Request for Public Assistance (FEMA Form 90-49) with DUNS Number
- Project Application for Federal Assistance (OES 89)
- Designation of Applicant's Agent Resolution (OES 130)
- Project Application California Disaster Assistance Act Program, (CDAA Form 1, Cal EMA 126)
- List of Projects (Cal EMA 95)

**If you previously submitted a "Universal" OES 130* in the last three years, and your authorized representative has not changed, this form is not required. If you have any questions regarding these forms, contact the Grants Processing Section at (916) 845-8110*

Applications must be received by the Public Assistance Section at the address below no later than February 24, 2011.

Mr. Michael Baldwin
State Public Assistance Officer
California Emergency Management Agency
Recovery Division, Public Assistance
3650 Schriever Avenue
Mather, CA 95655
Attn: FEMA-1952-DR

OR

via e-mail to karen.estampa@calema.ca.gov
Subject: FEMA-1952-DR & Applicant Name

TOWN COUNCIL STAFF REPORT

To: Honorable Mayor & Town Council
From: Curtis Yakimow, Administrative Services Director
Date: February 22, 2011
For Council Meeting: March 1, 2011

Subject: Warrant Register March 1, 2011

Recommendation:

Ratify the Warrant Register total of \$ 389,143.08 for checks dated February 10, 2011. Ratify Payroll Registers total of \$ 461,632.60 for checks dated January 7, 2011 through February 4, 2011.

Order of Procedure:

Department Report
Request Staff Report
Request Public Comment
Council Discussion
Motion/Second
Discussion on Motion
Call the Question (Roll Call)

Attachments:

Payroll Register No. 28/1 dated January 7, 2011 total of \$ 152,445.05
Payroll Register No. 28/2 dated January 7, 2011 total of \$ 190.97
Payroll Register No. 28/3 dated January 12, 2011 total of \$ 10,145.00
Payroll Register No. 30/1 dated January 21, 2011 total of \$ 154,091.89
Payroll Register No. 30/2 dated January 21, 2011 total of \$ 1,590.82
Payroll Register No. 32 dated February 4, 2011 total of \$ 143,168.87
Warrant Register No. 35 dated February 10, 2011 total of \$ 389,143.08

Reviewed By:


Town Manager


Admin. Services


Town Attorney

<input checked="" type="checkbox"/> Department Report	<input type="checkbox"/> Ordinance Action	<input type="checkbox"/> Resolution Action	<input type="checkbox"/> Public Hearing
<input checked="" type="checkbox"/> Consent	<input checked="" type="checkbox"/> Minute Action	<input type="checkbox"/> Receive and File	<input type="checkbox"/> Study Session

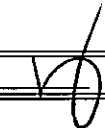
TOWN OF YUCCA VALLEY
PAYROLL REGISTER # 28/1
CHECK DATE - January 7, 2011


Fund Distribution Breakdown

Fund Distribution



General Fund	\$130,061.02
Gas Tax Fund	12,715.33
Redevelopment Agency	9,668.70

Grand Total Payroll \$152,445.05

Prepared by P/R & Financial Specialist: 

Reviewed by H/R & Risk Mgr.: 

Town of Yucca Valley
Payroll Net Pay & Net Liability Breakdown
Pay Period 28/1 - Paid 01/07/2011
(December 18, 2010 - December 31, 2010)
Checks: 3919-3926

	Employee	Employer	Total
Net Employee Pay			
Payroll Checks	\$3,077.40		\$3,077.40
Direct Deposit	77,237.86		77,237.86
Sub-total	\$80,315.26		\$80,315.26
Employee Tax Withholding			
Federal	14,074.21		14,074.21
Medicare	1,579.74	1,579.73	3,159.47
Social Security	-	-	-
State	4,580.49		4,580.49
Sub-total	20,234.44	1,579.73	21,814.17
Employee Benefit & Other Withholding			
Deferred Compensation	2,307.81	4,060.87	6,368.68
PERS Survivor Benefit	42.00		42.00
Health Café Plan	4,833.71	11,726.55	16,560.26
American Fidelity Pre-Tax	341.65		341.65
American Fidelity After-Tax	27.38		27.38
American Fidelity-FSA	454.86		454.86
PERS EE - Contribution 2%	1,876.12		1,876.12
PERS Retirement - Employee	59.97	5,628.17	5,688.14
PERS Retirement - Employer	-	13,650.22	13,650.22
Wage Garnishment - Employee	23.07		23.07
Life & Disability Insurance		1,039.82	1,039.82
Unemployment Insurance		1,060.85	1,060.85
Workers' Compensation		3,182.57	3,182.57
Sub-total	9,966.57	40,349.05	50,315.62
Gross Payroll	\$110,516.27	\$41,928.78	152,445.05
Prepared by P/R & Financial Specialist:  Reviewed by H/R & Risk Mgr.: 			

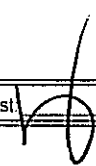
TOWN OF YUCCA VALLEY
PAYROLL REGISTER # 28/2 Special Run
CHECK DATE - January 07, 2011

Fund Distribution Breakdown

Fund Distribution

General Fund	\$190.97
Gas Tax Fund	0.00
Redevelopment Agency	<u>0.00</u>

Grand Total Payroll	<u><u>\$190.97</u></u>
----------------------------	-------------------------------


Prepared by P/R & Financial Specialist: 

Reviewed by H/R & Risk Mgr.: 

Town of Yucca Valley
Payroll Net Pay & Net Liability Breakdown
Pay Period 28/2 - Paid 01/07/11 Special Run
(January 01, 2011 - January 14, 2011)
Checks: 3927-3927

	Employee	Employer	Total
Net Employee Pay			
Payroll Checks	\$164.60		\$164.60
Direct Deposit	-		-
Sub-total	\$164.60		\$164.60
Employee Tax Withholding			
Federal	-		-
Medicare	2.63	2.63	5.26
Social Security	-	-	-
State	0.29		0.29
Sub-total	2.92	2.63	5.55
Employee Benefit & Other Withholding			
Deferred Compensation	13.58	-	13.58
PERS Survivor Benefit	-		-
Health Café Plan	-	-	-
American Fidelity Pre-Tax	-		-
American Fidelity After-Tax	-		-
American Fidelity-FSA	-		-
PERS EE - Contribution 2%	-		-
PERS Retirement - Employee	-	-	-
PERS Retirement - Employer	-	-	-
Wage Garnishment - Employee	-		-
Life & Disability Insurance		-	-
Unemployment Insurance		1.81	1.81
Workers' Compensation		5.43	5.43
Sub-total	13.58	7.24	20.82
Gross Payroll	\$181.10	\$9.87	190.97

Prepared by P/R & Financial Specialist: 

Reviewed by H/R & Risk Mgr.: 

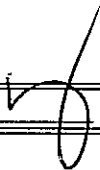
TOWN OF YUCCA VALLEY
PAYROLL REGISTER # 28/3 Special Run
CHECK DATE - January 12, 2011


Fund Distribution Breakdown

Fund Distribution



General Fund	\$7,645.00
Gas Tax Fund	0.00
Redevelopment Agency	2,500.00
	<hr/>

Grand Total Payroll	\$10,145.00
	<hr/> <hr/>

Prepared by P/R & Financial Specialist: 

Reviewed by H/R & Risk Mgr.: 

Town of Yucca Valley
Payroll Net Pay & Net Liability Breakdown
 Pay Period 28/3 - Paid 01/12/11 Special Run
 (January 01, 2011 - January 14, 2011)
 Checks: 0000-0000

	Employee	Employer	Total
Net Employee Pay			
Payroll Checks	\$9,468.49		\$9,468.49
Direct Deposit	-		-
Sub-total	\$9,468.49		\$9,468.49
Employee Tax Withholding			
Federal	-		-
Medicare	145.00	145.00	290.00
Social Security	-	-	-
State	386.51		386.51
Sub-total	531.51	145.00	676.51
Employee Benefit & Other Withholding			
Deferred Compensation	-	-	-
PERS Survivor Benefit	-		-
Health Caf� Plan	-	-	-
American Fidelity Pre-Tax	-		-
American Fidelity After-Tax	-		-
American Fidelity-FSA	-		-
PERS EE - Contribution 2%	-		-
PERS Retirement - Employee	-	-	-
PERS Retirement - Employer	-	-	-
Wage Garnishment - Employee	-		-
Life & Disability Insurance		-	-
Unemployment Insurance		-	-
Workers' Compensation		-	-
Sub-total	-	-	-
Gross Payroll	\$10,000.00	\$145.00	10,145.00
Prepared by P/R & Financial Specialist:  Reviewed by H/R & Risk Mgr.: 			


TOWN OF YUCCA VALLEY
PAYROLL REGISTER # 30/1
CHECK DATE - January 21, 2011


Fund Distribution Breakdown

Fund Distribution



General Fund	\$132,661.26
Gas Tax Fund	12,157.90
Redevelopment Agency	9,272.73

Grand Total Payroll \$154,091.89

Prepared by P/R & Financial Specials: 

Reviewed by H/R & Risk Mgr.: 

Town of Yucca Valley
Payroll Net Pay & Net Liability Breakdown
 Pay Period 30/1 - Paid 01/21/11
 (January 01, 2011 - January 14, 2011)
 Checks: 3928-3937

	Employee	Employer	Total
Net Employee Pay			
Payroll Checks	\$5,636.42		\$5,636.42
Direct Deposit	72,884.30		72,884.30
Sub-total	\$78,520.72		\$78,520.72
Employee Tax Withholding			
Federal	13,076.43		13,076.43
Medicare	1,594.73	1,594.76	3,189.49
Social Security	-	-	-
State	4,210.28		4,210.28
Sub-total	18,881.44	1,594.76	20,476.20
Employee Benefit & Other Withholding			
Deferred Compensation	2,743.98	7,751.12	10,495.10
PERS Survivor Benefit	49.00		49.00
Health Caf� Plan	4,833.71	11,820.65	16,654.36
American Fidelity Pre-Tax	341.65		341.65
American Fidelity After-Tax	27.38		27.38
American Fidelity-FSA	454.86		454.86
PERS EE - Contribution 2%	1,926.52		1,926.52
PERS Retirement - Employee	59.97	5,779.48	5,839.45
PERS Retirement - Employer	-	14,017.16	14,017.16
Wage Garnishment - Employee	23.07		23.07
Life & Disability Insurance	1,039.82	-	1,039.82
Unemployment Insurance		1,056.69	1,056.69
Workers' Compensation		3,169.91	3,169.91
Sub-total	11,499.96	43,595.01	55,094.97
Gross Payroll	\$108,902.12	\$45,189.77	154,091.89
Prepared by P/R & Financial Specialist:  Reviewed by H/R & Risk Mgr.: 			

TOWN OF YUCCA VALLEY
PAYROLL REGISTER # 30/2 Special Run
CHECK DATE - January 21, 2011

Fund Distribution Breakdown

Fund Distribution

General Fund	\$0.00
Gas Tax Fund	1,590.82
Redevelopment Agency	0.00

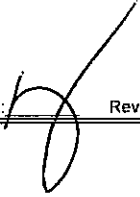

Grand Total Payroll \$1,590.82

Prepared by P/R & Financial Specialist

Reviewed by H/R & Risk Mgr.:

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Town of Yucca Valley
Payroll Net Pay & Net Liability Breakdown
Pay Period 30/2 - Paid 01/21/11 Special Run
(January 15, 2011 - January 28, 2011)
Checks: 3938-3938

	Employee	Employer	Total
Net Employee Pay			
Payroll Checks	\$1,339.31		\$1,339.31
Direct Deposit	-		-
Sub-total	\$1,339.31		\$1,339.31
Employee Tax Withholding			
Federal	-		-
Medicare	20.23	20.23	40.46
Social Security	-	-	-
State	-		-
Sub-total	20.23	20.23	40.46
Employee Benefit & Other Withholding			
Deferred Compensation	-	-	-
PERS Survivor Benefit	1.00		1.00
Health Caf� Plan	-	-	-
American Fidelity Pre-Tax	-		-
American Fidelity After-Tax	-		-
American Fidelity-FSA	-		-
PERS EE - Contribution 2%	11.63		11.63
PERS Retirement - Employee	-	34.90	34.90
PERS Retirement - Employer	-	84.64	84.64
Wage Garnishment - Employee	23.07		23.07
Life & Disability Insurance	-	-	-
Unemployment Insurance		13.95	13.95
Workers' Compensation		41.86	41.86
Sub-total	35.70	175.35	211.05
Gross Payroll	\$1,395.24	\$195.58	1,590.82
Prepared by P/R & Financial Specialist:  Reviewed by H/R & Risk Mgr.: 			

TOWN OF YUCCA VALLEY
PAYROLL REGISTER # 32
CHECK DATE - February 04, 2011

Fund Distribution Breakdown

Fund Distribution



General Fund	\$125,661.77
Gas Tax Fund	8,458.31
Redevelopment Agency	9,048.79

Grand Total Payroll \$143,168.87

Prepared by P/R & Financial Specialist: *[Signature]*

Reviewed by H/R & Risk Mgr.: *[Signature]*

Town of Yucca Valley
Payroll Net Pay & Net Liability Breakdown
 Pay Period 32 - Paid 02/04/11
 (January 15, 2011 - January 28, 2011)
 Checks: 3939-3947

	Employee	Employer	Total
Net Employee Pay			
Payroll Checks	\$3,762.43		\$3,762.43
Direct Deposit	70,752.25		70,752.25
Sub-total	\$74,514.68		\$74,514.68
Employee Tax Withholding			
Federal	12,681.88		12,681.88
Medicare	1,465.35	1,465.35	2,930.70
Social Security	-	-	-
State	4,040.20		4,040.20
Sub-total	18,187.43	1,465.35	19,652.78
Employee Benefit & Other Withholding			
Deferred Compensation	2,321.21	4,060.87	6,382.08
PERS Survivor Benefit	41.00		41.00
Health Café Plan	4,485.91	11,418.61	15,904.52
American Fidelity Pre-Tax	341.65		341.65
American Fidelity After-Tax	27.38		27.38
American Fidelity-FSA	454.86		454.86
PERS EE - Contribution 2%	1,845.74		1,845.74
PERS Retirement - Employee	59.97	5,537.08	5,597.05
PERS Retirement - Employer	-	13,429.34	13,429.34
Wage Garnishment - Employee	-		-
Life & Disability Insurance	960.44	-	960.44
Unemployment Insurance		1,004.34	1,004.34
Workers' Compensation		3,013.01	3,013.01
Sub-total	10,538.16	38,463.25	49,001.41
Gross Payroll	\$103,240.27	\$39,928.60	143,168.87
Prepared by P/R & Financial Specialist:  Reviewed by H/R & Risk Mgr.: 			




WARRANT REGISTER # 35
CHECK DATE FEBRUARY 10, 2011

FUND DISTRIBUTION BREAKDOWN

Checks # 33745 - # 33844 are valid

Checks # 33748, # 33794, # 33824 are included in RDA Warrant # 35

GENERAL FUND # 001	\$348,204.88
CENTRAL SUPPLIES FUND # 100	\$1,735.36
CUP DEPOSITS FUND # 200	\$2,318.46
AB 2938 STATE CONSTRUCTION FUND # 513	\$261.25
STREET MAINTENANCE FUND # 515	\$3,236.83
LTF FUND # 516	\$1,716.76
MEASURE I MAJOR ARTERIAL FUND # 522	\$22,691.27
MEASURE I LOCAL ROADS FUND # 523	\$308.75
MEASURE I 2010-2040 FUND # 524	\$5,180.21
PUBLIC LANDS FEDERAL GRANT FUND # 527	\$2,239.38
CMAQ FUND # 542	\$372.50
CDBG FUND # 560	\$424.56
CAPITAL PROJECTS RESERVE FUND # 800	\$452.87
GRAND TOTAL	<u>\$389,143.08</u>

Prepared by Shirlene Doten, Finances  Approved by Mark Nuaimi, Town Manager 
Reviewed by: Curtis Yakimow, Admin Svc. Dir. 

