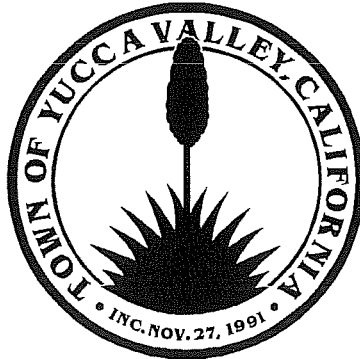


**TOWN OF YUCCA VALLEY
TOWN COUNCIL MEETING**



*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.*

**TOWN COUNCIL: 6:00 p.m.
TUESDAY, JANUARY 21, 2014
YUCCA VALLEY COMMUNITY CENTER
YUCCA ROOM
57090 - 29 PALMS HIGHWAY
YUCCA VALLEY, CALIFORNIA 92284**

* * * *

TOWN COUNCIL
Robert Lombardo, Mayor
George Huntington, Mayor Pro Tem Member
Merl Abel, Council Member
Robert Leone, 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 JANUARY 21, 2014
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.

An agenda packet for the meeting is available for public view in the Town Hall lobby and on the Town's website, www.yucca-valley.org, prior to the Council meeting. Any materials submitted to the Agency after distribution of the agenda packet will be available for public review in the Town Clerk's Office during normal business hours and will be available for review at the Town Council meeting. Such documents are also available on the Town's website subject to staff's ability to post the documents before the meeting. For more information on an agenda item or the agenda process, please contact the Town Clerk's office at 760-369-7209 ext. 226.

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 Abel, Huntington, Leone, Rowe, and Mayor Lombardo

PLEDGE OF ALLEGIANCE

INVOCATION Led by Brother John Deurmier, The Church of Jesus Christ of Latter Day Saints

AGENCY REPORT

1. Hi Desert Water District
2. Yucca Valley Chamber of Commerce

APPROVAL OF AGENDA

Action: Move _____ 2nd _____ Vote _____.

CONSENT AGENDA

3. 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.

- 1-9 4. Town Council Meeting Minutes of November 19, 2013

Recommendation: Approve the Town Council meeting minutes of November 19, 2013 as presented

- 10-11 5. Monthly Fire Department Statistical Reports for December 2013

Recommendation: Receive and file the monthly statistical Fire Department Reports for December 2013

- 12 6. Rejection of One (1) Claim- Graham

Recommendation: Reject one claim filed against the Town of Yucca Valley submitted on December 23, 2013 by J. Donald Graham

- 13-29 7. Re-schedule the 2013 Building Code Adoption Public Hearing

Recommendation: Re-schedule the 2013 Building Code Adoption Public Hearing to Tuesday, February 4, 2014

- 30-96 8. Re-schedule the Public Facilities Development Impact Fee Public Hearing

Recommendation: Re-schedule the Public Facilities Development Impact Fee Public Hearing to Tuesday, February 4, 2014

- 97-110 9. Request for a Secondhand Dealers License, SPL 23-13, Bear Arms

Recommendation: Approve Special License, SPL 23-13

- 111-118 10. FY 2013 Homeland Security Grant Program Authorization to Purchase

Recommendation: Authorize Town Staff to purchase the portable solar message board using FY 2013 Homeland Security Grant Program (HSGP) funds, from Tops N Barricades, the lowest of four bidders in the amount of \$15,629.76.

- 119-122 11. Authorization to submit a grant application to the California Department of Housing and Community Development for Housing-Related Parks Program funding

Recommendation:

1. Adopt the resolution authorizing staff to submit a grant application to the California Department of Housing and Community Development to seek Housing-Related Parks Program funding for additional Paradise Park improvements.
2. Authorize the Director of Administrative Services as the official designated and authorized to represent the Town on current and subsequent park specific grant documents, reimbursement requests and reports.

- 123-125 12. AB1234 Reporting Requirements

Recommendation: Receive and file the AB1234 Reporting Requirement Schedule for the month of December 2013.

- 126-141 13. Warrant Register

Recommendation: Ratify the Payroll Registers total of \$374,224.73 dated December 06, 2013 thru January 03, 2014. Ratify Warrant Registers total of \$1,264,438.96 for checks dated December 19, 2013 to January 09, 2014.