Town of Yucca Valley
Warrant Register
February 10, 2011

Fund	Check #	Vendor	Description	Amount
001		GENERAL FUND		
	33745	Ace Alternators	Fleet Vehicle Maintenance	\$93.89
	33746	Action Pumping, Inc.	Septic Service	160.00
	33748	Aleshire & Wynder, LLC	Professional Services	8,958.34
	33749	American Swing Products, Inc.	Parks Equipment	714.44
	33750	Alsco/American Linen, Inc.	Facilities Maintenance Supplies	206.05
	33751	Delores Anderson	Animal Adoption Refund	55.00
	33752	Arrowhead Mountain Water	Office Supplies	244.37
	33753	AT & T Mobility	Phone Service	404.66
	33754	Hazel Bader	Contract Instructor	162.26
	33755	Barr Lumber, Inc.	Parks Maintenance	82.28
	33756	Mark Belle	Facility Rental Refund	100.00
	33757	Kristine Bost	Contract Instructor	43.40
	33758	Carol Boyer	Contract Instructor	67.20
	33759	Jim Boyle	Recreation Trip Refund	170.00
	33760	Jeff Brady	Contract Instructor	152.00
	33761	Ronnie Burnette	Sports Referee	76.00
	33762	Carquest Auto Parts	Vehicle Maintenance	20.54
	33763	CDW Government, Inc.	Technology Equipment	955.42
	33764	Janine Cleveland	Contract Instructor	364.00
	33766	Emza Coffey	Recreation Trip Refund	85.00
	33767	Companion Animal Clinic	Veterinary Supplies	257.80
	33768	J.W. Craig	Contract Instructor	56.00
	33769	Amber Cruz	Contract Instructor	52.00
	33771	League of CA Cities Desert Mountain	Membership Dues	500.00
	33772	Desert Pacific Exterminators	Exterminator Services	180.00
	33773	Dept of Justice	Custodian of Records Fee	30.00
	33774	June Drane	Contract Instructor	63.00
	33775	Kristopher Dybbro	Contract Instructor	49.00
	33776	Ed Escalante	Sports Referee	48.00
	33777	Farmer Bros. Co.	Office Supplies	159.62
	33779	Mae Fox	Contract Instructor	39.20
	33780	Frasher's Photography	Council Photos	720.00
	33781	Fulton Distributing Co.	Janitorial Supplies	897.78
	33782	Charles Garcia	Contract Instructor	420.00
	33783	Duane Gasaway	Engineering Services	2,612.50
	33786	Geo Central	Museum Shop Merchandise	151.88
	33787	Graphic Penguin	Web Site Maintenance	640.00
	33788	Joy Groves	Contract Instructor	487.83
	33789	Art Gutierrez	Sports Referee	319.00
	33790	Mary Hagerty-Severns	Contract Instructor	224.00
	33791	Hajoca Corporation	Plumbing Supplies	167.46
	33792	Betty Jo Hall	Recreation Trip Refund	85.00
	33793	Hi-Desert Glass	Facilities Maintenance	198.32
	33794	Hi-Desert Water	Water Service	952.39
	33795	Hi-Desert Publishing	Ordinance Advertising	1,825.71
	33796	Anja Homburg	Contract Instructor	60.20
	33797	Regina Huddleston	Museum Shop Merchandise	25.00
	33798	Connie Humphrey	Contract Instructor	147.00

Town of Yucca Valley

Warrant Register

February 10, 2011

Fund	Check #	Vendor	Description	Amount
	33799	Innovative Federal Strategies, LLC	Professional Services	11,793.00
	33800	Intervet, Inc.	Shelter Adoption Supplies	824.32
	33802	Johnson Power Systems	Facilities Maintenance	365.00
	33804	Susan Jordan	Contract Instructor	283.50
	33805	Jule Art, Inc.	Museum Equipment	121.97
	33806	Heather Kaczmarczk	Contract Instructor	391.13
	33807	Roger Keezer	Contract Instructor	46.20
	33808	Mona Kirk	Contract Instructor	66.50
	33809	The Mallants Corp	Temporary Employment Svs.	1,028.56
	33810	Morongo Basin Tennis Assoc.	10/11 Partnership Agreement	3,000.00
	33811	Charlotte Morrison	Recreation Trip Refund	85.00
	33812	Viva Nelson	Contract Instructor	21.00
	33813	NRO Engineering	Engineering Services	1,725.00
	33814	Oasis Office Supply	Office Supplies	547.59
	33815	Christine Petz	Recreation Class Refund	165.00
	33816	Pro Security	Annual Alarm Contract	3,961.00
	33817	Pro Video	Taping Services	300.00
	33818	Quality Street Services, Inc.	Storm Clean Up 12/10	22,000.00
	33820	Pete Robles	Recreation Event Refund	18.00
	33821	Ron's Automotive	Fleet Vehicle Maintenance	45.34
	33822	San Bernardino County	2011 City County Conference	1,160.00
	33823	SBCO Sheriff's Dept	February 2011 Professional Svs.	260,738.00
	33824	SCE	Electric Service	329.67
	33825	SCMAF	Seminar Expense	105.00
	33826	Simplot Partners, Inc.	Parks Maintenance	1,163.63
	33827	Southwest Networks, Inc.	Technology Support	1,360.00
	33828	Steven Enterprises	Office Supplies	392.73
	33830	Thompson Publishing Group	Reference Materials	409.00
	33831	Trophy Express	Council Expense	118.48
	33832	Charissa Tucker	Animal Adoption Refund	92.00
	33833	Unisource Worldwide, Inc.	Maintenance Supplies	682.18
	33834	Vagabond Welding Supply	YVHS Pool Expense	61.99
	33835	VCA Yucca Valley Animal Hospital	Veterinary Services	1,528.00
	33836	Verizon	Phone Service	3,246.41
	33837	Valley Independent	Printing Expense	443.48
	33838	Walmart Community	Shelter Supplies	271.84
	33839	Garrett Ward	12/10 Storm Clean Up	2,880.00
	33840	Woods Auto Repair	Vehicle Maintenance	335.03
	33841	Yellowmart	Parks Tools	59.80
	33842	Yucca Valley Quick Lube	Fleet Maintenance	613.26
	33843	YV Chamber of Commerce	Joint Marketing	767.73
	33844	Z 107.7 Mobile Music	Recreation Program Expense	175.00
Total 001 GENERAL FUND				\$348,204.88
100 CENTRAL SUPPLIES FUND				
	33784	GE Capital Corporation	Copier Lease	\$1,343.71
	33814	Oasis Office Supply	Copy Paper	391.65
Total 100 CENTRAL SUPPLIES FUND				\$1,735.36

Town of Yucca Valley
Warrant Register
February 10, 2011

Fund	Check #	Vendor	Description	Amount
200 DEPOSITS FUND				
	33778	FedEx	Delivery Service	\$29.46
	33783	Duane Gasaway	Engineering Services	498.75
	33813	NRO Engineering	Engineering Services	1,790.25
Total 200 DEPOSITS FUND				\$2,318.46
513 AB2928-STATE CONSTRUCTION FUND				
	33783	Duane Gasaway	Engineering Services	\$261.25
Total 513 AB2928-STATE CONSTRUCTION FUND				\$261.25
515 GAS TAX FUND				
	33747	Robert Adams	Seminar Expense	\$118.00
	33750	AlSCO/American Linen, Inc.	Streets Uniform Maintenance	80.24
	33755	Barr Lumber, Inc.	Streets Supplies	261.84
	33762	Carquest Auto Parts	Streets Maintenance	136.08
	33765	CNH Capital	Streets Equipment	513.36
	33770	Cutting Edge Supply, Inc.	Streets Equipment	952.57
	33785	Gemini Specialized Machining	Streets Equipment Maintenance	162.50
	33801	JLT Transportation	Streets Supplies	70.69
	33802	Johnson Power Systems	Streets Tractor Supplies	707.77
	33803	David Johnson	Seminar Expense	118.00
	33824	SCE	Electric Service	109.58
	33834	Vagabond Welding Supply	Streets Supplies	6.20
Total 515 GAS TAX FUND				\$3,236.83
516 LTF Fund				
	33778	FedEx	Delivery Service	\$41.76
	33783	Duane Gasaway	Engineering Services	1,330.00
	33813	NRO Engineering	Engineering Services	345.00
Total 516 LTF Fund				\$1,716.76
522 MEASURE I -MAJOR ARTERIAL FUND				
	33783	Duane Gasaway	Engineering Services	\$2,280.00
	33819	RBF Consulting	SR 62 Sage to Airway Project	20,411.27
Total 522 MEASURE I -MAJOR ARTERIAL FUND				\$22,691.27
523 MEASURE I -LOCAL ROADS FUND				
	33783	Duane Gasaway	Engineering Services	\$308.75
Total 523 MEASURE I -LOCAL ROADS FUND				\$308.75
524 MEASURE I -2010-2040 FUND				
	33778	FedEx	Delivery Service	\$90.29
	33783	Duane Gasaway	Engineering Services	712.50
	33813	NRO Engineering	Engineering Services	345.00
	33824	SCE	Electric Service	4,032.42
Total 524 MEASURE I - 2010-2040 FUND				\$5,180.21

Town of Yucca Valley
Warrant Register
February 10, 2011

Fund	Check #	Vendor	Description	Amount
527 PUBLIC LANDS FEDERAL GRANT FUND				
	33783	Duane Gasaway	Engineering Services	\$688.75
	33819	RBF Consulting	SR 62 PLHD Project	1,550.63
Total 527 PUBLIC LANDS FEDERAL GRANT FUND				\$2,239.38
542 CMAQ FUND				
	33783	Duane Gasaway	Engineering Services	\$142.50
	33813	NRO Engineering	Engineering Services	230.00
Total 542 CMAQ FUND				\$372.50
560 CDBG FUND				
	33795	Hi-Desert Publishing	Comm Center Door Project Ad	\$424.56
Total 560 CDBG FUND				\$424.56
800 CAPITAL PROJECTS RESERVE FUND				
	33829	Sunbelt Rentals	Equipment Rental	\$452.87
Total 800 CAPITAL PROJECTS RESERVE FUND				\$452.87
***	Report Total			\$389,143.08

TOWN COUNCIL STAFF REPORT

To: Honorable Mayor & Town Council
From: Shane R. Stueckle, Deputy Town Manager
Date: February 24, 2011
For Council Meeting: March 1, 2011

Subject: Resolution No. 11-
Senate Bill (SB) 1693
Five Year Findings for Public Facility Development Impact Fees

Prior Council Review: There has been no prior review of this item.

Recommendation: That the Town Council receives the report and adopts the Resolution.

Executive Summary: Assembly Bill 1600 (AB 1600) – the Mitigation Fee Act (Gov. Code, Sec. 66000 et seq) sets for the standards against which monetary exactions on development projects are measured. Effective January 1, 1997, the Legislature made certain changes to the previous AB 1600 reporting rules with the adoption of SB 1693.

This law requires that if funds have not been spent, the Town must make the required findings regardless of whether the funds are committed or uncommitted. These findings need to be made only once every five years.

Order of Procedure:

- Request Staff Report
- Open Public Hearing, Take Public Testimony
- Close Public Hearing
- Council Discussion/Questions of Staff
- Motion/Second
- Discussion on Motion
- Call the Question (Voice Vote)

Discussion:

Effective January 1, 1997, the Legislature made certain changes to the previous AB 1600 reporting rules with the adoption of SB 1693. This law requires that if the funds have not been spent, the Town must make the required findings regardless of whether the funds are committed or uncommitted. These findings need to be made only once every five years. Government Code Section 66001(d)(1)(2)(3)(4) sets forth the five year findings requirements as:

Reviewed By:


Town Manager


Town Attorney

Mgmt Services

SRS

Dept Head

___ Department Report
___ Consent

___ Ordinance Action
___ Minute Action

Resolution Action
___ Receive and File

Public Hearing
___ Study Session

(d) For the fifth fiscal year following the first deposit into the account or fund, and every five years thereafter, the local agency shall make all of the following findings with respect to that portion of the account or fund remaining unexpended, whether committed or uncommitted:

(1) Identify the purpose to which the fee is to be put. A brief description of the type of fee in the account or fund.

(2) Demonstrate a reasonable relationship between the fee and the purpose for which it is charged.

(3) Identify all sources and amounts of funding anticipated to complete financing in incomplete improvements identified in paragraph (2) of subdivision (a).

(4) Designate the approximate dates on which the funding referred to in paragraph (3) is expected to be deposited into the appropriate account or fund.

The attached Resolution with its attachments contains the necessary findings and factual information in support of the findings.

Alternatives: No alternatives are recommended.

Fiscal impact: NA

Attachments: Resolution No. 11-
Public Facility Development Impact Fee Study, May 5, 2005
Resolution No. 10-26
Ordinance No. 217

RESOLUTION NO. 11-

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
YUCCA VALLEY, CALIFORNIA, CONTINUING THE PUBLIC
FACILITY DEVELOPMENT IMPACT FEES FOR NEW
DEVELOPMENT WITHIN THE TOWN OF YUCCA VALLEY

WHEREAS, California Government Code Sections 66000 et seq. enables cities to charge fees for public facilities; and

WHEREAS, Sections 66000 et seq. of the California Government Code contains the provisions defining parameters of development impact fees, as well as reporting and maintenance requirements to ensure the ongoing appropriateness of the fees charged; and

WHEREAS, the Town of Yucca Valley established Public Facility Development Impact Fees effective February 1, 2006 through adoption of Resolution No. 05-59; and

WHEREAS, the first deposits into the Public Facility Development Impact Fees occurred on March 27, 2006; and

WHEREAS, the Town of Yucca Valley ("Town") imposes certain development impact fees ("Development Impact Fees") upon development project applicants ("Applicants") to recover the costs to the Town for the future construction of public infrastructure facilities and improvements ("Public Improvements") necessitated by increasing development within the Town; and

WHEREAS, the continuing growth of the Town, combined with the continued expectation of infrastructure development by persons who live and work in the Town, and historical and recent reductions by the State of California in property tax allocations to local governments have been catalysts for the need for the Town's Public Improvements, made necessary by new development; and

WHEREAS, due to the increased need for Public Improvements caused by new development, without Public Facility Development Impact Fees, other fees charged to Applicants do not adequately recoup the Town's costs of constructing Public Improvements and, therefore, a significant amount of these Public Improvements would be paid for out of the Town's general fund and borne by the general public unless Development Impact Fees are continued; and

WHEREAS, the Town Council finds that the approval of development projects is of special benefit to Applicants and that development projects constructed by Applicants impose a special burden upon Public Improvements separate and apart from and in addition to that of the public; and therefore, in the interests of fairness to the general public, the Town desires to better recover the costs of development impacts upon

Public Improvements from Applicants who seek the Town's approval for development projects; and

WHEREAS, the Town has established infrastructure needs based upon the Town's adopted General Plan, the General Plan Circulation Element, the General Plan Park, Recreation, and Trails Element, the adopted Master Plan of Drainage, the adopted Parks and Recreation Master Plan, the adopted Trails Master Plan, the Caltrans SR 62 Route Concept Report, the Caltrans SR 247 Route Concept Report, and based upon the population growth projections developed for the Town by Stan Hoffman & Associates ("Plans & Projections"); and

WHEREAS, the continuation of Development Impact Fees is based upon the information contained in the document prepared by MuniFinancial entitled "Public Facilities Development Impact Fee Study", dated May 2, 2005 ("Study"); and

WHEREAS, descriptions of each of the Public Improvements, their approximate location, size, and their estimated costs are also set forth in the Study, in addition to the Plans and Projections cited above; and

WHEREAS, the Study complies with the California Government Code Section 66001 by establishing the basis for the imposition of fees for new development; and in particular, the Study accomplishes the following:

1. Identify the purpose of the proposed fees;
2. Identify the use to which the fees will be put;
3. Demonstrate a reasonable relationship between the fees' use and the types of projects on which the fees are imposed;
4. Demonstrate a reasonable relationship between the need for the public facilities and the types of developments on which the fees are imposed; and
5. Demonstrate a reasonable relationship between the amount of the fees and the cost of the public facilities or portions of the facilities attributable to the developments on which the fees are imposed; and

WHEREAS, the Public Facilities Development Impact Fee Study prepared by MuniFinancial, Dated May 2, 2005, identifies and contains findings identifying items 1 through 5 above for General Facilities, Park Facilities, Trail Facilities, Storm Drain Facilities, and Street and Traffic Facilities, in addition to those findings contained in Attachment "B" to this Resolution; and

WHEREAS, the Development Impact Fee Report justifies the imposition and continuation of each development fee on new construction by analyzing the Town's needs for Public Improvements, assigning the costs on a fair share basis to the various types of development, and assigning the resulting fee per dwelling unit and/or commercial/office/industrial square footage, based on the anticipated burden of such new dwelling unit and/or commercial/office/industrial area on Town Public Improvements and the need created by such dwelling unit and/or

commercial/office/industrial area for new and expanded facilities and infrastructure;
and

WHEREAS, the Development Impact Fees collected pursuant to this Resolution shall be used to finance the Public Improvements described or identified in the Study; and

WHEREAS, the projects and fee methodologies identified in the Study are consistent with the Town's General Plan; and

WHEREAS, after considering the types of projects to be funded by the Development Impact Fees and the cost estimates contained in the Study, the Town Council approves such projects and approves the cost estimates and finds them reasonable as the basis for calculating and imposing the Development Impact Fees; and

WHEREAS, copies of the Study are on file in the Town Clerk's office and have been made available for public review in accordance with state law, as more fully described below; and

WHEREAS, copies of the Plans and Projections are on file in the Town Clerk's office and have been made available for public review in accordance with state law, as more fully described below; and

WHEREAS, the Town Council considered the Public Facility Development Impact Fees at a public hearing on October 5, 2010; and

WHEREAS, the Town Council adopted Ordinance No. 217 at its meeting of October 19, 2010, amending section 3.40.070 B of Chapter 3.40 of the Yucca Valley Municipal Code amending the methodology for evaluating and establishing the maximum legally defensible public facility development impact fees imposed upon new development and as attached to this Resolution as Attachment "C"; and

WHEREAS, the Town Council adopted Resolution No. 10-26 at its meeting of October 5, 2010, reducing the maximum legally defensible public facility development impact fees contained in the 2005 MuniFinancial Study related to the Town of Yucca Valley Development Impact Fee Schedule and as attached to this Resolution as Attachment "D"; and

WHEREAS, pursuant to Government Code Section 66000, et. Seq., the Town is empowered to impose fees and other exactions to provide necessary Public Improvements required to mitigate the effects of new development in the Town; and

WHEREAS, pursuant to Government Code Section 66006, the Town deposited its Public Facility Development Impact Fees in separate funds in a manner to avoid co-mingling of the Development Impact Fees with other revenues of the Town, except for temporary investments, and to expend such Development Impact Fees solely for the purpose for which the Development Impact Fees were collected; and

WHEREAS, Government Code Section 66006 permits the Town to make inter-fund transfers and loans between capital facilities accounts upon those reasonable terms of repayment and interest rates as determined by the Town Council; and

WHEREAS, the Town of Yucca Valley has made no inter-fund transfers or loans between capital facility accounts contained Public Facility Development Impact Fees; and

WHEREAS, California Government Code Section 660001(d) requires the Town Council to make specified findings every five years with respect to any portion of the Public Facility Development Impact Fees collected that remain unexpended or uncommitted in its account and to identify the purpose to which the fee is to be put and to demonstrate a reasonable relationship between the fee and the purpose for which it was charged; and

WHEREAS, attachment "B" to this Resolution identifies the purpose(s) to which the Public Facility Development Impact Fees are to be put for General Facilities, Park Facilities, Trail Facilities, Storm Drain Facilities, and Street and Traffic facilities; and

WHEREAS, Ordinance No. 217 adopted by the Town Council on October 19, 2010, amended the "Study" for determining the maximum legally defensible public facility development impact fees; and

WHEREAS, the amendments to the Study enacted by Ordinance No. 217 are found consistent with the purpose to which the fee is to be put and to demonstrate a reasonable relationship between the fee and the purpose for which it was charged; and

WHEREAS, the Town Council conducted the review of its Public Facility Development Impact Fees required by California Government Code Section 660001(d) on an annual basis in conjunction with its review of the capital improvement program as required by California Government Code Section 6600a02(b) and the annual accounting as required by California Government Code Section 66006 (b)(1); and

WHEREAS, the purpose of this Resolution is to re-establish the Public Facility Development Impact Fees based upon the 2005 MuniFinancial "Study" and to enable the Town to continue the Public Facility Development Impact Fee Program; and

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

Section 1. The 5-Year Report identifies the purpose for each Public Facility Development Impact Fee.

Section 2. The 5-Year Report identifies the amount of fees unexpended in each Fund at June 30, 2010 and sufficient detail regarding the expected use of the fees to demonstrate a reasonable relationship between the fee and the purpose for which it is charged.

Section 3. The 5-Year Report includes the sources and amount of funding anticipated to complete financing of incomplete improvements identified in each program.

Section 4. The 5-Year Report includes the approximate dates on which the funding is expected to be deposited into the appropriate account or fund to finance the incomplete improvements.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2011

MAYOR

ATTEST:

TOWN CLERK

TOWN OF YUCCA VALLEY

PUBLIC FACILITIES
DEVELOPMENT IMPACT FEE STUDY

MAY 2, 2005

Final



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EXECUTIVE SUMMARY

This report summarizes an analysis of the need for public facilities and capital improvements to support future development within the Town of Yucca Valley through 2025. It is the Town's intent that the costs representing future development's share of these facilities and improvements be imposed on that development in the form of a development impact fee, also known as a public facilities fee. The public facilities and improvements included in this analysis of the Town's public facilities fee program are divided into the fee categories listed below.

- ♦ General
- ♦ Storm Drains
- ♦ Parks
- ♦ Streets and Traffic
- ♦ Trails

Background and Study Objectives

The primary policy objective of a public facilities fee program is to ensure that new development pays the capital costs associated with growth. To fulfill this objective public agencies should review and update their fee programs periodically to incorporate the best available information. The primary purpose of this report is to adjust fees to incorporate current facility plans to serve a 2025 service population.

The Town imposes public facilities fees under authority granted by the *Mitigation Fee Act*, contained in *California Government Code* Sections 66000 *et seq.* This report provides the necessary findings required by the *Act* for adoption of the revised fees presented in the fee schedules contained herein.

Development Projections

To estimate facility needs, this study uses residential and household population data provided by the California Department of Finance and internal projections developed for the Town of Yucca Valley by Stan Hoffman and Associates. Current and projected employment figures were based on data provided by Claritas and the Southern California Association of Governments (SCAG). The development projections used in this analysis are summarized in Table E.0.

Table E.0: Demographic Assumptions

	2004	2025	Increase
Residents ¹	18,410	33,880	15,470
Dwelling Units ¹			
Single Family	6,710	11,230	4,520
Multi-family	1,730	2,900	1,170
Total	8,440	14,130	5,690
Employment ^{2,3}			
Commercial	3,040	5,090	2,050
Office	660	1,100	440
Industrial	600	1,000	400
Subtotal	4,300	7,190	2,890
Other ⁴	1,640	2,750	1,110
Total	5,940	9,940	4,000
Building Square Feet (000s) ⁵			
Commercial	7,600	12,730	5,130
Office	2,200	3,670	1,470
Industrial	1,000	1,670	670
Total	10,800	18,070	7,270

¹ California Department of Finance (DOF), Southern California Association of Governments (SCAG), Data from Town of Yucca - Stan Hoffman and Associates Population Projections, March, 2005.

² Assumes percentage of employees by land use remains constant to total from 2004 to 2025.

³ Estimates by land use type based a Claritas report prepared for the Town of Yucca Valley, February 2004. Projected employment figures derived by assuming a constant ratio of jobs to housing.

⁴ Represents government and other institutional.

⁵ Based on employment by land use and occupant density shown in Table 2.0.

Sources: Table 2.0; California Department of Finance (DOF), Table E-5, 2004; Town of Yucca Valley; Southern California Association of Governments (SCAG); Claritas 2004; MuniFinancial.

Facility Standards and Costs of Growth

This fee analysis uses standards based on the Town's policy to determine the cost of facilities required to accommodate growth for public facilities. A standard for each facility category considered in this study is derived from the Town's facility plans for 2025. Depending on the facility standard, the Town currently may or may not have sufficient facilities to serve existing development. If the Town's existing facilities are below standard, then a deficiency exists. In this case, the portion of the cost of planned

facilities associated with correcting the deficiency must be allocated to funding sources other than the fee. Public facilities fees can only fund planned facilities needed to accommodate new development at the adopted standard.

Therefore, this study distinguishes between the share of planned facilities needed to accommodate growth and the share that serves existing residents and businesses. New development can only fund its fair share of planned facilities. To ensure compliance with the law, this study ensures that there is a reasonable relationship between new development, the amount of the fee, and facilities funded by the fee.

Fee Schedules and Revenues

Table E.1 summarizes the schedule of maximum justified public facilities fees based on the analysis contained in this report.

Table E.1: Proposed Facilities Fee Summary

Land Use	General Facilities	Parks	Trails	Storm Drains	Streets & Traffic	Total
<i>Residential</i>						
	<i>(Fee per Dwelling Unit)</i>					
Single Family Unit	\$ 1,290	\$ 2,568	\$ 458	\$ 5,161	\$ 6,137	\$ 15,615
Multifamily Unit	896	1,980	354	2,581	4,809	10,820
<i>Non-residential</i>						
	<i>(Fee per 1,000 Building Square Feet)</i>					
Commercial	\$ 340	N/A	N/A	\$ 3,407	\$ 15,741	\$ 19,488
Office	452	N/A	N/A	3,560	13,531	17,543
Industrial	226	N/A	N/A	2,377	4,884	7,497

Source: MuniFinancial

1. INTRODUCTION

This report presents an analysis of the need for public facilities to accommodate new development in the Town of Yucca Valley. This chapter explains the study approach and summarizes results under the following sections:

- ♦ Background and study objectives;
- ♦ Public facilities financing in California;
- ♦ Organization of the report; and
- ♦ Facility standards approach.

Background and Study Objectives

The primary policy objective of a public facilities fee program is to ensure that new development pays the capital costs associated with growth. To fulfill this objective public agencies should review and update their fee programs periodically to incorporate the best available information. The primary purpose of this report is to adjust fees to incorporate current facility plans to serve a 2025 service population for the Town of Yucca Valley.

The Town imposes public facilities fees under authority granted by the *Mitigation Fee Act*, contained in *California Government Code* Sections 66000 *et seq.* This report provides the necessary findings required by the *Act* for adoption of the revised fees presented in the fee schedules contained herein.

Public Facilities Financing in California

The changing fiscal landscape in California during the past 30 years has steadily undercut the financial capacity of local governments to fund infrastructure. Three dominant trends stand out:

- ♦ The passage of a string of tax limitation measures, starting with Proposition 13 in 1978 and continuing through the passage of Proposition 218 in 1996;
- ♦ Declining popular support for bond measures to finance infrastructure for the next generation of residents and businesses; and
- ♦ Steep reductions in federal and state assistance.

Faced with these trends, many cities and counties have had to adopt a policy of "growth pays its own way". This policy shifts the burden of funding infrastructure expansion from existing rate and taxpayers onto new development. This funding shift has been accomplished primarily through the imposition of assessments, special taxes, and

development impact fees also known as public facilities fees. Assessments and special taxes require approval of property owners and are appropriate when the funded facilities are directly related to the developing property. Development fees, on the other hand, are an appropriate funding source for facilities that benefit all development jurisdiction-wide. Development fees need only a majority vote of the legislative body for adoption.

Organization of the report

The determination of a public facilities fee begins with the selection of a planning horizon and development of projections for population and employment. These projections are used throughout the analysis of different facility categories, and are summarized in Chapter 2.

Chapters 3 through 7 are devoted to documenting the maximum justified public facilities fee for each of the following five facility categories:

- General
- Storm Drains
- Parks
- Streets and Traffic
- Trails

The five statutory findings required for adoption of the proposed public facilities fees in accordance with the *Mitigation Fee Act* (codified in *California Government Code* Sections 66000 through 66025) are summarized in Chapter 12.

Facility Standards Approach

A facility standard is a policy that indicates the amount of facilities required to accommodate service demand. Examples of facility standards include building square feet per capita and park acres per capita. Standards also may be expressed in monetary terms such as the replacement value of facilities per capita. The adopted facility standard is a critical component in determining new development's need for new facilities and the amount of the fee. Standards determine new development's fair share of planned facilities and ensure that new development does not fund deficiencies associated with existing development.

The most commonly accepted approaches to determining a facility standard are described below.

- The existing inventory method uses a facility standard based on the ratio of existing facilities to the existing development. Under this approach new development funds the expansion of facilities at the same rate that existing development has provided facilities to date. By definition, the existing inventory method does not consider facility deficiencies attributable to existing development. To increase facility standards the jurisdiction must secure funding in addition to development fees.

- ♦ The **system plan method** calculates the standard based on the ratio of all existing plus planned facilities to total future demand (existing and new development). This method is used when (1) the local agency anticipates increasing its facility standard above the existing inventory standard discussed above, and (2) planned facilities are part of a system that benefit both existing and new development. Using a facility standard that is higher than the existing inventory standard creates a deficiency for existing development. The jurisdiction must secure non-fee funding for that portion of planned facilities required to correct the deficiency.
- ♦ The **planned facilities method** calculates the standard solely based on the ratio of planned facilities to the increase in demand associated with new development. This method is appropriate when planned facilities only benefit new development, such as a sewer trunk line extension to a previously undeveloped area. This method also may be used when there is excess capacity in existing facilities that can accommodate new development. In that case new development can fund facilities at a standard lower than the existing inventory standard and still provide an acceptable level of facilities.

This study uses the existing inventory approach to determine facility standards for general facilities. Fees for parks, trails, and storm drains are based on the system plan method. Finally, streets and traffic fees are based on the planned facilities standard.

2. GROWTH PROJECTIONS

To assist in determining the appropriate fee structure, new development growth projections are used. Projected new development is estimated using the existing service population in 2004 as a base year with a Planning Horizon through the year 2025.

Use of Growth Projections for Impact Fees

Estimates of the existing service population and projections of growth are critical assumptions used throughout this report. These estimates are used as follows:

- Estimates of total development at the 2025 Planning Horizon are used to determine the total amount of public facilities required to accommodate growth and to allocate those costs on a per unit basis (for example, costs per capita or per EDU).
- Estimates of service population growth from 2004 to 2025 are used to allocate to new development its fair share of total planned facility needs.

To measure the existing service population and future growth, population and worker data, also identified as residents and workers, respectively, are used for the General and Parks and Trails facilities. These measures are used because numbers of residents and workers are reasonable indicators of the level of demand for public facilities. The Town builds public facilities primarily to serve these populations and, typically, the greater the population the larger the facility required to provide a given level of service. To measure growth for storm drains, the impervious surface area of a new development is linked to EDUs, while trip generation by use classification is used for streets and traffic signals.

Service Population, Equivalent Dwelling Units, and Trips

Different types of new development use public facilities at different rates in relation to each other, depending on the services provided. In Chapters 3 through 5, a specific service population is identified for each facility category to reflect total demand. The service population weights residential land use types against non-residential land uses based on the relative demand for services between residents and workers. Chapter 6 uses an impervious surface area linked to an EDU factor that weights each land use type against one single-family unit's demand for services. Chapter 7 uses trip generation by use classification to determine the fees.

Land Use Types

To ensure a reasonable relationship between each fee and the type of development paying the fee, growth projections distinguish between different land use types. The land use types used in this analysis are defined below.

- **Single family:** Attached and detached one-family dwelling units; and
- **Multi-family:** All attached single family dwellings such as duplexes and condominiums, plus mobile homes, apartments, and dormitories.
- **Commercial:** All commercial, retail, educational, and hotel/motel development.
- **Office:** All general, professional, and medical office development.
- **Industrial:** All manufacturing and warehouse development.

Some developments may include more than one land use type, such as an industrial warehouse with living quarters (a live-work designation) or a planned unit development with both single and multi-family uses. In these cases the public facilities fee would be calculated separately for each land use type.

The Town should have the discretion to impose the public facilities fee based on the specific aspects of a proposed development regardless of zoning. The guideline to use is the probable occupant density of the development, either residents per dwelling unit or workers per building square foot. The fee imposed should be based on the land use type that most closely represents the probable occupant density of the development.

Occupant Densities

Occupant densities ensure a reasonable relationship between the increase in service population and amount of the fee. To do this, they must vary by the estimated service population generated by a particular development project. Developers pay the fee based on the number of additional housing units or building square feet of nonresidential development, so the fee schedule must convert service population estimates to these measures of project size. This conversion is done with average occupant density factors by land use type, shown in Table 2.0.

The residential occupant density factors are derived from the 2000 U.S. Census Bureau's Tables H-31 through H-33. Table H-31 provides vacant housing units data, while Table H-32 provides information relating to occupied housing. Table H-33 documents the total 2000 population residing in occupied housing. The US Census numbers are adjusted by using the California Department of Finance ("DOF") estimates for January 1, 2004 found on Table E.5, and the most recent State of California data available. The non-residential density factors are based on *Employment Density Study Summary report*, prepared for the Southern California Association of Governments, October 2001 by The Natelson Company. For example, the industrial density factor represents an average for light industrial, heavy industrial, and warehouse uses likely to occur in the Town.

Table 2.0: Density Assumptions

Land Use	Density	
<i>Residential</i>		
Single Family	2.29	Residents per Dwelling Unit
Multifamily	1.77	Residents per Dwelling Unit
<i>Non-residential</i>		
Commercial	2.50	Employees per 1,000 square feet
Office	3.33	Employees per 1,000 square feet
Industrial	1.67	Employees per 1,000 square feet

Source: 2000 Census, Tables H31-H33; California Department of Finance (DOF), Table E-5, 2004; Southern California Association of Governments (SCAG); MuniFinancial.

Growth Projections for Yucca Valley

The base year for this study is the year 2004. The existing facilities in 2004 combined with the planned facilities in 2025 will make up the system plan standard in our study.

Base year residential estimate is calculated using the California Department of Finance (DOF) January 1, 2004 estimates and information provided by Town staff. Base year employment estimates are based on data from the Southern California Association of Governments (SCAG) and the California Employment Development Department (EDD). Future 2025 population and dwelling units were provided by the Town of Yucca Valley. Employment projections were interpolated from the current employment estimates (provided by Claritas) by maintaining the jobs-housing ratio. Building square footage was computed by MuniFinancial using the density assumptions shown in Table 2.0.

Table 2.1 shows estimates of the growth in terms of residents and workers.

Table 2.1: Demographic Assumptions

	2004	2025	Increase
Residents ¹	18,410	33,880	15,470
Dwelling Units ¹			
Single Family	6,710	11,230	4,520
Multi-family	1,730	2,900	1,170
Total	8,440	14,130	5,690
Employment ^{2,3}			
Commercial	3,040	5,090	2,050
Office	660	1,100	440
Industrial	600	1,000	400
Subtotal	4,300	7,190	2,890
Other ⁴	1,640	2,760	1,110
Total	5,940	9,940	4,000
Building Square Feet (000s) ⁵			
Commercial	7,600	12,730	5,130
Office	2,200	3,670	1,470
Industrial	1,000	1,670	670
Total	10,800	18,070	7,270

¹ California Department of Finance (DOF), Southern California Association of Governments (SCAG), Data from Town of Yucca - Stan Hoffman and Associates Population Projections, March, 2005.

² Assumes percentage of employees by land use remains constant to total from 2004 to 2025.

³ Estimates by land use type based a Claritas report prepared for the Town of Yucca Valley, February 2004. Projected employment figures derived by assuming a constant ratio of jobs to housing.

⁴ Represents government and other institutional.

⁵ Based on employment by land use and occupant density shown in Table 2.0.

Sources: Table 2.0; California Department of Finance (DOF), Table E-6, 2004; Town of Yucca Valley; Southern California Association of Governments (SCAG); Claritas 2004; MuniFinancial.

3. GENERAL FACILITIES

The purpose of the fee is to ensure that new development funds its fair share of general public facilities. A fee schedule is presented based on the cost of these facilities to ensure that new development provides adequate funding to meet its needs.

Service Population

General public facilities serve both residents and businesses. Therefore, demand for services and associated facilities are based on the Town's service population including residents and workers.

Table 3.0 shows the estimated service population in 2004 and 2025. In calculating the service population, workers are weighted less than residents to reflect lower per capita service demand. Nonresidential buildings are typically occupied less intensively than dwelling units, so it is reasonable to assume that average per-worker demand for services is less than average per-resident demand. The 0.24-weighting factor for workers is based on a 40-hour workweek divided by the total number of hours in a week (168).

Table 3.0: General Facilities Service Population

	Residents	Workers	Service Population
Existing (2004)	18,410	5,940	19,840
New Development (2004-2025)	15,470	4,000	16,430
Total (2025)	33,880	9,940	36,270
Weighting factor	1.00	0.24	

Sources: Table 2.1; Munifinancial

Facility Inventories, Plans & Standards

Existing Town facilities house the Town Council chambers, the Town Manager and Town Clerk's offices and other governance and administrative functions. These existing facilities, as well as, the current facility standard are noted in Table 3.1

Table 3.1: General Facilities Existing Standard

	Inventory	Cost/Unit	Total Value
Existing Facilities			
Land (acres)			
Town Hall Complex	9.27	\$ 20,000	\$ 185,000
California Welcome Center	1.75	20,000	35,000
Public Works Complex	1.60	20,000	32,000
Subtotal Land			\$ 252,000
Buildings (sq. ft.)			
Town Hall Complex			
Town Hall/Library	12,640	\$ 200	\$ 2,528,000
Community Center	11,922	250	2,981,000
Museum	5,108	200	1,022,000
California Welcome Center	4,400	200	880,000
Subtotal Town Hall Complex	34,070		\$ 7,411,000
Corporation Yard			
Admin. Building	6,897	\$ 200	\$ 1,379,000
Operations Building	9,623	200	1,925,000
Subtotal Corporate Yard	16,520		\$ 3,304,000
Total Facilities			\$ 10,967,000
Existing Service Population (2004)			19,840
Cost per Capita			\$ 553
Facility Standard per Resident			\$ 553
Facility Standard per Worker			133

Sources: Tables 2.1 and 3.0; Town of Yucca Valley; MuniFinancial

The contribution of new development towards future general facilities expenditures is captured in Table 3.2.

Table 3.2: New Development Development Contribution

Facility Standard Per Capita	\$	553
Growth in Service Population (2004-2025)		16,430
New Development Contribution	\$	9,082,000

Sources: Tables 3.0 and 3.1, MuniFinancial

Fee Schedule

Table 3.3 shows the proposed general facilities fees based on the existing inventory standard shown in Table 3.1. The cost per capita is converted to a fee per unit of new development based on dwelling unit and building space densities (persons per dwelling unit ("DU") for residential development and workers per 1,000 square feet ("KSF") of building space for non-residential development).

Table 3.3: General Facilities - Proposed Fee Schedule

Land Use	Costs per Capita	Density	Fee	Admin ¹	Total Fee	Fee / Sq. Ft.
<i>Residential</i>						
Single Family	\$ 553	2.29	\$ 1,265	\$ 25	\$ 1,290	
Multi-family	553	1.77	976	20	996	
<i>Non-residential</i>						
Commercial	\$ 133	2.50	\$ 333	\$ 7	\$ 340	\$ 0.34
Office	133	3.33	443	9	452	0.45
Industrial	133	1.67	222	4	226	0.23

¹ Administration fee of 2.0 percent

Sources: Tables 2.0 and 3.1; MuniFinancial

4. PARK FACILITIES

The purpose of the fee is to ensure that new development funds its fair share of park facilities. The Town would use fee revenues to expand park facilities to serve new development.