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 3-12)

Action: Move _____ 2nd _____ Vote _____

DEPARTMENT REPORTS

- 142-149 14. Mid-Year Budget Report for the Six Months Ending December 31, 2013

Recommendation: Receive and file the Mid-Year Budget Report for FY 2013-14

150 15. Capital Improvement Program Update Report

Recommendation: Receive the Capital Improvement Program update report

Action: Move _____ 2nd _____ Vote _____

151-166 16. Senior Housing Development Financing Structure Update

Recommendation:

1. Receive and file the Senior Housing Development financing structure update.
2. Amend the FY 2013-14 adopted budget to implement the previously approved Senior Housing financing structure and accommodate the Supplemental Educational Revenue Augmentation Fund (“SERAF”) repayment plan incorporated into the Yucca Valley Redevelopment Agency dissolution process.

Action: Move _____ 2nd _____ Vote _____

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

17. Council Member Abel
18. Council Member Leone
19. Council Member Rowe
20. Mayor Pro Tem Huntington
21. Mayor Lombardo

ANNOUNCEMENTS

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

6:00 p.m., Tuesday, February 4, 2014, Yucca Valley Community Center Yucca Room

ADJOURNMENT

Yucca Valley Town Council

Meeting Procedures

The Ralph M. Brown Act is the state law which guarantees the public's right to attend and participate in meetings of local legislative bodies. These rules have been adopted by the Town of Yucca Valley Town Council in accordance with the Brown Act, Government Code 54950 et seq., and shall apply at all meetings of the Yucca Valley Town Council, Commissions and Committees.

Agendas - All agendas are posted at Town Hall, 57090 Twentynine Palms Highway, Yucca Valley, at least 72 hours in advance of the meeting. Staff reports related to agenda items may be reviewed at the Town Hall offices located at 57090 Twentynine Palms Highway, Yucca Valley.

Agenda Actions - Items listed on both the "Consent Calendar" and "Items for Discussion" contain suggested actions. The Town Council will generally consider items in the order listed on the agenda. However, items may be considered in any order. Under certain circumstances new agenda items can be added and action taken by two-thirds vote of the Town Council.

Closed Session Agenda Items - Consideration of closed session items, *excludes* members of the public. These items include issues related to personnel, pending litigation, labor negotiations and real estate negotiations. Prior to each closed session, the Mayor will announce the subject matter of the closed session. If final action is taken in closed session, the Mayor shall report the action to the public at the conclusion of the closed session.

Public Testimony on any Item - Members of the public are afforded an opportunity to speak on any listed item. Individuals wishing to address the Town Council should complete a "Request to Speak" form, provided at the rear of the meeting room, and present it to the Town Clerk prior to the Council's consideration of the item. A "Request to Speak" form must be completed for *each* item when an individual wishes to speak. When recognized by the Mayor, speakers should be prepared to step forward and announce their name and address for the record. In the interest of facilitating the business of the Council, speakers are limited to up to three (3) minutes on each item. Additionally, a twelve (12) minute limitation is established for the total amount of time any one individual may address the Council at any one meeting. The Mayor or a majority of the Council may establish a different time limit as appropriate, and parties to agenda items shall not be subject to the time limitations.

The Consent Calendar is considered a single item, thus the three (3) minute rule applies. Consent Calendar items can be pulled at Council member request and will be brought up individually at the specified time in the agenda allowing further public comment on those items.

Agenda Times - The Council is concerned that discussion takes place in a timely and efficient manner. Agendas may be prepared with estimated times for categorical areas and certain topics to be discussed. These times may vary according to the length of presentation and amount of resulting discussion on agenda items.

Public Comment - At the end of the agenda, an opportunity is also provided for members of the public to speak on any subject with Council's authority. *Matters raised under "Public Comment" may not be acted upon at that meeting. The time limits established in Rule #4 still apply.*

Disruptive Conduct - If any meeting of the Council is willfully disrupted by a person or by a group of persons so as to render the orderly conduct of the meeting impossible, the Mayor may recess the meeting or order the person, group or groups of person willfully disrupting the meeting to leave the meeting or to be removed from the meeting. Disruptive conduct includes addressing the Council without first being recognized, not addressing the subject before the Council, repetitiously addressing the same subject, failing to relinquish the podium when requested to do so, or otherwise preventing the Council from conducting its meeting in an orderly manner. *Please be aware that a NO SMOKING policy has been established for all Town of Yucca Valley meetings. Your cooperation is appreciated!*

ACRONYM LIST

ADA	Americans with Disabilities Act
CAFR	Comprehensive Annual Financial Report
CALTRANS	California Department of Transportation
CEQA	California Environmental Quality Act
CCA	Community Center Authority
CDBG	Community Development Block Grant
CHP	California Highway Patrol
CIP	Capital Improvement Program
CMAQ	Congestion Mitigation and Air Quality
CMP	Congestion Management Program
CNG	Compressed Natural Gas
COP	Certificates of Participation
CPI	Consumer Price Index
ED	Economic Development
EIR	Environmental Impact Report (pursuant to CEQA)
GAAP	Generally Accepted Accounting Procedures
GASB	Governmental Accounting Standards Board
IIEP	Inland Empire Economic Partnership
IIPP	Injury and Illness Prevention Plan
IRC	Internal Revenue Code
LAIF	Local Agency Investment Fund
LLEBG	Local Law Enforcement Block Grant
LTF	Local Transportation Fund
MBTA	Morongo Basin Transit Authority
MBYSA	Morongo Basin Youth Soccer Association
MDAQMD	Mojave Desert Air Quality Management District
MOU	Memorandum of Understanding
MUSD	Morongo Unified School District
PARSAC	Public Agency Risk Sharing Authority of California
PERS	California Public Employees Retirement System
PPA	Prior Period Adjustment
PVEA	Petroleum Violation Escrow Account
RDA	Redevelopment Agency
RSA	Regional Statistical Area
RTP	Regional Transportation Plan
SANBAG	San Bernardino Associated Governments
SCAG	Southern California Association of Governments
STIP	State Transportation Improvement Program
STP	Surface Transportation Program
TEA-21	Transportation Enhancement Act for the 21 st Century
TOT	Transient Occupancy Tax

COUNCIL COMMITTEE MEETING TIMES

<u>COMMITTEE</u>	<u>REPRESENTATIVE</u>	<u>TIMES</u>	<u>LOCATION</u>
SANBAG	HUNTINGTON ROWE (ALT)	10:30 am 1st Wed	San Bernardino
MEASURE I	HUNTINGTON ROWE (ALT)	9:30 am 3rd Fri.	Apple Valley
DESERT SOLID WASTE JPA	HUNTINGTON LOMBARDO (ALT)	10:00am 2nd Thurs Feb, May, Aug, Nov	Victorville
SOLID WASTE ADVISORY TASK FORCE	HUNTINGTON	3 rd Wed. April & October	Highland
LEAGUE OF CALIFORNIA CITIES DESERT/MOUNTAIN DIVISION	LOMBARDO ROWE (ALT)	10:00 am. 4th Fri quarterly	Various Locations
MORONGO BASIN TRANSIT AUTHORITY	ABEL LEONE ROWE (ALT)	5:00 pm 4th Thurs	Joshua Tree
MOJAVE AIR QUALITY DISTRICT	LEONE ROWE (ALT)	10:00 am 4th Mon	Victorville
LEAGUE OF CALIFORNIA CITIES LEGISLATIVE DELEGATE	MAYOR		
LEGISLATIVE TEAM	HUNTINGTON ROWE	Proposed for Council Member to work with Town Manager meeting with legislators when necessary.	
CITY/COUNTY ANIMAL SERVICES JPA	HUNTINGTON LOMBARDO	12:00 p.m. last Thurs.	Yucca Valley
SPORTS COUNCIL	HUNTINGTON	March, June, Sept., Oct.	Yucca Valley
SBCO HOMELESS PARTNERSHIP AND INTERAGENCY COUNCIL ON HOMELESSNESS	LEONE LOMBARDO (ALT)	9:00 a.m. 4 th Wed	San Bernardino

AD HOC COMMITTEES

SENIOR HOUSING

HUNTINGTON
ROWE

SEWER FINANCING

ROWE
LEONE

COUNCIL RULES & PROCEDURES

HUNTINGTON
LOMBARDO

MORONGO UNIFIED SCHOOL DISTRICT

ROWE

AUDIT

BREHM PARK

ABEL
LOMBARDO

COUNTY BUDGET COMMITTEE

ROWE
HUNTINGTON

SUBDIVISION COMMITTEE

HUNTINGTON
LEONE

**TOWN OF YUCCA VALLEY
TOWN COUNCIL MEETING MINUTES
NOVEMBER 19, 2013**

OPENING CEREMONIES

Mayor Abel called the meeting to order at 6:00 p.m.

Council Members Present: Huntington, Leone, Lombardo, Rowe and Mayor Abel

Staff Present: Deputy Town Manager Stueckle, Administrative Services Director Yakimow, Police Captain Boswell, Town Attorney Laymon, and Town Clerk Copeland

The Pledge of Allegiance was led by Mayor Abel

PRESENTATIONS

1. Epilepsy Awareness Month Proclamation

Mayor Abel read and presented a proclamation to Epilepsy Awareness Advocate, Susan Simmons in recognition of Epilepsy Awareness Month.