Service Population

Residents are the primary users of parkland. Therefore, demand for parks and associated facilities are based on the Town's residential population. Table 4.0 provides estimates of the resident population with a projection for the year 2025.

Table 4.0: Parks Facilities Service Population

	Residents
Existing (2004)	18,410
New Development (2004-2025)	15,470
Total (2025)	33,880

Source: Table 2.1

Facility Inventories, Plans & Standards

This section describes the Town's existing facility inventory, standards, and Planned Park facilities.

Existing Inventory

The Town owns and operates, or has agreements with other agencies to use various park facilities. The Town's inventory of improved park facilities includes approximately a total of 37.67 acres summarized in Table 4.1.

Table 4.1: Existing and Planned Park Facilities

Facility	Improved Acres	Unimproved Acres	Total Acres
<i>Existing Parks</i>			
Community Center Park	12.94		12.94
Jacobs Park	5.00		5.00
Machris Park	12.00		12.00
Remembrance Park	0.20		0.20
Sunnyslope Park	2.53	8.00	10.53
Paradise Valley Park	5.00		5.00
South Side Park		80.00	80.00
<i>Planned Parks</i>			
West End Park		10.00	10.00
East End Park		15.00	15.00
North End Park		10.00	10.00
Total Acres	37.67	123.00	160.67

Note: Excludes BLM patented open space lands

Sources: Town Parks Master Plan by Purkiss Rose-RSI, Dec. 16, 1999; Town of Yucca Valley; MuniFinancial

Park Facility Standards

To calculate new development's need for new parks, municipalities commonly use a ratio expressed in terms of developed park acres per 1,000 residents. The current Town General Plan policy standard for parks is 5.0 acres per 1,000 residents. Additional information included in this report was taken from the Town Parks Master plan completed for the Town by Purkiss Rose-RSI in December 1999. According to the provided information, The Town currently has 37.67 acres of improved parkland. To reach the Town's planning standard of 5.0 acres per 1,000 residents, the acquisition and improvement of an additional 8.33 acres and 131.33 acres, respectively, by 2025 is required (as shown in Table 4.2).

Table 4.2: Parks Facilities General Plan Standard

General Plan Standard (developed acres per 1,000 residents)	5.00
2025 Service Population	<u>33,880</u>
Total Facilities Needs (acres)	169.00
Total Land Acquired	160.67
Deficit	(8.33)
Total Improved Acreage	37.67
Deficit	(131.33)

Sources: Table 4.0; Town of Yucca Valley Comprehensive General Plan, Prepared by Town of Yucca Valley Community Development Department, Dec. 14, 1995; MuniFinancial

Unit Costs for Land Acquisition and Improvement

Unit costs represent the current cost of park acquisition and improvement. This approach represents the land costs and level of improvements that existing development have provided to date. This approach ensures that the cost of facilities to serve new development is not artificially increased, and new development unfairly burdened, compared to existing development.

The unit costs used to estimate the total cost of parkland facility needs are shown in Table 6.4. All costs are expressed in 2004 dollars. Land acquisition costs and improvement costs are based on the Town's experience with park development.

Table 4.3: Park Facilities Unit Costs

	Average Cost
<i>Per Acre</i>	
Land Acquisition	\$ 20,000
Park Improvement	<u>200,000</u>
Total	\$ 220,000

Source: Town of Yucca Valley; MuniFinancial

Total Needs and Costs

The total amount of park facilities to serve growth is calculated by multiplying the facility standards developed in Table 4.2 by the growth in residents. The total cost of these needs for park facilities is based on the average unit costs for land acquisition and improvements shown in Table 4.3. To accommodate the increase in service population through 2025 new development or alternative sources would need to fund facilities estimated to cost approximately \$17 million as shown in Table 4.4.

Table 4.4: Park Facilities to Accommodate Growth

Land Acquisition

General Plan Standard (acres/1,000 residents)	5.00	
Resident Growth (2004-2025)	<u>15,470</u>	
Facility Needs (acres)	77.35	
Average Unit Cost (per acre)	\$ 20,000	
Total Cost of Facilities		\$ 1,547,000

Land Improvement

General Plan Standard (acres/1,000 residents)	5.00	
Resident Growth (2004-2025)	<u>15,470</u>	
Facility Needs (acres)	77.35	
Average Improvement Cost (per acre)	\$ 200,000	
Total Cost of Facilities		\$ 15,470,000
Total		\$ 17,017,000

Sources: Tables 4.0, 4.1, and 4.3; MuniFinancial

If the Town cannot acquire all 77.35 acres calculated in Table 4.4 because of land constraints, the Town may apply the same funds to rehabilitating, renovating, or rebuilding facilities in existing parks. The \$15.47 million in improvement facilities must be used for enhancing, upgrading, adding, or expanding new park facilities. Renovating and intensifying development of existing parks is another reasonable method for accommodating growth that could be used in conjunction with expanding improved park acreage. The use of fee revenues would be identified through planned parkland acquisition and improvement projects described in the most recently adopted version of annual capital improvement budget.

The Town anticipates that the park fees would be the primary revenue source to fund the planned facilities required to serve new development. Table 4.5 shows the share of

costs that could be attributed to new development. This amount represents the balance after allocating to new development its share of those planned Park facilities.

Table 4.5: Parks Facilities Costs per Capita for New Development

	Land Acquisition	Land Improvement
Cost Per Acre	\$ 20,000	\$ 200,000
Facility Standard (acres per 1,000 residents)	5.00	5.00
Cost Per 1,000 capita	100,000	1,000,000
	1,000	1,000
Cost Per Resident	\$ 100	\$ 1,000

Sources: Tables 4.3 and 4.4; MuniFinancial

Alternative Funding Sources

The Town can obtain the funding needed to complement facilities fee revenues over the Planning Horizon through non-fee revenue sources. This funding is necessary to justify the fee imposed on new development using the standard shown here. If this funding is not obtained, the new development will have paid too high a fee by the end of the Planning Horizon.

Fee Schedule

Park facility cost per resident is shown in Table 4.6.

Table 4.6: Parks Facilities Fees

Land Use	Cost per Capita	Density	Fee	Admin ¹	Total Fee
<i>Residential</i>					
Single Family					
Land Acquisition	\$ 100	2.29	\$ 229	\$ 5	\$ 233
Park Improvement	1,000	2.29	2,289	46	2,335
Total					\$ 2,568
Multi-family					
Land Acquisition	\$ 100	1.77	\$ 177	\$ 4	\$ 180
Park Improvement	1,000	1.77	1,765	35	1,800
Total					\$ 1,980

¹ Administration fee of 2.0 percent

Sources: Tables 2.0 and 4.5, MuniFinancial

Fee Credits

The fee schedule in Table 4.6 includes separate components for land acquisition and improvement so that the Town can calculate a credit if a developer dedicates parkland or provides improvements. An average per-acre reimbursement is reasonable because the fees collected may not be used in the same area from which they were collected. The costs provided in this report represent the current Town-wide value.

6. TRAILS

The purpose of the fee is to ensure that new development funds its fair share of trails. The Town would use fee revenues to expand the town's network of trails to serve new development.

Service Population

Residents are the primary users of Yucca Valley's trails. Therefore, demand for hiking and bike trails, and their associated facilities, are based on the Town's residential population. Table 5.0 provides estimates of the resident population with a projection for the year 2025.

Table 5.0: Trails Facilities Service Population

	Residents
Existing (2004)	18,410
New Development (2004-2025)	15,470
Total (2025)	33,880

Source: Table 2.1

Facility Inventories, Plans & Standards

This section describes the Town's existing facility inventory, standards, and planned Trails facilities.

Proposed Inventory

The Town has a comprehensive Trail Master plan completed by RHA Landscape Architects – Planners, Inc. The Trails Master Plan was completed in June 2002. The Town has since made amendments to this Trails Master Plan and the information in this report reflects those changes. The proposed Trails facilities are summarized in Table 5.1

Table 5.1: Trail Inventory (Proposed)

	Estimated Construction Cost	Estimated Easement Cost ¹	Estimated Total Cost
Yucca Wash Trail - Reach 1	\$ 216,000	\$ -	\$ 216,000
Yucca Wash Trail - Reach 2	310,500	-	310,500
Yucca Wash Trail - Reach 3	234,000	990	234,990
California Riding & Hiking Trail - Yucca Wash - Reach 4	214,500	-	214,500
California Riding & Hiking Trail - Marvin Drive	85,800	3,300	89,100
California Riding & Hiking Trail - Hacienda Drive - Reach 1	276,900	1,320	278,220
California Riding & Hiking Trail - Hacienda Drive - Reach 2	191,100	4,290	195,390
California Riding & Hiking Trail - Chipmunk Trail	218,400	6,600	225,000
California Riding & Hiking Tr - Skyline Ranch Rd - Reach 1	280,800	2,310	283,110
California Riding & Hiking Tr - Skyline Ranch Rd - Reach 2	93,600	2,640	96,240
California Riding & Hiking Tr - Skyline Ranch Rd - Reach 3	189,000	4,290	193,290
Kickapoo Trail	144,300	2,640	146,940
Little Morongo Canyon Road - Reach 1	187,200	1,320	188,520
Little Morongo Canyon Road - Reach 2	136,500	660	137,160
Royal Springs Wash Trail	280,800	1,650	282,450
Black Rock Canyon Trail	148,200	10,230	158,430
East Burnt Mountain Wash Trail - Reach 1	144,300	2,640	146,940
East Burnt Mountain Wash Trail - Reach 2	226,200	8,250	234,450
East Burnt Mountain Wash Trail - Reach 3	261,300	-	261,300
San Andreas Road Trail - Reach 1	499,520	8,250	507,770
San Andreas Road Trail - Reach 2	472,760	3,960	476,720
San Andreas Road Trail - Reach 3	472,760	5,610	478,370
San Andreas Road Trail - Reach 4	148,200	990	149,190
Carmelita Wash Trail	202,800	-	202,800
Black Rock Wash Trail	148,200	-	148,200
Covington Wash Trail - Reach 1	163,800	1,650	165,450
Covington Wash Trail - Reach 2	226,200	3,960	230,160
Covington Wash Trail - Reach 3	265,200	3,960	269,160
Covington Wash Trail - Reach 4	214,500	4,290	218,790
Totals:	\$ 6,653,340	\$ 85,800	\$ 6,739,140
Total Trail Miles:	27.75		
Estimated Cost/Mile:	\$ 239,793	\$ 3,092	\$ 242,604

¹ Easement Costs inflated by 10 percent over costs provided in the Town of Yucca Valley Trails Bike Route Master Plan.

Sources: Town of Yucca Valley Adopted Trails/Bike Route Master Plan, March 10, 2005; Town of Yucca Valley Planning Department. MuniFinancial

Unit Costs for Land Acquisition and Improvement

Unit costs represent the current cost of construction and easement acquisition. By dividing the total costs over the 2025 service population, this approach ensures that there is an equitable distribution of costs between new and existing development.

Table 5.2 summarizes the per capita cost for completion of the Trails System facilities. All costs are expressed in 2004 dollars.

Table 5.2: Trails Facilities Cost per Capita

	Construction Costs	Easement Acquisition Costs ¹
Cost	\$ 6,653,340	\$ 85,800
2025 Service Population	33,880	33,880
Cost Per Resident	\$ 196	\$ 3
Total Cost per Resident		\$ 199

Sources: Tables 5.0 and 5.1; MuniFinancial

Allocation of Facilities Costs to New Development

The Town anticipates that the trail fees would be the primary revenue source to fund the planned facilities required to serve new development. The allocation of costs for trails facilities between the existing service population and new development is shown in Table 5.3. The trails impact fee would be used in conjunction with alternative funding sources to close the deficiency.

Table 5.3: Costs Attributable to New Development

	New Development Contribution	Total Planned Facilities	Deficiency To Be Funded By Non-Fee Revenue Sources
Cost per Resident	\$ 199		
New Development (2004-2025)	15,470		
New Development Contribution	\$ 3,077,169		
	\$ 3,077,169	\$ 6,739,140	\$ (3,661,971)

Sources: Tables 5.0 and 5.2; MuniFinancial

Fee Schedule

Table 5.4 shows the maximum allowable trails facilities fees based on the Master Plan standard. These cost factors are based on the cost per capita derived from the unit cost estimates and facility standards.

Table 5.4: Trails Facilities Fee

Land Use	Cost per Capita ¹	Density	Fee	Admin ¹	Total Fee
<i>Residential</i>					
Single Family					
Construction	\$ 196	2.29	\$ 449	\$ 9	\$ 458
Easement	3	2.29	6	0	6
Subtotal				5	464
Multi-family					
Construction	\$ 196	1.77	\$ 347	\$ 7	\$ 354
Easement	3	1.77	4	0	5
Subtotal				\$	358

¹ Administration fee of 2.0 percent

Sources: Tables 2.0 and 5.2; MuniFinancial

Fee Credits

The fee schedule in Table 5.4 includes separate components for construction and easement acquisition so that the Town can calculate a credit if a developer dedicates trail easements or other improvements. This fee credit plan could be structured similar to the one discussed for Parks facilities in the previous chapter.

6. STORM DRAIN FACILITIES

This chapter documents a reasonable relationship between new development and the funding for proposed Storm Drain facilities. Information included in this chapter comes from the Yucca Valley Master Plan of Drainage (the "Storm Drain Study") completed in June 1999 by John M. Tettemer & Associates, Inc.

Equivalent Dwelling Units

Table 6.0 calculates the equivalent dwelling unit (EDU) for each land use using average densities shown in the December 1995 Yucca Valley General Plan and impervious surface values derived from United States Department of Agriculture. Table 6.1 shows the total existing and future EDUs for storm drainage facilities by land use.

Table 6.0: Storm Drains - Impervious Surface

	DU/Acre or Acre ¹	Average Percent Impervious ²	Equivalent Dwelling Unit (EDU) ³	Acres/ KSF ³	EDU/ KSF ³
<i>Residential (dwelling units)</i>					
Single Family	2.78	35%	1.00		
Multi-Family	10.85	68%	0.50		
<i>Non-residential</i>					
Commercial Space	1.00	90%	7.15	0.09	0.66
Office Space	1.00	95%	7.55	0.09	0.69
Industrial	1.00	75%	5.96	0.08	0.46

¹ Dwelling units per acre for residential usage and acres for Non-residential usage. Residential average based on midpoint of dwelling units per acre - Yucca Valley General Plan, December 1995.

² Percent Impervious Surface derived from USDA data.

³ Floor Area Ratio ("FAR") per acre based upon Non-residential space classification .25 for Office, Retail & Service and .30 for Industrial space and derived by the following formula: $1/((43560 \cdot .25)/1,000)$ for Commercial and Office Space and $1/((43560 \cdot .30)/1,000)$ for Industrial and listed in KSF.

Sources: Yucca Valley General Plan, December 1995; MuniFinancial

Table 6.1: Storm Drain Facilities Total Equivalent Dwelling Units

	EDU Factor	Projected		Existing EDUs	Growth In EDUs	Total
		Existing (DU/KSF)	Growth (DU/KSF)			
<i>Residential</i>						
Single Family	1.00	6,710	4,520	6,710	4,520	11,230
Multi-Family	0.50	1,730	1,170	865	585	1,450
Total Dwelling Units		8,440	5,690	7,575	5,105	12,680
<i>Non-residential</i>						
Commercial Space	0.66	7,600	5,130	5,016	3,386	8,402
Office Space	0.69	2,200	1,470	1,518	1,014	2,532
Industrial	0.46	1,000	670	460	308	768
Total KSF Commercial		10,800	7,270	6,994	4,708	11,702
Total				14,569	9,813	24,382
Percent of Total				59.8%	40.2%	100.0%

Sources: Tables 2.1 and 6.0; MuniFinancial

Facility Inventories, Plans & Standards

Hydrologic modeling uses a "design storm" to estimate the rainfall runoff needing to be accommodated by Storm Drain facilities. The measure of a design storm is typically expressed in terms of the probability of a particular storm in any one year. For example, a 100-year storm is the storm that would occur on average once during 100 years. Facilities designed to accommodate runoff from this type of storm provide 100-year flood protection.

The modeling completed for the Storm Drain Study was based on 100 year and 25-year peak discharges using an approved watershed sub-area delineation map with defined flow paths. Selected peak discharges resulting from the computations were used in sizing the drainage facilities.

The Yucca Valley Master Plan of Drainage developed two different types of storm drain systems, a non-detained system, with an estimated cost of \$121,303,000, and a detained system with an estimated cost of \$102,016,000. Based upon information provided by the Town, the detained system was selected as the preferred system.

The storm drainage facilities fee uses a facility standard (Table 6.2) to demonstrate a reasonable relationship between new development and the need for new facilities. The facility standard is based on the planned facilities investment into the Town's system of storm drainage facilities on a per EDU basis. The need for new storm drainage facilities is determined by maintaining the same investment on a per EDU basis as new development occurs.

Table 6.2: Storm Drain Facilities Standard

	Cost (2004)
Detained Flood Control System Projected Cost ¹	\$ 102,016,000
Cost Escalator ²	1.21
Escalated Detained Flood Control System Cost	\$ 123,439,360
 Total EDUs (2025)	 24,382
 Equity per EDU	 \$ 5,063

¹ Town of Yucca Valley Master Plan of Drainage - Final Report Prepared by John M. Tettemer & Associates, Inc. A Division of Kelth Companies, Inc. June 1999.

² Engineering News Record Construction Cost Index - June 1999 to November 2004.

Sources: Table 6.1; Town of Yucca Valley; MuniFinancial

Table 6.3 presents the cost of upgraded, expanded, or new storm drainage improvements needed to accommodate new development. The new development contribution shown in the table represents the total revenue that the storm drain facilities fee would generate.

Table 6.3: Storm Drain Facilities to Accommodate Growth

	Total
Facility Standard Per EDU	\$ 5,063
Growth in EDUs (2005-2025)	9,813
 New Development Contribution	 \$ 49,681,428

Sources: Tables 6.2 and 6.3; MuniFinancial

Fee Schedule

Table 6.4 shows the sewer facilities fee based on the cost per EDU shown in Table 6.2. The cost per EDU is converted to a fee per unit of development based on dwelling units for residential and 1,000 building square feet for nonresidential development.

Table 6.4: Storm Drain Facilities Fee

Land Use	Cost per EDU	EDU	Fee	Admin ¹	Total Fee	Fee / Sq. Ft.
<i>Residential</i>						
Single Family	\$ 5,063	1.00	\$ 5,060	\$ 101	\$ 5,161	
Multi-Family	5,063	0.50	2,530	51	2,581	
<i>Non-residential</i>						
Commercial	\$ 5,063	0.66	\$ 3,340	\$ 67	\$ 3,407	\$ 3.41
Office	5,063	0.69	3,490	70	3,560	3.56
Industrial	5,063	0.46	2,330	47	2,377	2.38

¹ Administration fee of 2.0 percent

Sources: Tables 6.0 and 6.2; MuniFinancial

7. STREETS AND TRAFFIC

This chapter summarizes an analysis of the need for streets and related transportation facilities to accommodate growth within the Town of Yucca Valley. It documents a reasonable relationship between new development and a traffic fee to fund streets and related transportation facilities that serve new development.

Trip Demand

Estimates of existing and new development provide the basis for calculating the traffic facilities fee. Estimates of existing development provide the basis for the facility standard. The facility standard is used to determine the rate at which new development must increase the value of the Town's equity in its system of street improvements. Estimates of new development are used to calculate the total amount of fee revenues that would be generated.

The need for street improvements is based on the trip demand placed on the system by development. A reasonable measure of demand is the number of average daily vehicle trips, adjusted for the type of trip. Vehicle trip generation rates are a reasonable measure of demand on the Town's system of street improvements across all modes because alternate modes (transit, bicycle, pedestrian) often substitute for vehicle trips.

The two types of trips adjustments made to trip generation rates to calculate trip demand are described below:

- Pass-by trips are deducted from the trip generation rate. Pass-by trips are intermediate stops between an origin and a final destination that require no diversion from the route, such as stopping to get gas on the way to work.
- The trip generation rate is adjusted by the average length of trips for a specific land use category compared to the average length of all trips on the street system.

Table 7.0 shows the calculation of trip demand factors by land use category based on the adjustments described above. Data is based on extensive and detailed trip surveys conducted in the San Diego region by the San Diego Association of Governments. The surveys provide one of the most comprehensive databases available of trip generation rates, pass-by trips factors, and average trip length for a wide range of land uses. Urban development patterns are similar enough among the San Diego and Southern California/Los Angeles regions to make the use of the San Diego data applicable to the Town of Yucca Valley.

Table 7.0: Trip Rate Adjustment Factor

	<u>Non-Pass-by Trips</u>		Total Excluding Pass-by ¹	Average Trip Length ²	Adjustment Factor ³	Average Daily Trips ⁴	Trip Demand Factor ⁵
	Primary Trips ¹	Diverted Trips ¹					
<u>Residential⁶</u>							
Single Family	86%	11%	97%	7.9	1.04	10	10.4
Multi-family	86%	11%	97%	7.9	1.04	8	8.3
<u>Nonresidential⁷</u>							
Commercial	47%	31%	78%	3.6	0.38	70	26.6
Office	77%	19%	96%	8.8	1.14	20	22.8
Industrial	92%	5%	97%	9.0	1.18	7	8.3

¹ Percent of total trips. Primary trips are trips with no midway stops, or "links". Diverted trips are linked trips whose distance adds at least one mile to the primary trip. Pass-by trips are links that do not add more than one mile to the total trip and therefore place little additional burden on the street system. As a result the trip adjustment factor includes a reduction for the share of pass-by trips.

² In miles.

³ The trip adjustment factor equals the percent of non-pass-by trips multiplied by the average trip length and divided by the systemwide average trip length of 8.8 miles.

⁴ Trips per dwelling unit or per 1,000 building square feet.

⁵ The trip demand factor is the product of the trip adjustment factor and the average daily trips.

⁶ Trip percentages, average trip lengths, and average daily trips based on "residential" category. See SANDAG for source, below.

⁷ Trip percentages, average trip lengths, and average daily trips for commercial based on "community shopping center" category, for office based on "standard commercial office" category, and for industrial based on "industrial park (no commercial)" category. See

Sources: San Diego Association of Governments, *Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region*, July 1998; MuniFinancial.

Table 7.1 estimates the trip demand for existing and new development on the Town's system of street improvements. Total trip demand is based on the trip demand factors calculated in Table 7.0 and the growth estimates in Table 2.1. As shown in the table, new development would represent about 40.5 percent of total trip demand.

Table 7.1: Trip Demand From Existing and New Development

	Trip Demand Factor	Existing	Growth	Existing Trip Demand	Trip Demand From Growth	Total Trip Demand
<i>Residential</i>						
Single Family	10.36	6,710	4,520	69,485	46,808	116,291
Multi-family	8.28	1,730	1,170	14,332	9,693	24,025
Subtotal		8,440	5,690	83,817	56,499	140,316
<i>Nonresidential</i>						
Commercial	28.56	7,600	5,130	201,872	136,264	338,136
Office	22.83	2,200	1,470	50,231	33,564	83,795
Industrial	8.26	1,000	670	8,258	5,533	13,791
Subtotal		10,800	7,270	260,362	175,361	435,722
Total				344,179	231,880	576,038
Percent of Total				59.7%	40.3%	100%

Sources: Tables 2.1 and 7.0; MuniFinancial.

Facility Inventories, Plans & Standards

The cost of streets and traffic facilities attributed to new development (Table 7.2) are used to develop a Streets and Traffic Signals facility standard in Table 7.3. This approach allows the town to use fee revenues only to those projects that add new facilities and otherwise expand capacities for new development and exclude projects that upgrade existing facilities. This standard calculates an existing equity per trip that becomes the standard used in fee determination.

Table 7.2: Streets & Traffic Facilities Master Plan Cost Summary for New Development

	Cost
Streets	
ROW Costs to widen SR 62 - West Town Boundary to Kickapoo Trail, 2.89 AC	\$ 1,346,408
Widen SR 62 to 6 Lanes - West Town Boundary to Kickapoo Trail, 1.42 miles	2,227,500
ROW Costs to widen SR 62 - Kickapoo Trail to Acoma/Mohawk Trail, 1.32 AC	1,033,511
Widen SR 62 to 6 Lanes - Kickapoo Trail to Acoma/Mohawk Trail, 1.09 miles	1,707,750
ROW Costs to widen SR 62 - Acoma/Mohawk Trail to SR 247, 1.83 AC	1,427,180
Widen SR 62 to 6 Lanes - Acoma/Mohawk Trail to SR 247, 1.51 miles	2,361,150
ROW Costs to widen SR 62 - SR 247 to Hilton Avenue, 1.03 AC	802,775
Widen SR 62 to 6 Lanes - SR 247 to Hilton Avenue, 0.85 miles	1,336,500
ROW Costs to widen SR 62 - Hilton Avenue to Avalon Avenue, 1.03 AC	806,575
Widen SR 62 to 6 Lanes - Hilton Avenue to Avalon Avenue, 0.85 miles	1,336,500
ROW Costs to widen SR 62 - Avalon Avenue to Yucca Mesa Road, 1.26 AC	984,829
Widen SR 62 to 6 Lanes - Avalon Avenue to Yucca Mesa Road, 1.04 miles	1,633,500
ROW Costs to widen SR 247 - State Route 62 to San Juan Road, 12.19 AC	2,804,775
Widen SR 247 to 4 Divided Lanes - State Rte. 62 to San Juan Rd, 1.57 miles	12,322,412
ROW Costs to widen SR 247 - San Juan Rd. to Buena Vista Dr., 12.19 AC	2,804,775
Widen SR 247 to 4 Divided Lanes - San Juan Rd. to Buena Vista Dr., 1.57 miles	12,322,412
ROW Cost to widen SR 247 - Buena Vista Dr. to N. Town Boundary, 17.80 AC	4,093,113
Widen SR 247 to 4 Divided Lanes - Buena Vista Dr. to N. Town Bndry., 2.16 mi.	13,543,200
Widen Onaga Trail, 4 Lane Arterial Divided - Kickapoo Tr. to Joshua Lane	7,437,150
Widen Yucca Trail, 4 Lane Arterial Divided - Sage Ave. to Avalon Avenue	5,883,584
Widen Joshua Lane, 4 Lane Arterial Divided - Onaga Tr. to State Route 62	2,621,399
Widen/Construct Camino del Cielo, 4 Lane Collector - Onaga Tr. to Sunnyslope (2 Lanes)	851,941
Widen/Construct Sunnyslope Dr., 4 Lane Collector - Camino del Cielo to Pioneertown (2 L	1,198,400
Widen Kickapoo Trail, 4 Lane Collector - Onaga Trail to State Route 62	387,318
Widen Pioneertown Road, 4 Lane Collector - State Rte. 62 to Sunnyslope Drive	1,402,235
Widen Acoma Trail, 4 Lane Collector - Golden Bee Drive to State Rte. 62	3,327,726
Widen Sage Avenue, 4 Lane Collector - Golden Bee Drive to State Route 62	3,327,726
Widen Joshua Lane, 4 Lane Collector - Golden Bee Drive to Onaga Trail	2,065,485
Widen La Contenta Road, 4 Lane Collector - Yucca Trail to State Route 62	3,174,245
Widen Palomar Avenue, 4 Lane Collector - Joshua Lane to Yucca Trail	3,977,971
Widen Avalon Avenue, 4 Lane Collector - Yucca Trail to State Route 62	2,930,329
Widen Yucca Trail, 4 Lane Collector - Avalon Avenue to Yucca Mesa Road	4,037,342
Widen Onaga Trail, 4 Lane Collector - Joshua Lane to Palomar Avenue	2,983,479
Construct Onaga Trail, 4 Lane Collector - Camino del Cielo to Kickapoo Trail	1,703,882
Widen Joshua Drive, 4 Lane Collector - Acoma Trail to Joshua Lane	2,486,232
Widen Warren Vista Avenue, 2 Lane Collector - Yucca Trail to State Rte. 62	474,964
Widen Golden Bee, 2 Lane Collector - Acoma Trail to Joshua Lane	1,597,605
Widen Joshua Lane, 2 Lane Collector - Golden Bee Drive to Warren Vista	793,406
Subtotal - Streets	\$ 117,555,292

Table 7.2: Streets & Traffic Facilities Master Plan Cost Summary for New Development

	Cost
<u>Traffic Safety</u>	
Raised Medians on SR 62 - West Town Boundary to Fairway Drive	\$ 810,000
Raised Medians on SR 62 - Fairway Drive to Camino del Cielo	1,114,000
Raised Medians on SR 62 - Camino del Cielo to Kickapoo Trail	1,114,000
Raised Medians on SR 62 - Kickapoo Trail to Elk Trail	1,336,000
Raised Medians on SR 62 - Cherokee Trail to Acoma/Mohawk Trail	616,000
Raised Medians on SR 62 - Acoma/Mohawk Trail to Palm Avenue	1,025,000
Raised Medians on SR 62 - Palm Avenue to Sage Avenue	794,000
Raised Medians on SR 62 - SR 247 to Warren Vista Avenue	1,198,000
Raised Medians on SR 62 - Warren Vista Avenue to Hilton Avenue	608,000
Raised Medians on SR 62 - Hilton Avenue to Balsa Avenue	640,000
Raised Medians on SR 62 - Balsa Avenue to Avalon Avenue	1,178,000
Raised Medians on SR 62 - Avalon Avenue to Indio Avenue	1,084,000
Raised Medians on SR 62 - Indio Avenue to Yucca Mesa Road	1,126,000
Sidewalks on both sides SR 62 - West Town Boundary to Fairway Dr.	276,000
Sidewalks on both sides SR 62 - Fairway Drive to Camino del Cielo	380,000
Sidewalks on both sides SR 62 - Camino del Cielo to Kickapoo Trail	380,000
Sidewalks on both sides SR 62 - Kickapoo Trail to Elk Trail	456,000
Sidewalks on both sides SR 62 - Elk Trail to Cherokee Trail	130,000
Sidewalks on both sides SR 62 - Cherokee Trail to Acoma/Mohawk Trail	210,000
Sidewalks on both sides SR 62 - Acoma/Mohawk Trail to Palm Avenue	350,000
Sidewalks on both sides SR 62 - Palm Avenue to Sage Avenue	378,000
Sidewalks on both sides SR 62 - Sage Avenue to SR 247	370,000
Sidewalks on both sides SR 62 - SR 247 to Warren Vista Avenue	408,000
Sidewalks on both sides SR 62 - Warren Vista Avenue to Hilton Avenue	208,000
Sidewalks on both sides SR 62 - Hilton Avenue to Balsa Avenue	218,000
Sidewalks on both sides SR 62 - Balsa Avenue to Avalon Avenue	402,000
Sidewalks on both sides SR 62 - Avalon Avenue to Indio Avenue	373,000
Sidewalks on both sides SR 62 - Indio Avenue to Yucca Mesa Road	384,000
Subtotal - Traffic Safety	\$ 17,576,000
<u>Traffic Signals</u>	
Yucca Trail @ Joshua Lane	\$ 500,000
Hwy 62/Camino Cielo	500,000
Hwy 62/Sage Avenue	500,000
Hwy 62/Joshua Lane	500,000
Hwy 62/Yucca Mesa Road/La Contenta Road	500,000
Yucca Trail/Avalon Avenue/Palomar Avenue	500,000
Onaga Trail/Acoma Trail	500,000
Subtotal - Traffic Signals	\$ 3,500,000
Total	\$ 130,631,292

Sources: Town of Yucca Valley; Exhibit T. of the General Plan EIR Traffic Study prepared by Robert Kahn, John Kahn & Associates, 8/3/95

Table 7.3: Streets & Traffic Facilities Standard

	Cost
<i>Planned Projects</i>	
Street Improvements	\$ 117,555,292
Traffic Safety	17,576,000
Traffic Signals	3,500,000
Total Streets & Traffic Facilities	\$ 138,631,292
Less: Other Funding Sources (2004-2025) ¹	4,015,000
Net Facility Needs	\$ 134,616,292
Projected Trip Demand for Future Growth (2004-2025)	231,860
Standard Per Trip	\$ 581

¹ Represents portion of Measure I funding available for regional traffic projects. Estimated at \$182,500 per year.

Sources: Town of Yucca Valley; Tables 7.1 and 7.2; MuniFinancial

Fee and Revenue Schedules

The maximum justified fee for traffic facilities is shown in Table 7.4. The Town may adopt any fee up to that shown in the table. If the Town adopts a lower fee then it should consider reducing the fee for each land use by the same percentage. This approach would ensure that each new development project funds the same fair share of costs to improve the Town's system of street improvements.

Table 7.4: Streets & Traffic Facilities Fees

Land Use	Standard Per Trip	Trip Demand Factor	Fee	Admin ¹	Total Fee	Fee / Sq. Ft.
<i>Residential</i>						
Single Family	\$ 581	10.4	\$ 6,016	\$ 120	\$ 6,137	
Multi-family	581	8.3	4,813	96	4,909	
<i>Non-residential</i>						
Commercial	\$ 581	26.6	\$ 15,433	\$ 309	\$ 15,741	\$ 15.74
Office	581	22.8	13,266	265	13,531	13.53
Industrial	581	8.3	4,798	96	4,894	4.89

¹ Administration fee of 2.0 percent

Sources: Tables 7.0 and 7.3; MuniFinancial

8. IMPLEMENTATION

Programming Revenues and Projects with the CIP

The Town CIP should be amended to identify fee revenue with specific projects. The use of the CIP in this manner documents a reasonable relationship between new development and the use of those revenues.

The Town may decide to alter the scope of the planned projects or to substitute new projects as long as those new projects continue to represent an expansion of the Town's facilities. If the total cost of facilities varies from the total cost used as a basis for the fees, the Town should consider revising the fees accordingly.

For the five-year planning period of the CIP, the Town should consider allocating existing fund balances and projected fee revenue to specific projects. The Town can hold funds in a project account for longer than five years if necessary to collect sufficient monies to complete a project.

Identify Non-Fee Revenue Sources

The use of the method for calculating facility standards can identify revenue deficiencies attributable to the existing service population. As fees are only imposed under the Act to fund new development's fair portion of facilities, the Town should consider how deficiencies might be supplemented through the use of alternative funding sources. Potential sources of revenue include existing or new general fund revenues or the use of existing or new taxes. Any new tax would require two-thirds voter approval, while new assessments or property-related charges would require majority property-owner approval.

Inflation Adjustment

Appropriate inflation indexes should be identified in a fee ordinance including an automatic adjustment to the fee annually. Separate indexes for land and construction costs should be used. Calculating the land cost index may require the periodic use of a property appraiser. The construction cost index can be based on the Town's recent capital project experience or can be taken from any reputable source, such as the *Engineering News Record*. To calculate prospective fee increases, each index should be weighed against its share of total planned facility costs represented by land or construction, as appropriate.

Reporting Requirements

The Town should comply with the annual and five-year reporting requirements of the Act. For facilities to be funded by a combination of public fees and other revenues, identification of the source and amount of these non-fee revenues is essential.

Identification of the timing of receipt of other revenues to fund the facilities is also important.

9. MITIGATION FEE ACT FINDINGS

Fees are assessed and typically paid when a building permit is issued and imposed on new development projects by local agencies responsible for regulating land use (cities and counties). To guide the imposition of facilities fees, the California State Legislature adopted the Act with Assembly Bill 1600 in 1987 and subsequent amendments. The Act, contained in *California Government Code* §§66000 – 66025, establishes requirements on local agencies for the imposition and administration of fees. The Act requires local agencies to document five statutory findings when adopting fees.

The five findings in the Act required for adoption of the maximum justified fees documented in this report are: 1) Purpose of fee, 2) Use of fee Revenues, 3) Benefit Relationship, 4) Burden Relationship, and 5) Proportionality. They are each discussed below and are supported throughout the rest of this report.

Purpose of Fee

- *Identify the purpose of the fee (§66001 (a)(1) of the Act).*

We understand that it is the policy of the Town that new development will not burden the existing service population with the cost of facilities required to accommodate growth. The purpose of the fees proposed by this report is to implement this policy by providing a funding source from new development for capital improvements to serve that development. The fees advance a legitimate Town interest by enabling the Town to provide municipal services to new development.

Use of Fee Revenues

- *Identify the use to which the fees will be put. If the use is financing facilities, the facilities shall be identified. That identification may, but need not, be made by reference to a capital improvement plan as specified in §65403 or §66002, may be made in applicable general or specific plan requirements, or may be made in other public documents that identify the facilities for which the fees are charged (§66001 (a)(2) of the Act).*

Fees proposed in this report, if enacted by the Town, would be available to fund expanded facilities to serve new development. Facilities funded by these fees are designated to be located within the Town. Fees addressed in this report have been identified by the Town to be restricted to funding the following facility categories: General facilities, Park facilities, Trails facilities, Storm Drain facilities, and Streets and Traffic Signals.