AGENCY REPORTS

2. Hi Desert Water District

The monthly Water / Wastewater Report was presented by Hi Desert Water District Operations Manager, Mark Ban.

Mayor Abel recessed the regular meeting of the Yucca Valley Town Council, and convened the Special Joint Meeting of the Yucca Valley Town Council and the Yucca Valley Planning Commission at 6:10 pm.

Mayor Abel reconvened the regular meeting of the Yucca Valley Town Council at 8:05 pm.

APPROVAL OF AGENDA

Council Member Huntington moved to approve the agenda for the Regular Town Council Meeting of November 19, 2013. Mayor Pro Tem Lombardo seconded. Motion carried 5-0 on a voice vote.

CONSENT AGENDA

Council Member Huntington pulled Item 6 from the consent agenda.

Council Member Leone pulled Item 4a from the consent agenda.

- 3. **Waive** further reading of all ordinances and read by title only.
- 4a. Item pulled.
- 4b. **Approve** the Town Council meeting minutes of October 1, 2013 and October 15, 2013 as presented.
- 5. **Receive and file** the AB1234 Reporting Requirement Schedule for the month of October 2013.
- 6. Item pulled.
- 7. **Receive and file** the Treasurer’s Report for the first quarter of FY 2013-14.
- 8. **Receive and file** the FY 2013-14 First Quarter Budget Report
- 9. **Ratify** the Payroll Registers total of 243,095.29 for checks dated October 11, 2013 and October 25, 2013;
Ratify the Warrant Registers total of \$352,836.30 for checks dated October 17, 2013 and October 31, 2013

Mayor Abel opened public comment for the Consent Agenda items. With no members of the public wishing to speak, Mayor Abel closed public comment.

Council Member Huntington moved to approve items 3, 4b, 5, 7, 8 and 9 on the Consent Agenda. Council Member Leone seconded. Motion carried 5-0 on a voice vote.

- AYES:** Council Members Huntington, Leone, Lombardo, Rowe and Mayor Abel
- NOES:** None
- ABSTAIN:** None
- ABSENT:** None

Item 4a.- Rejection of One (1) claim- Mirage Front Properties, LLC

Administrative Services Director Yakimow presented the staff report, stating that the item will be discussed further as a closed session item. Council Member Leone requested additional clarification. Town Attorney Lona Laymon stated there will be a full packet of information presented at the Closed Session scheduled for December 10, 2013.

Council Member Leone moved to reject one (1) claim filed against the Town of Yucca Valley submitted on October 21, 2013 by Thomas W. Harris, Jr., Esq. in reference to

Mirage Front Properties, LLC. Mayor Pro Tem Lombardo seconded. Motion carried 5-0 on a voice vote.

- AYES: Council Members Huntington, Leone, Lombardo, Rowe and Mayor Abel
- NOES: None
- ABSTAIN: None
- ABSENT: None

Item 6- Town-wide HVAC Service Agreement

Administrative Services Yakimow presented the staff report, explaining that in prior years, the HVAC service agreement with Honeywell only included the system at the Town Hall Complex. The agreement before the Town Council expands the service area to include all Town facilities with the exception of the Replacement Animal Shelter and is considered a cost savings approach to HVAC maintenance services. The three-year agreement allows the Town to enter into rebate programs offered by Southern California Edison.

Council Member Huntington moved to approve an expanded professional services agreement providing Town-wide heating ventilation and air conditioning (HVAC) maintenance with Honeywell Building Solutions through June 30, 2016, subject to annual budgetary authorization. Council Member Leone seconded. Motion carried 5-0 on a voice vote.

- AYES: Council Members Huntington, Leone, Lombardo, Rowe and Mayor Abel
- NOES: None
- ABSTAIN: None
- ABSENT: None

DEPARTMENT REPORTS

**10. Public Lands Highway Discretionary Funds Project (PLHD)
 SR62, Apache Trail to Palm Avenue – Town Project No. 8661
 Federal Project No. PLHL04-5466(015)
 Award of Bid**

Town Project Engineer, Alex Qishta presented the staff report for the Public Lands Highway Discretionary Funds Project (PLHD). Qishta described the project and bid process. Current traffic studies showing an excess of 30,000 daily vehicle trips east and west of Hwy 247 on State Route 62, and the projected growth estimate of these trips increase to approximately 60,000. Qishta stated that the bid deadline was extended due to a low number of interested planholders.

Qishta continued to explain the Town staff continues to work with Caltrans to address

concerns voiced at recent public workshops, though many concerns have already been addressed. Qishta explained the conditions of the award of bid required by December 31, 2013.