Summary descriptions of the planned facilities such as size and cost estimates were provided by the Town and are included in Chapters 4 through 8 of this report. More thorough descriptions of certain planned facilities, including their specific location, if known at this time, are included in master plans, capital improvement plans, or other Town planning documents or are available from Town staff. The Town may change the list of planned facilities to meet changing needs and circumstances, as it deems necessary. The fees should be updated if these amendments result in a significant change in the fair share cost allocated to new development.

Planned facilities to be funded by the fees are described in the *facilities, Inventories, Plans and standards* sections in each facility category chapter.

Benefit Relationship

- * *Determine the reasonable relationship between the fees' use and the type of development project on which the fees are imposed (§66001 (a)(3) of the Act).*

We expect that the Town will restrict fee revenue to the acquisition of land, construction of facilities and buildings, and purchase of related equipment, furnishings, vehicles, and services used to serve new development. Facilities funded by the fees are expected to provide a Town-wide network of facilities accessible to the additional residents and workers associated with new development. Under the Act, fees are not intended to fund planned facilities needed to correct existing Deficiencies. Thus, a reasonable relationship can be shown between the use of fee revenue and the new development residential and non-residential use classifications that will pay the fees.

Burden Relationship

- * *Determine the reasonable relationship between the need for the public facilities and the types of development on which the fees are imposed (§66001 (a)(4) of the Act).*

Facilities need is based on a facility standard that represents the demand generated by new development for those facilities. Facilities demand is determined as follows:

- o The service population is established based upon the number of residents and workers, which correlates to the demand for General facilities, Park facilities and Trails facilities;
- o Storm water generation is directly related to the impervious surface area of a new development and is linked to the number of EDUs and corresponds to an increased demand for Storm Drain facilities;
- o The number of vehicular trips generated per use classification determines Streets and Traffic Signals facilities demand.

For each facility category, demand is measured by a single facility standard that can be applied across land use types to ensure a reasonable relationship to the type of development. Service population standards are calculated based upon the number of residents associated with residential development and the number of workers associated with non-residential development. To calculate a single, per capita standard, one worker is weighted less than one resident based on an analysis of the relative use demand between residential and non-residential development. For Storm Drain facilities, facility standards are based on the impervious surface area of a development and linked to the number of EDUs as compared to one single-family dwelling unit.

The standards used to identify growth needs are also used to determine if planned facilities will partially serve the existing service population by correcting existing deficiencies. This approach ensures that new development will only be responsible for its fair share of planned facilities, and that the fees will not unfairly burden new development with the cost of facilities associated with serving the existing service population.

Chapter 3 Growth Projections provides a description of how service population and growth projections are calculated. Facility standards are described in the *Facilities, Inventories, Plans and standards* sections of in each facility category chapter.

Proportionality

- *Determine how there is a reasonable relationship between the fees amount and the cost of the facilities or portion of the facilities attributable to the development on which the fee is imposed (§66001 (b) of the Act).*

The reasonable relationship between each facilities fee for a specific new development project and the cost of the facilities attributable to that project is based on the estimated new development growth the project will accommodate. Fees for a specific project are based on the project's size or increases in the number of EDUs or vehicle trips. Larger new development projects can result in a higher service population, larger impervious surface areas, or a higher trip generation rate resulting in higher fee revenue than smaller projects in the same land use classification. Thus, the fees can ensure a reasonable relationship between a specific new development project and the cost of the facilities attributable to that project.

See *Chapter 3, Growth Projections*, or the *service population, Equivalent Dwelling Unit or Trip Rate Adjustment Factor* sections in each facility category chapter for a description of how service population, EDUs or Trip Rate Adjustment Factors are determined for different types of land uses. See the *Fee Schedule* section of each facility category chapter for a presentation of the proposed facilities fees.

ATTACHMENT "B"
ADDITIONAL FINDINGS

GENERAL FACILITIES: Additional Findings

Purpose:

The purpose of the general facilities fee is to provide funding for the construction and or expansions of existing general facilities within the Town. These include the Town Hall Complex, the California Welcome Center, and the Community Development/Public Works Complex. Specifically, these include the areas of Town Hall, Library, Community Center, Museum, California Welcome Center, the Community Development Administration Building and the Public Works Operations Building. These facilities and their specifics are identified in Table 3.1 of the Study.

Use of Fee Revenues:

The revenue generated from this fee will be used to furnish the funding required to erect new municipal buildings or expand existing municipal buildings as described in the foregoing section. These facilities will provide centralized, efficient, and expanded public service facilities to accommodate the projected increase in the Town's population due to new development.

Benefit Relationship:

The new residential, commercial, office, and industrial development which are anticipated to occur during the planning period will generate significant additional demand for the administrative, management, professional, technical and para-professional services provided by the staffs of the Town's non-emergency services. This demand will occur among all components of the community and will require adequate provision for office expansion to accommodate the new growth. The fee recommended will apply to each of these community components, since all will contribute to the demand for new and expanded municipal services.

Burden Relationship:

New development will require the services supplied by the administrative offices of the Town's non-emergency services. These services will require adequate, convenient and efficient workspace to fulfill their public service requirements. Chapter 3 of the Study addresses General Facilities. Specifically, Tables 3.0, 3.1, and 3.2 establish the rational and methodology for determining the fee for new development, as identified in Table 3.3.

Proportionality:

Chapter 3 of the Study addresses General Facilities. Specifically, Tables 3.0, 3.1, and 3.2 establish the rational and methodology for determining the fee for new development, as identified in Table 3.3.

PARK FACILITIES: Additional Findings

Purpose:

The purpose of this fee is to provide funding for the acquisition and improvement of those park facilities and projects identified in the Parks Master Plan, and that are required to augment the Town's current park system to accommodate the needs of projected new growth and development in the Town.

Use of Fee Revenues:

The revenue generated from this fee will be used to purchase land and develop new community, neighborhood and specialized parks within the Town of Yucca Valley pursuant to the goals and objectives of such facilities contained in the General Plan and the Parks Master Plan.

Benefit Relationship:

The new residential development which is anticipated to occur during the planning period will generate significant need to improve and expand the Town's basic park facilities. This fee will be used to finance such improvements and additions. These new park facilities will be needed in order to accommodate the projected growth from new development which will be occurring during the planning period as well as maintain existing service levels.

Burden Relationship:

As noted previously, new development will require additional, improved or expanded park facilities to maintain existing service levels. Growth from new development will require adding five acres of new park facilities per 1,000 population to accommodate such growth and to maintain current service levels. Further, the new facilities will enhance the community's quality of live and living environment to the benefit of all its citizens.

Proportionality:

Chapter 4 of the Draft Study, including Tables 4.0, 4.1, 4.2, 4.3, 4.4, and 4.5, identify the methodology and basis for calculating the maximum fees that may be imposed for park facilities as identified in Table 4.6. No fees are recommended for commercial, office or industrial type development.

TRAILS FACILITIES: Additional Findings

Purpose:

Chapter 5 addresses the Town's trails system as identified in the Master Plan of Trails. The purpose of the fee is to ensure that development funds its fair share of the trails system.

Use of Fee Revenues:

The Town will use fee revenues to expand the Town's network of trails to serve new development. The continued implementation of the trails system will further encourage the use of this alternative transportation mode consistent with the General Plan's stated goals and objectives.

Benefit Relationship:

The projected residential development which is anticipated to occur during the planning period will generate significant additional demand and need for the trails network. The fee will be used to finance such improvements and additions that are necessary to serve new development that is projected to occur during the planning period.

Burden Relationship:

As noted above, new residential development generates additional pedestrian and multi-use traffic which will require additional or improved and/or expanded trail facilities to maintain existing service levels as new growth occurs.

Proportionality:

Chapter 5, specifically Tables 5.0, 5.1, 5.2, and 5.3, identify the methodology and basis for calculating the fee level identified in Table 5.4.

STORM DRAIN FACILITIES: Additional Findings

Purpose:

The purpose of this fee is to provide funding for the acquisition and improvement of those storm drain facilities and projects identified in the Master Plan of Drainage, and that are required to augment the Town's current flood control system to accommodate the needs of projected new growth and development in the Town.

Use of Fee Revenues:

The revenue generated from this fee will be used to purchase land and develop new storm drain facilities within the Town of Yucca Valley pursuant to the goals and objectives of such facilities contained in the General Plan and as identified in the Master Plan of Drainage, as well as within Chapter 6 of the Study.

Benefit Relationship:

The new residential, commercial, office and industrial development which are anticipated to occur during the planning period will generate significant need to improve and expand the Town's storm drain office. This fee will be used to finance such improvements and additions. These new storm drain facilities will be needed in order to accommodate the projected growth from new development which will be occurring during the planning period as well as maintain existing service levels.

Burden Relationship:

Chapter 6, specifically Table 6.2, establishes and demonstrates a reasonable relationship between new development and the need for new facilities. The facility standard is based on the planned facilities investment into the Town's system of storm drainage facilities on a per EDU basis.

Proportionality:

Chapter 6 of the Draft Study, including Tables 6.0, 6.1, 6.2, and 6.3, identify the methodology and basis for calculating the maximum fees that may be imposed for storm drain facilities as identified in Table 6.4

STREETS AND TRAFFIC: Additional Findings

Purpose:

Chapter 7 summarizes an analysis of the need for streets and related transportation facilities to accommodate growth within the Town of Yucca Valley. It documents a reasonable relationship between new development and a traffic fee to fund street and related transportation facilities that serve new development. The purpose of this fee is to provide funding for the construction of those improvements to the Town's street facilities as identified in Chapter 7.

Use of Fee Revenues:

The revenue generated from this fee is to provide funding for the construction of those improvements to the Town's street facilities as identified in Chapter 7, which are required to augment the Town's current street system to accommodate the needs of projected new growth and development in the Town.

Benefit Relationship:

The new residential, commercial and industrial development which is projected to occur during the planning period and to build out will generate significant additional traffic and the need to improve and expand the Town's street facility system. The fee will be used to provide for those capacity improvements and traffic and pedestrian safety improvements required by growth projections to maintain existing levels of service and to accommodate new growth and development.

Burden Relationship:

As noted in the previous section, each type of new residential, commercial, office and industrial development will generate additional traffic, which will create an incremental need to add to roadway capacity, and to improve traffic and pedestrian safety. Specifically in Chapter 7, Tables 7.0, 7.1, 7.2 and 7.3 establish the methodology and basis for the fees identified in Table 7.2

Proportionality:

The recommended fee is demand or trip generation based. Based upon trip generation rates, Chapter 7 identifies the costs attributable to new development including residential, commercial, office, and industrial. Specifically in Chapter 7, Tables 7.0, 7.1, 7.2 and 7.3 establish the methodology and basis for the fees identified in Table 7.2

ATTACHMENT "C"
DEVELOPMENT IMPACT FEE SCHEDULE

Single Family Residential Development:	\$5,200.00 Per Unit
Multi-Family Residential Development:	\$3,600.00 Per Unit
Commercial Development:	\$0.00 Per Square Foot
Office Development:	\$0.00 Per Square Foot
Industrial Development:	\$0.00 Per Square Foot

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STATE OF CALIFORNIA

COUNTY OF SAN BERNARDINO

TOWN OF YUCCA VALLEY

I, Janet M. Anderson, Town Clerk of the Town of Yucca Valley, California do hereby certify that Resolution No. 05-59 was duly and regularly adopted by the Town Council of the Town of Yucca Valley, California, at a meeting thereof held on the 27th day of October, 2005, by the following vote:

AYES: Council Members Cook, Luckino, and Mayor Mayes

NOES: Council Members Leone and Neeb

ABSTAIN: None

ABSENT: None



TOWN CLERK

ATTACHMENT "B" ADDITIONAL FINDINGS

GENERAL FACILITIES: Additional Findings

Purpose:

The purpose of the general facilities fee is to provide funding for the construction and or expansions of existing general facilities within the Town. These include the Town Hall Complex, the California Welcome Center, and the Community Development/Public Works Complex. Specifically, these include the areas of Town Hall, Library, Community Center, Museum, California Welcome Center, the Community Development Administration Building, Animal Shelter and the Public Works Operations Building. These facilities and their specifics are identified in Table 3.1 of the Study as amended.

Use of Fee Revenues:

The revenue generated from this fee will be used to furnish the funding required to erect new municipal buildings or expand existing municipal buildings as described in the foregoing section. These facilities will provide centralized, efficient, and expanded public service facilities to accommodate the projected increase in the Town's population due to new development.

Benefit Relationship:

The new residential, commercial, office, and industrial development which are anticipated to occur during the planning period will generate significant additional demand for the administrative, management, professional, technical and para-professional services provided by the staffs of the Town's non-emergency services. This demand will occur among all components of the community and will require adequate provision for office expansion to accommodate the new growth. The fee recommended will apply to each of these community components, since all will contribute to the demand for new and expanded municipal services.

Burden Relationship:

New development will require the services supplied by the administrative offices of the Town's non-emergency services. These services will require adequate, convenient and efficient workspace to fulfill their public service requirements. Chapter 3 of the Study addresses General Facilities. Specifically, Tables 3.0, 3.1, and 3.2 establish the rationale and methodology for determining the fee for new development, as identified in Table 3.3.

Proportionality:

Chapter 3 of the Study addresses General Facilities. Specifically, Tables 3.0, 3.1, and 3.2 establish the rational and methodology for determining the fee for new development, as identified in Table 3.3.

Fund Balance: The General Facility Public Facility Development Impact Fee Fund Balance is \$52,423.14 and is uncommitted. The funds collected are not sufficient to construct any one General Facility as identified in the "Study". Additional General Facility revenues will be necessary over the 20 year planning period and will include Redevelopment Agency Funds, Community Development Block Grant Funds and federal and state grant resources. \$9.9 million in revenues and expenditures projected;

Planned

Expenditures: The planned alternative expenditures for these funds include the Yucca Valley Animal Shelter design and construction project, anticipated to be completed within 36 months; and/or the Yucca Valley Town Hall Complex Analysis for merger and incorporation of Community Development operations, which would be completed within 24 months of Town Council authorization. The Yucca Valley Animal Shelter will be constructed by the Joint Powers Authority, consisting of the County of San Bernardino and the Town of Yucca Valley with a total estimated cost of \$3.5 million.

PARK FACILITIES: Additional Findings

Purpose:

The purpose of this fee is to provide funding for the acquisition and improvement of those park facilities and projects identified in the Parks Master Plan, and that are required to augment the Town's current park system to accommodate the needs of projected new growth and development in the Town.

Use of Fee Revenues:

The revenue generated from this fee will be used to purchase land and develop new community, neighborhood and specialized parks within the Town of Yucca Valley pursuant to the goals and objectives of such facilities contained in the General Plan and the Parks Master Plan.

Benefit Relationship:

The new residential development which is anticipated to occur during the planning period will generate significant need to improve and expand the Town's basic park facilities. This fee will be used to finance such improvements and additions. These new park facilities will be needed in order to accommodate the projected growth from new development which will be occurring during the planning period as well as maintain existing service levels.

Burden Relationship:

As noted previously, new development will require additional, improved or expanded park facilities to maintain existing service levels. Growth from new development will require adding five acres of new park facilities per 1,000 population to accommodate such growth and to maintain current service levels. Further, the new facilities will enhance the community's quality of live and living environment to the benefit of all its citizens.

Proportionality:

Chapter 4 of the Draft Study, including Tables 4.0, 4.1, 4.2, 4.3, 4.4, and 4.5, identify the methodology and basis for calculating the maximum fees that may be imposed for park facilities as identified in Table 4.6. No fees are recommended for commercial, office or industrial type development.

Fund Balance: The Park Facilities Public Facility Development Impact Fee Fund Balance is \$13,680. The funds collected are not sufficient to construct any one Parks Facility identified in the "Study". Additional Park Facility revenues will be necessary over the 20 year planning period and will include Redevelopment Agency Funds, Community Development Block Grant Funds, Quimby Fees, developer constructed facilities and federal and state grant resources. \$17.0 million in revenues and expenditures projected;

Planned

Expenditures: The Park Facility funds are committed to the South Side Neighborhood Park and the Brehm Youth Sports Park, with design of SSNP scheduled for completion in fiscal year 2010/2011/2012 and Brehm Youth Sports Park Phase I scheduled for completion in calendar year 2012.

TRAILS FACILITIES: Additional Findings

Purpose:

Chapter 5 addresses the Town's trails system as identified in the Master Plan of Trails. The purpose of the fee is to ensure that development funds its fair share of the trails system.

Use of Fee Revenues:

The Town will use fee revenues to expand the Town's network of trails to serve new development. The continued implementation of the trails system will further encourage the use of this alternative transportation mode consistent with the General Plan's stated goals and objectives.

Benefit Relationship:

The projected residential development which is anticipated to occur during the planning period will generate significant additional demand and need for the trails network. The fee will be used to finance such improvements and additions that are necessary to serve new development that is projected to occur during the planning period.

Burden Relationship:

As noted above, new residential development generates additional pedestrian and multi-use traffic which will require additional or improved and/or expanded trail facilities to maintain existing service levels as new growth occurs.

Proportionality:

Chapter 5, specifically Tables 5.0, 5.1, 5.2, and 5.3, identify the methodology and basis for calculating the fee level identified in Table 5.4.

Fund Balance: The Trails Facility Public Facility Development Impact Fee Fund Balance is \$18,246 and is uncommitted. The funds collected are not sufficient to construct any one Trail Facility as identified in the "Study". Additional Trail Facility revenues will be necessary over the 20 year planning period and will include Redevelopment Agency Funds, Community Development Block Grant Funds and federal and state grant resources. \$6.7 million in revenues and expenditures projected;

Planned

Expenditures: There are no planned expenditures at this time as the funds collected to date are not sufficient to construct any one Trail facility as identified in the "Study". Additional financial resources are necessary to move forward with a specific project.

STORM DRAIN FACILITIES: Additional Findings

Purpose:

The purpose of this fee is to provide funding for the acquisition and improvement of those storm drain facilities and projects identified in the Master Plan of Drainage, and that are required to augment the Town's current flood control system to accommodate the needs of projected new growth and development in the Town.

Use of Fee Revenues:

The revenue generated from this fee will be used to purchase land and develop new storm drain facilities within the Town of Yucca Valley pursuant to the goals and objectives of such facilities contained in the General Plan and as identified in the Master Plan of Drainage, as well as within Chapter 6 of the Study.

Benefit Relationship:

The new residential, commercial, office and industrial development which are anticipated to occur during the planning period will generate significant need to improve and expand the Town's storm drain office. This fee will be used to finance such improvements and additions. These new storm drain facilities will be needed in order to accommodate the projected growth from new development which will be occurring during the planning period as well as maintain existing service levels.

Burden Relationship:

Chapter 6, specifically Table 6.2, establishes and demonstrates a reasonable relationship between new development and the need for new facilities. The facility standard is based on the planned facilities investment into the Town's system of storm drainage facilities on a per EDU basis.

Proportionality:

Chapter 6 of the Draft Study, including Tables 6.0, 6.1, 6.2, and 6.3, identify the methodology and basis for calculating the maximum fees that may be imposed for storm drain facilities as identified in Table 6.4

Fund Balance: The Storm Drain Facilities Public Facility Development Impact Fee Fund Balance is \$224,810.48. The funds collected are not sufficient to construct any one Storm Drain Facility identified in the "Study". Additional Storm Drain Facility revenues will be necessary over the 20 year planning period and will include Redevelopment Agency Funds, Community Development Block Grant Funds and federal and state grant resources. \$121.0 million in revenue and expenditures projected;

Planned

Expenditures: The Storm Drain Facility funds are committed to the Long Canyon Basin and Channel Project. Scheduled completion of the Benefit/Cost Study, combined with approximately \$1.0 million from the Corp of Engineers, is anticipated within approximately 24 months.

STREETS AND TRAFFIC: Additional Findings

Purpose:

Chapter 7 summarizes an analysis of the need for streets and related transportation facilities to accommodate growth within the Town of Yucca Valley. It documents a reasonable relationship between new development and a traffic fee to fund street and related transportation facilities that serve new development. The purpose of this fee is to provide funding for the construction of those improvements to the Town's street facilities as identified in Chapter 7.

Use of Fee Revenues:

The revenue generated from this fee is to provide funding for the construction of those improvements to the Town's street facilities as identified in Chapter 7, which are required to augment the Town's current street system to accommodate the needs of projected new growth and development in the Town.

Benefit Relationship:

The new residential, commercial and industrial development which is projected to occur during the planning period and to build out will generate significant additional traffic and the need to improve and expand the Town's street facility system. The fee will be used to provide for those capacity improvements and traffic and pedestrian safety improvements required by growth projections to maintain existing levels of service and to accommodate new growth and development.

Burden Relationship:

As noted in the previous section, each type of new residential, commercial, office and industrial development will generate additional traffic, which will create an incremental need to add to roadway capacity, and to improve traffic and pedestrian safety. Specifically in Chapter 7, Tables 7.0, 7.1, 7.2 and 7.3 establish the methodology and basis for the fees identified in Table 7.2

Proportionality:

The recommended fee is demand or trip generation based. Based upon trip generation rates, Chapter 7 identifies the costs attributable to new development including residential, commercial, office, and industrial. Specifically in Chapter 7, Tables 7.0, 7.1, 7.2 and 7.3 establish the methodology and basis for the fees identified in Table 7.2

Fund Balance: The Streets and Traffic Facilities Public Facility Development Impact Fee Fund Balance is \$337,639.38. The funds collected are not sufficient to construct any one Street and Traffic Facility identified in the "Study". Additional Street and Traffic Facility revenues will be necessary over the 20 year planning period and will include Redevelopment Agency funds, Community Development Block Grant funds, Measure I funds, and federal and state grant resources. \$139.0 million in revenues and expenditures projected;

Planned

Expenditures: The Street and Traffic Facility funds are committed to the SR 62 Shelf Ready Plans for the future widening of SR 62. Scheduled completion of the Shelf Ready plans is anticipated within approximately 24 months for Phase I, and 36 months for Phase II.

ATTACHMENT "C"
ORDINANCE NO. 217
ADOPTED OCTOBER 19, 2010

ORDINANCE NO. 217

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF
YUCCA VALLEY, CALIFORNIA, AMENDING SECTION 3.40.070 B
OF CHAPTER 3.40 OF THE YUCCA VALLEY MUNICIPAL CODE
DEVELOPMENT IMPACT FEES**

WHEREAS, the Town approved by the 2005 Public Facilities Development Impact Fee Study (Study) prepared by Munifinancial; and

WHEREAS, since adoption of the Study in 2005, the Town has evaluated growth patterns, growth rates and trends and corresponding infrastructure needs within the community; and

WHEREAS, the Town has identified based upon these changing conditions that the Maximum Legally Defensible Public Facility Development Impact Fees should be adjusted.

SECTION 1. MUNICIPAL CODE AMENDED

Section 3.40.070 B, of the Town of Yucca Valley Municipal Code is hereby amended to read as follows.

- B. The maximum fees that may be adopted by resolution of the town Council shall be in accordance with the following maximum legally defensible fee levels:

Single-family residential development	\$9,081 per unit
Multi-family residential Development	\$6,352 per unit
Commercial development	\$7,735 per 1,000 square feet
Office development	\$7,038 per 1,000 square feet
Industrial development	\$3,176 per 1,000 square feet

SECTION 2. NOTICE OF ADOPTION. Within fifteen (15) days after the adoption hereof, the Town Clerk shall certify to the adoption of this Ordinance and cause it to be published once in a newspaper of general circulation printed and published in the County and circulated in the Town pursuant to Section 36933 of the Government Code.


SECTION 3. EFFECTIVE DATE. This Ordinance shall become effective thirty (30) days from and after the date of its adoption.

APPROVED AND ADOPTED by the Town Council and signed by the Mayor and attested by the Town Clerk this 19th day of October, 2010.


MAYOR

ATTEST:

APPROVED AS TO FORM:


TOWN CLERK


TOWN ATTORNEY

STATE OF CALIFORNIA

COUNTY OF SAN BERNARDINO

TOWN OF YUCCA VALLEY

I, Janet M. Anderson, Town Clerk of the Town of Yucca Valley, California hereby certify that the foregoing Ordinance No. 217 as duly and regularly introduced at a meeting of the Town Council on the 5th day of October, 2010, and that thereafter the said ordinance was duly and regularly adopted at a meeting of the Town Council on the 19th day of October, 2010, by the following vote, to wit:

Ayes: Council Members Huntington, Luckino, Neeb, and Mayor Mayes

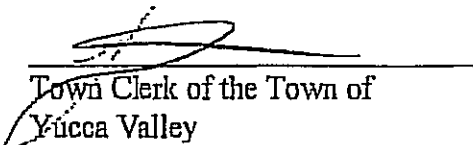
Noes: None

Abstain: None

Absent: Council Member Herbel

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Town of Yucca Valley, California, this 20th day of October, 2010.

(SEAL)


Town Clerk of the Town of
Yucca Valley

ATTACHMENT "D"
RESOLUTION NO. 10-26
ADOPTED OCTOBER 5, 2010

RESOLUTION NO 10-26

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA AMENDING RESOLUTION REDUCING THE MAXIMUM LEGALLY DEFENSIBLE PUBLIC FACILITY DEVELOPMENT IMPACT FEES CONTAINED IN THE 2005 MUNIFINANCIAL STUDY RELATING TO THE TOWN OF YUCCA VALLEY DEVELOPMENT IMPACT FEE SCHEDULE

WHEREAS, a duly noticed public hearing was conducted on September 7, 2010, at which time the public was invited to make oral and written presentations as part of the regularly scheduled meeting prior to the adoption of this Resolution; and

WHEREAS, at least ten (10) days prior to the public hearings, the Town Clerk made available for public inspection the Study and supporting documentation and data including the services and estimated costs of providing said services and sources of revenues required to defray those costs as well as a proposed form of ordinance; and

WHEREAS, the Town published notice of the public hearing as described above in accordance with Government Code Sections 6062(a) and 66018; and

WHEREAS, the Town Council approved the Public Facilities Development Impact Fee Study on October 27, 2005; and

WHEREAS, the Town Council adopted Ordinance No. 173, implementing Public Facilities Development Impact Fee authorization; and

WHEREAS, the Town Council adopted Resolution No. 05-59, implementing Public Facility Development Impact Fee charges; and

WHEREAS, the Public Facilities Development Impact Fee Study (Study) identifies the maximum legally defensible fees that the Town may impose upon new development; and

WHEREAS, the Study has been evaluated and recommended adjustments to the Maximum Legally Defensible Fees are contained within the Staff Report as attached to this Resolution; and

WHEREAS, the Study supports the implementation of fees as contained in this Resolution; and

WHEREAS, Public Facility Development Impact Fees imposed by the Town may be modified by Resolution of the Town Council; and

WHEREAS, the Town Council does not desire to modify, in accordance, the Public Facility Development Impact Fees imposed upon new development.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY RESOLVES AS FOLLOWS.

SECTION 1: The Town Council hereby adopts and approves the Public Facilities Development Impact Fee Study prepared by MuniFinancial dated May 2, 2005, included as attachment "A" to this Resolution, including the Findings contained therein, in addition to those findings identified as attachment "B" to this Resolution, and amendments to the Tables contained in the Study as identified as Attachment D to this Resolution; and

SECTION 2: The Town Council hereby adopts and approves the Public Facilities Development Impact Fee Study prepared by MuniFinancial dated May 2, 2005, including adopting and approving the maximum legally defensible fees identified in the Public Facilities Development Impact Fee Study prepared by MuniFinancial dated May 2, 2005, and as amended by the Tables contained in Attachment D to this Resolution; and

SECTION 3. The Town Council hereby adopts the findings set forth in the above Recitals.

SECTION 4. The Town Council hereby adopts the "Town of Yucca Valley Development Impact Fee Schedule" as set forth in attachment "C", attached hereto. Unless otherwise stated in the Fee Schedule, all Development Impact Fees shall be paid to the Town prior to the Town's issuance of a final inspection or Certificate of Occupancy for any phase of a development project. The Fee Schedule may be amended from time to time by resolution of the Town Council, in compliance with the Mitigation Fee Act, Government Code, Section 66000.

SECTION 5. The Development Impact Fees imposed by this Resolution shall only apply to those Development Impact Fees described in the above-referenced Development Impact Fee Schedule. All other community or development or other impact fees and user fees and charges adopted by the Town Council by prior Town ordinances or resolutions or other prior actions, as may have been amended from time to time, or as may be adopted or amended in the future, shall remain and be in full force and effect, unless expressly or by the terms and provisions herein are amended hereby.

SECTION 6: Where the Town Manager determines that the public interest would be served by such an agreement, he or she is hereby authorized to execute agreements on behalf of the Town with Applicants in order to provide a credit to the Applicant against certain Development Impact Fees in exchange for the Applicant's construction and dedication of oversized Public Improvements, on those reasonable terms and conditions as the

Town Manager may determine on a case-by-case basis, subject to approval by the Town Council.

SECTION 7.

The Town Manager is empowered to negotiate and execute agreements to defer, waive or reduce any Development Impact Fees upon an Applicant for a particular development project, but only if the Town Manager determines upon evidence presented by the Applicant, that (i) the development project will provide a general benefit to the health, safety, and welfare of the citizens of the Town of Yucca Valley, and will not be of special benefit only to an Applicant, or (ii) other properties to be benefited by any Development Impact Fee will not be unfairly burdened by the delay, reduction or waiver of said Development Impact Fee, or (iii) deferral, waiver or reduction in Development Impact Fees will result in a more fair funding arrangement, and, in the case of waiver or reduction, the owner will receive insufficient or no benefit from the Development Impact Fee imposed and would therefore be required, if the Fee were imposed in full, to pay more than his fair share for the benefit received. Such findings and the resulting agreement(s) to defer, waive or reduce any Development Impact Fee shall be subject to approval by the Town Council.

SECTION 8.

The Town Council is hereby authorized to make inter-fund transfers and loans between capital facilities accounts into which are deposited Development Impact Fees upon those reasonable terms of repayment and interest rates as determined by the Town Council.

SECTION 9.

The Town Council shall review the adopted Development Impact Fees annually in conjunction with the annual operating and capital budget process, to determine the necessity to increase/decrease the level of Development Impact Fees charged annually.

SECTION 10.

The Town Council hereby waives the imposition of Public Facility Development Impact Fees for the first 10,000 square feet of new development of commercial, office, and industrial development projects, as well as the first 10,000 square feet of the expansion of existing commercial, office and industrial development projects.

SECTION 11.

The Town Council hereby waives the imposition of Public Facility Development Impact fees for the construction of single family residential structures developed within a subdivision, including parcel maps and tract maps, recorded prior to October 27, 2005.

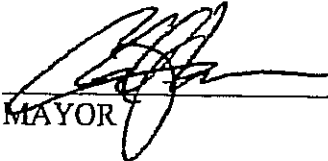
SECTION 12.

The Town Council hereby approves the allocation of the Public Facility Development Impact Fees identified in Attachment C to this Resolution to be allocated by the Direction of Administrative Services


to all five categories of public infrastructure contained within the 2005 study.

SECTION 13. Town staff is hereby directed to prepare and file a Notice of Exemption, under the California Environmental Quality Act, within five (5) working days of adoption of this Resolution.

APPROVED AND ADOPTED THIS 5th day of October 2010.


MAYOR

ATTEST:


TOWN CLERK

TOWN COUNCIL STAFF REPORT

To: Honorable Mayor & Town Council
From: Jim Schooler, Community Services Director
Date: February 23, 2011
For Council Meeting: March 1, 2011

Subject: Community Development Block Grant (CDBG) Prioritization Hearing

Prior Council Review: Each year, the Town Council is asked to review eligible project and program proposals and to make a local priority recommendation to the County Board of Supervisors for the next cycle of CDBG program funding.

Recommendation: Move to recommend that the Town's entire 2011-12 net CDBG allocation of \$126,395 to be applied to the Town of Yucca Valley's Code Enforcement project, and direct staff to reflect the additional anticipated revenue in the 2011-2012 budget proposal.

Summary: As a participating city with San Bernardino County in the Community Development Block Grant program, the Town of Yucca Valley is required to prioritize eligible local proposals and forward a recommendation to the County Board of Supervisors for funding approval. The 2011-2012 proposals were submitted to the County Community Development and Housing (CDH) department, where they were reviewed for eligibility under program guidelines. Although the Council has previously declared its intention to allocate three years of CDBG funding to a single project, the Public Hearing is required to allow applicants an opportunity to speak on behalf of their proposals. The Council's funding recommendation will be forwarded to the County Board of Supervisors.

Order of Procedure:

- Request Staff Report
- Open Public Hearing
- Request Public Comment (pro and con)
- Close Public Hearing
- Council Discussion / Questions of Staff
- Motion/Second
- Discussion on Motion
- Call the Question (Roll Call Vote)

Discussion: Through a cooperation agreement with San Bernardino County, the Town of Yucca Valley participates with the County's Community Development and Housing (CDH) department in the administration of Community Development Block

Reviewed By:


Town Manager


Town Attorney

Mgmt Services

Dept Head

<input type="checkbox"/> Department Report	<input type="checkbox"/> Ordinance Action	<input type="checkbox"/> Resolution Action	<input checked="" type="checkbox"/> Public Hearing
<input type="checkbox"/> Consent	<input type="checkbox"/> Minute Action	<input type="checkbox"/> Receive and File	<input type="checkbox"/> Study Session

Grant funding. Through this agreement, the Town Council is asked each year to review and prioritize eligible projects and proposals, and to forward a funding recommendation to the Board of Supervisors.

Applicants submit project and program proposals in November and December of each year requesting funding under the following fiscal year's allocation. The application period is publicized locally and proposals are submitted either to the Town or directly to the CDH office. Any agency is entitled to apply for funding if the proposal fits the public benefit criteria established by the Department of Housing and Urban Development (HUD) in the Code of Federal Regulations.

The most typical criterion for CDBG funding is the proposal's benefit to low to moderate income residents. Other factors that favorably influence eligibility include compliance with Americans with Disabilities Act (ADA) standards and certain economic development activities. The CDBG program is intended to provide funding for the completion of a beneficial project, or to provide funds for new programs or measurable improvements to existing programs.

The Town's net allocation for the 2011-12 funding cycle is anticipated to be \$126,395 following a deduction of \$41,010 that is set aside for the local Senior Housing Repair Program. In 2009, the Council agreed to designate all funding for three CDBG cycles (2009-10, 2010-11, and 2011-12) to a single community project, the renovation of the Community Center playground. The Town subsequently has used CDBG funds for Code Enforcement activities in eligible areas, and could choose to continue that effort with the 2011-12 funds.

Although 15% (\$25,111) of the local allocation could be designated for Public Service Programs, the Council has opted instead to backfill funding to certain agencies from the General Fund's partnership budget in 2009-2010 and again in 2010-2011.

The total amount requested from the Town's allocation for 2011-12 public service programs is \$201,829. The total requested for projects is \$628,889.

As in previous years, the County discourages recommendations that result in partial funding of proposals. The timely completion of projects and programs is strongly emphasized in managing the use of Community Development Block Grant funds in accordance with the program's intent. The commitment of administrative resources increases as the number of funded projects and programs increases, so larger projects are considered preferable to several smaller allocations. For these reasons, the County CDH office has asked that a minimum of \$75,000 be recommended for project funding and a minimum of \$10,000 be recommended for any particular program.

Recommendation

The Town received a special CDBG allocation of \$50,000 from the County in the fall of 2010. Those funds, intended for immediate use to address a pressing community concern, have been used for Code Enforcement operations in eligible areas of the community. As a follow-up, staff applied for \$150,000 in 2011-2012 to fund an additional Code Enforcement project.

Although two years of CDBG funds have been allocated to the Community Center playground project, staff recommends identifying other funding to complete that project and allocating the Town's 2011-12 funding to the Code Enforcement project. Staff would then return to Council for authorization to participate in the County's Plan Modification process in the fall to re-allocate the playground funds.

Following the Town Council's funding recommendation, the County Board of Supervisors will make the final determination of projects and programs to be funded. The board's decision typically occurs in early April.

Alternatives: None recommended

Fiscal impact: In the 2011-12 CDBG cycle, a total of \$126,395 will be available for local programs and projects. If allocated to the Code Enforcement project, the Town's 2011-12 budget will be supplemented by that amount.

Attachments:

- CDH Allocation letter
- Program request summary
- Project request summary
- County summary of proposals

ECONOMIC DEVELOPMENT AGENCY



COUNTY OF SAN BERNARDINO

385 North Arrowhead Avenue • Second Floor
San Bernardino, CA 92415-0043 • (909) 387-9801 • Fax (909) 387-9815

Mary Jane Olhasso, Administrator

February 8, 2011

Mr. James Schooler, Community Services Director
Town of Yucca Valley
57090 Twentynine Palms Highway
Yucca Valley, CA 92284-2932

RE: 2011-12 CDBG PROJECT PRIORITIZATION PUBLIC HEARING

Dear Mr. Schooler:

Each year as part of our preparation of the Community Development Block Grant (CDBG) application, we ask those cities participating with the County in the CDBG program, to prioritize projects for funding. This year, we are requesting that the cities complete their prioritization hearings and submit their lists of funding recommendations to our office by **March 11, 2011**. This will permit us to include all City recommendations received by this date, in the Proposed CDBG Plan. The Plan is scheduled to be presented at a public hearing before the County Board of Supervisors on April 19, 2011.

During the month of February, your City Council will have an opportunity to consider proposals requesting funding from your City's CDBG allocation for Fiscal Year 2011-12. The estimated 2011-12 allocation for your city is **\$167,405**. This amount is based on the County's grant amount last year plus an estimated 10% reduction. The minimum amount of 2011-12 funds your city set aside for the Senior Home Repair Program (SHR) is **\$41,010**. We ask that you limit your funding priorities within a CDBG allocation of **\$126,395** which is your allocation amount minus the SHR program funds already set aside. The 2011 CDBG formula grant amounts have not been announced by U.S. Department of Housing and Urban Development (HUD) so this is an estimate which may change when HUD announces the 2011 grant amounts.

The County's estimated CDBG allocation is **\$6,955,724**. Your City's estimated allocation amount has been calculated using Census 2000 poverty and overcrowded housing counts in addition to 2010 population estimates.

To assist your efforts, we have enclosed a list of eligible CDBG project proposals identifying benefit to your City, a copy of each project proposal, and a list of proposals found "not eligible" for CDBG funding for your reference. Further, we have enclosed instructions and a form for preparing and returning your funding recommendations.

GREGORY C. DEVEREAUX
Chief Executive Officer

Board of Supervisors			
BRAD MITZELFELT	First District	NEIL DERRY	Third District
JANICE RUTHERFORD	Second District	GARY C. OVITT	Fourth District
JOSIE GONZALES	Fifth District		

February 8, 2011

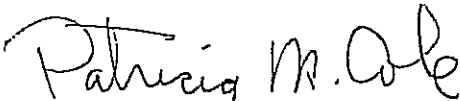
Page Two

In your deliberations, please keep in mind that public service activities for the County as a whole are limited to 15% of the grant received from HUD. This public service allocation has been prorated to your City utilizing the standard allocation formula. Accordingly, the maximum CDBG funding total that the City of Yucca Valley may allocate to its priority public service project is **\$25,111**.

Again this year, the County will implement HUD's recommendation that the County establish a minimum grant award amount necessary to justify the cost of administering funded projects. The new minimum threshold amounts are \$10,000 for public service programs and \$75,000 for construction activities. Big Bear Lake, Grand Terrace, and Needles are cities receiving less than \$100,000 which will have no limit, but may only fund a total of four (4) projects.

Thank you for your past and continuing support in the CDBG program. I appreciate your assistance in returning your funding recommendations no later than **March 11, 2011**. Should you have any questions or need additional assistance, please call Bryan Anderson, Supervising ECD Analyst, at (909) 388-0961.

Sincerely,



PATRICIA M. COLE
EDA Assistant Administrator

PC/IM
Enclosures

cc: Mark Nuaimi, City Manager

Town of Yucca Valley - 2011-12 CDBG Eligible Programs Summary

Applicant	Program	CDBG Funds Requested	TYV Request	TYV CDBG Funding previous year	Partnership Funding 2010-11 Town budget	Recommendation
American Food Bank	Food Bank low/moderate income	\$ 173,228	\$ 95,276			
Another Way	Provision of emergency housing assistance	\$ 50,000	\$ 2,500			
Family Services Association	Senior services & transportation assistance to low-income & elderly	\$ 50,000	\$ 10,000			
Hippotherapy, Inc.	Therapeutic Treatment Program for disabled & low income	\$ 20,000	\$ 10,000			
Inland Empire United Way	Social Services Referrals	\$ 90,000	\$ 10,000			
Joshua Tree Kids Club	Homework help for youth - low/moderate income in Joshua Tree	\$ 16,820	\$ 8,410			
Legal Aid Society of SB	Providing Legal Aid	\$ 95,643	\$ 15,643			
MB Adult Health Services	Services for Seniors	\$ 10,000	\$ 10,000		\$ 5,000	
MB Unity Home	Shelter services	\$ 30,000	\$ 10,000		\$ 3,000	
Reach Out MB	Senior & handicapped - Transportation Services	\$ 30,000	\$ 10,000		\$ 7,000	
SB County Library - YV	Literacy Education	\$ 10,000	\$ 10,000		\$ 3,000	
SB Sexual Assault	Intervention & Counseling	\$ 20,000	\$ 10,000			
		\$ 595,691	\$ 201,829		\$ 18,000	\$ -

Notes:

Total 2011-12 allocation \$126,395

Maximum allowed for Programs \$25,111

Town of Yucca Valley - 2011-12 CDBG Eligible Projects Summary

Applicant	Project	CDBG Funds Requested	TYV CDBG Funding previous year	Partnership Funding 2010-11 Town budget	Recommendation
		Total CDBG	TYV Request		
Boys & Girls Club-Hi Desert	Renovation of B&G Club building	\$ 127,000	\$ 125,730		
Hippotherapy, Inc.	Construction of an indoor riding arena for therapeutic treatment	\$ 150,000	\$ 75,000		
MB Adult Health Services	Renovation, parking lot, ADA restroom, roof, septic system	\$ 278,159	\$ 278,159		
Town of Yucca Valley	Code Enforcement Activities	\$ 150,000	\$ 150,000	*	
* \$50,000 Third District mid year allocation		\$ 705,159	\$ 628,889	\$ -	\$ -

Notes:

Total 2011-12 allocation \$126,395

Maximum allowed for Projects \$126,395

ELIGIBLE Proposals

San Bernardino County

Department of Community Development and

ELIGIBLE Proposals

Town of Yucca Valley

2011-2012 CDBG Proposals by Benefit Area

Log Primary Benefit Area/ No. Description:	Applicant: Activity Eligibility	M&O Commi	Project/ Request/ Community		Request	Dist	Comments
			Request/ Percent	Community			
37051 Town of Yucca Valley Continuation of Crisis Intervention and Counseling for Victims of Violent Crimes in Barstow - San Bernardino Sexual Assault Services	San Bernardino Sexual Assault Services, Inc. Candy Stallings, Executive Director (909) 885-8884 444 Arrowhead Ave., Ste 101 San Bernardino, CA 92401-1221 24 CFR 201(e) 24 CFR 208(a)(2)(i)(C)	N	\$80,700 \$20,000 24.0%	Barstow Town of Yucca Valley Total	\$10,000 \$10,000 \$20,000	1	CDH #102-32127/2898 Public Service. Would be limited to low/mod income victims of violent crimes and abused children. Cumulative CDBG allocation: \$28,000; Current CDBG Funding: \$8,000; CDBG balance(as of 1/4/11): \$5,332
37054 Town of Yucca Valley Continuation of Providing Legal Aid Services to Low and Moderate Income Persons, Legal Aid Society	Legal Aid Society of San Bernardino Deborah J. Davis, Program Coordinator (909) 889-4811 588 W. Sixth Street San Bernardino, CA 92401 24 CFR 201(e)	N	\$236,926 \$95,643 40.0%	Adelanto Barstow Highland Town of Yucca Valley Colton Yucaipa Twentynine Palms Total	\$10,000 \$17,500 \$17,000 \$15,643 \$15,500 \$10,000 \$10,000 \$95,643	1	#300-29327/2445; 300-12927/0580, 310-26427/2115 Public Service. Would require documentation of at least 51% low/mod persons. Cum. Alloc for three projects: \$1,552,1. Curt Alloc for GRC #'s (2445=\$5,000); (0580=\$47,500); (2115=\$7,500)
37066 Town of Yucca Valley New - Renovation of Boys & Girls Club of the Hi-Desert, Yucca Valley	Boys & Girls Club of the Hi-Desert Vickie Bridenstine, President, Board of Directors (760)365-5437 P.O. Box 402 Yucca Valley, CA 92286 24 CFR 201(c) 24 CFR 208(a)(1)	Y	\$127,000 \$127,000 100.0%	Town of Yucca Valley Twentynine Palms Total	\$125,730 \$1,270 \$127,000	3	Construction Eligible. Davis-Bacon Wage Rate Requirements may increase costs. Would require at least 51% low/mod income
37067 Town of Yucca Valley New - Establish a Therapeutic Treatment Program for Disabled and Low/Moderate Income Persons, Hippotherapy, Inc.	Hippotherapy, Inc. Christine Rodriguez, President (760) 365-5044 53655 Annie Oakley Road Pioneertown, CA 92268 24 CFR 201(e) 24 CFR 208(a)(2)(i)(A)	N	\$20,000 \$20,000 100.0%	Town of Yucca Valley Twentynine Palms Total	\$10,000 \$10,000 \$20,000	3	Public Service. Would be limited to low/mod and severely disabled persons.

ELIGIBLE Proposals

Department of Community Development and

ELIGIBLE Proposals

Town of Yucca Valley

2011-2012 CDBG Proposals by Benefit Area

Log Primary Benefit Area/ No. Description:	Applicant: Activity Eligibility	M&O Commi	Project/ Request/		Request	Dist	Comments
			Request/	Percent			
37068 Town of Yucca Valley New - Construction of an Indoor Riding Arena for Therapeutic Treatment of Disabled and Low/Moderate Income Persons - HippoTherapy, Inc.	HippoTherapy, Inc. Christine Rodriguez, President (760) 365-5044 53655 Annie Oakley Road Pioneertown, CA 92268 24 CFR 201(c) 24 CFR 208(a)(2)(i)(A)	N	\$150,000 \$150,000 66.0%	Town of Yucca Valley Twentynine Palms Total	\$75,000 \$75,000 \$150,000	3	Construction. Would be limited to severely disabled and low/mod income persons. Davis-Bacon Wage Rate Requirements may increase construction costs.
37071 Town of Yucca Valley Continuation of Shelter Services for Women and Children as Victims of Domestic Violence - Morongo Basin Unity Home	Morongo Basin Unity Home, Inc. Marietta Cowan, Executive Director (760) 366-1247 P.O. Box 1662 Joshua Tree, CA 92252 24 CFR 201(e) 24 CFR 208(a)(2)(i)(A)	N	\$665,758 \$30,000 4.0%	Town of Yucca Valley Needles Twentynine Palms Total	\$10,000 \$10,000 \$10,000 \$30,000	3	#229-20427/1191 - Public Service. Services limited to women and children who are victims of domestic violence. Cumulative allocation: \$285,888.79; current allocation: \$13,000 and balance of unspent funds: \$8,948.78 as of 12/31/10.
37085 Town of Yucca Valley Continuation of Literacy Education at Yucca Valley Branch Library.	San Bernardino County Library Leonard Hernandez, County Librarian (909) 387-5721 104 West 4th Street San Bernardino, CA 92415-0035 24 CFR 201(e) 24 CFR 208(a)(2)(i)(A)	N	\$20,990 \$10,000 47.0%	Town of Yucca Valley Total	\$10,000 \$10,000	3	#123-21527/1403 Public Service. Would be limited to illiterate persons. Cum. CDBG Alloc: \$97,786.50; Current CDBG Funding: \$-0-; CDBG Balance (as of 1/4/11): \$1,045.92
37100 Town of Yucca Valley Continuation of Provision of Emergency Housing Assistance to Low/Mod Income Families Caring for Disabled Persons, Another Way	Another Way Susan Gomez, Executive Director (909) 890-3045 1365 S. Waterman Avenue San Bernardino, CA 92408 24 CFR 201(e) 24 CFR 208(a)(2)(i)(A)	N	\$141,620 \$50,000 35.0%	Adelanto Colton Barstow Needles Yucaipa Town of Yucca Valley Highland Montclair Total	\$10,000 \$10,000 \$10,000 \$8,000 \$5,000 \$2,500 \$2,500 \$2,000 \$50,000	I	#350-36127/3451 Public Service. Services limited to severe disabled persons CFR 580.207(4). Limited emergency grant payments over a period of up to 3 mos. directly to the provider of such items or services on behalf of the individual.

ELIGIBLE Proposals

Department of Community Development and

ELIGIBLE Proposals

Town of Yucca Valley

2011-2012 CDBG Proposals by Benefit Area

Log No.	Primary Benefit Area/Description	Applicant Activity Eligibility	M&O Commi	Project/Request/Percent	Community	Request	Dist	Comments
37103	Town of Yucca Valley Continuation of Increased Code Enforcement Activities in CDBG Target Area	Town of Yucca Valley Jim Schooler, Community Services Director (760) 369-7211 x239 57090 Twentynine Palms Highway Yucca Valley, CA 92284 24 CFR 202(c) 24 CFR 208(a)(1)	N	\$150,000 \$150,000 100.0%	Town of Yucca Valley Total	\$150,000 \$150,000	3	Town of Yucca Valley will provide enhanced code enforcement to include foreclosed & distressed properties and public nuisance abatement. (State Highway Enhancement Not Eligible) #123-361173615
37109	Town of Yucca Valley Continuation of Providing Senior Svcs, Grant Subsidence for Emergency Needs & Transportation Svcs to Medical Appointments, Family Service Assoc.	Family Service Association Veronica Do ver, Chief Operating Officer (951) 686-1096 21250 Box Springs Rd., Ste 212 Moreno Valley, CA 92557 24 CFR 201(e) 24 CFR 208(a)(2)(i)(A)	N	\$57,500 \$50,000 86.0%	Grand Terrace Town of Yucca Valley Yucaipa Twentynine Palms Highland Total	\$10,000 \$10,000 \$10,000 \$10,000 \$10,000 \$50,000	3	Public Service. Services limited to elderly. Subsidence payments for emergency needs is limited to 90 days provided by the subrecipient on behalf of the seniors. Cumm Alloc. \$32,791, Curr Alloc \$8,545; Bal. of unexpended funds \$8,545.
37113	Town of Yucca Valley New - Provide Health & Social Svc Referrals to Low/Mod Income Persons Via 2-1-1 Toll Free Phone/Directory of Live 24 Hr-Info, Inland Empire United Way	Inland Empire United Way Gary Madden, Director (909) 980-2857 9644 Hermosa Avenue Rancho Cucamonga, CA 91730 24 CFR 201(e) 24 CFR 208(a)(2)(i)(C)	N	\$1,203,500 \$90,000 7.0%	Town of Yucca Valley Yucaipa Twentynine Palms Montclair Loma Linda Highland Colton Barstow Adelanto Total	\$10,000 \$10,000 \$10,000 \$10,000 \$10,000 \$10,000 \$10,000 \$10,000 \$90,000	2	Public Service. Would require documentation of at least 51% low/mod income clients served via at the providers site. Eligibility subject to matching funds in proportion to the percentage of non-cooperating city residents to be served.
37115	Town of Yucca Valley New - Establish a Food Bank for Low/Moderate Income Persons, American Food Bank	American Food Bank James Wilson, Chairman (760) 228-2222 55668 Yucca Trail Yucca Valley, CA 92284 24 CFR 201(e) 24 CFR 208(a)(2)(i)(C)	N	\$746,128 \$173,228 23.0%	Town of Yucca Valley Twentynine Palms Total	\$95,276 \$77,952 \$173,228	3	Public Service. Would require documentation of at least 51% low/mod income persons.

ELIGIBLE PROPOSALS

Department of Community Development and

ELIGIBLE PROPOSALS

Town of Yucca Valley 2011-2012 CDBG Proposals by Benefit Area

Log No.	Primary Benefit Area/Description	Applicant/Activity Eligibility	M&O Commi	Project/Request/Percent	Community	Request	Dist	Comments
37116	Town of Yucca Valley New- Morongo Basin Adult Health Services For Senior Citizens, Yucca Valley	Morongo Basin Adult Health Services, Inc. Kari Grimes, Executive Director (760) 365-9661 P.O. Box 106 Yucca Valley, CA 92286 24 CFR 201(e) 24 CFR 208(a)(2)(i)(A)	N	\$145,505 \$10,000 6.0%	Town of Yucca Valley Total	\$10,000 \$10,000	3	Public Service. Limited to elderly persons.
37117	Town of Yucca Valley New: Renovation of Morongo Basin Adult Health Services. Four Phases, Parking Lot, ADA Restrooms, Roof Replacement and Septic System, Yucca Valley	Morongo Basin Adult Health Services, Inc. Kari Grimes, Executive Director (760) 365-9661 P.O. Box 106 Yucca Valley, CA 92286 24 CFR 201(c) 24 CFR 208(a)(2)(i)(A)	Y	\$278,159 \$278,159 100.0%	Town of Yucca Valley Total	\$278,159 \$278,159	3	Construction eligible, Davis-Bacon Wage Rate Requirements may increase costs. Project improvements would serve seniors within the Town of Yucca Valley.
37118	Town of Yucca Valley Continuation of Homework, Literacy, Math, Science, Social for Youth From Low/Mod Income Households in Joshua Tree, Joshua Tree Kids Club	Joshua Tree Kids Club Jennifer Nounnan, Executive Director (760) 366-0378 6171 Sunburst Ave. Joshua Tree, CA 92252 24 CFR 201(e) 24 CFR 208(a)(2)(i)(B)	N	\$126,711 \$16,820 13.0%	Twenty-nine Palms Town of Yucca Valley Total	\$8,410 \$8,410 \$16,820	1	CDH #229-32127/2929 Would require documentation of at least 51% low/mod income households. Cum. CDBG Alloc: \$36,561.90; Current CDBG Funding: \$5,000; CDBG Balance (as of 1/4/11): \$5,000
37121	Town of Yucca Valley Continuation of Senior and Handicapped Medical and Social Service Transportation Serving Morongo Basin- Reach Out 29 Morongo Basin	Reach Out Morongo Basin, Inc. Sandy Smith, Executive Director (760) 361-1410 P.O. Box 2225 Twenty-nine Palms, CA 92277 24 CFR 201(e) 24 CFR 208(a)(2)(i)(B)	N	\$79,915 \$30,000 37.0%	Twenty-nine Palms Town of Yucca Valley Total	\$20,000 \$10,000 \$30,000	1	Public Service. #310-29227/2429 Cum CDBG:\$106,630; Current CDBG:\$15,630; CDBG Balance:\$9,857.60

Totals for Town of Yucca Valley Count: 16 Amount \$830,718 Proj Tot \$1,300,850