Mayor Abel opened public comment.

David Bradley, Yucca Valley spoke of a lack of public outreach on the project and spoke in opposition to the highway projects.

Andy Pitts, Yucca Valley voice concern of alternate traffic routes, lack of public outreach, traffic counts and continued to speak in opposition to the highway projects.

Chester Smelser, Yucca Valley stated his opposition to the highway projects.

Ron Cohen, Yucca Valley spoke of past comments made by Council Member Leone regarding the median projects in the west end of Town.

Fritz Koenig, Yucca Valley spoke against the award of bid.

Margo Sturges, Yucca Valley commented on meeting notifications; that the Town should go beyond State requirements.

James Collins, Joshua Tree spoke in opposition to the highway projects.

With no other members of the public wishing to speak, Mayor Abel closed public comments.

Deputy Town Manager Stueckle provided clarification that all environmental documents were handled through appropriate federal and state agencies.

Council Member Leone stated concern that though the project is required by Caltrans, the project seems premature and is causing disruption to the local businesses. Leone continued by stating he does not believe due process was held by notifying local businesses.

Mayor Abel questioned staff on the lack of bids received and the funding process for the project. Qishta explained that there were a total five planholders, with most deciding not to bid on the project. Qishta provided an overview of project funding.

Qishta also explained that as a result of the outreach meetings held with local residents and businesses, the project has been modified to include a left-turn pocket at Palm Avenue and alternative access routes.

Mayor Abel asked for clarification from staff of items of concern brought up at the public outreach sessions such as driveway modifications, sidewalk installation, controlled

intersections. Abel commented that the majority of the public concern is with the center medians, not the rest of the project. Abel stated that he would like to see a way to stop the project and separate the project out to not include the center medians.

Council Member Rowe inquired if public safety controls are being included with the new signals. Rowe also asked staff if the project can continue if the center medians are not included, and how much has been spent by the Town so far, to get this project to this point.

Rowe continued to voice concern over the explanation to study the alternative routes and that the council should give specific direction that the alternative routes will be completed and not just studied.

Huntington expressed concern for the property owners and questioned the public outreach. Funds are hard to come by with many years of work to get the project to this point. Huntington explained that the medians are required by Caltrans, and the project satisfies the requirement for some commercial businesses along the highway.

Mayor Pro Tem Lombardo explained that certain highway frontage improvements are required of individual property owners and this project assists property owners to comply with this requirement. Lombardo stated he believes that we need to find a way to make the alternative routes happen.

Council Member Rowe moved to award the construction contract to Matich Corporation, in the amount of \$2,798,000.00; and authorize a construction contingency in the amount of \$280,000.00, for a total contract amount of \$3,078,000.00; and authorize the Mayor, Town Manager, and Town Attorney to sign all necessary documents; and authorizing the Town Manager to expend the contingency funds, if necessary, to complete the project; and amend the FY 2013-14 Adopted Budget by authorizing the transfer of \$113,553.00 from Fund 800 to Fund 527; and direct staff to request Caltrans approval to install a left-hand turn pocket for eastbound traffic at SR 62 and Palm Ave; and direct staff to return to Town Council in January 2014 with detailed analysis of developing alternative access routes including Pima Trail, between Church Street and Palm Avenue, and the alley between Palm Avenue and Grand Avenue. Council Member Huntington seconded. Motion carried 3-2 on a roll call vote with Council Member Leone and Mayor Abel voting in opposition.

AYES: Council Members Huntington, Lombardo, and Rowe
NOES: Council Member Leone and Mayor Abel
ABSTAIN: None
ABSENT: None

11. **Town Council Manual of Procedural Guidelines- Status Update and Approval of Interim Language Regarding Officers**

Administrative Services Director Yakimow presented the staff report, giving background information and historical discussion of the selection of Mayor and Mayor Pro Tem, and explained that this item is a section of the upcoming rules and procedures manual to be brought forward to the Town Council at a later date.

Mayor Abel opened public comment.

Margo Sturges, Yucca Valley questioned which council members make up the ad-hoc committee reviewing the document. Administrative Services Director Yakimow, explained that the staff report and the meeting agenda lists the Town Council Rules and Procedures Ad-Hoc Committee Members as Council Members Lombardo and Huntington.

Andy Pitts, Yucca Valley spoke in opposition to a comment directed to him made by Council Member Rowe during the previous item discussion. Council Member Rowe expressed her apology for the comment.

With no other members of the public wishing to speak, Mayor Abel closed public comment.

Council Member Huntington gave a brief overview of the ad-hoc committee review process on the document.

Council Member Leone commented he was elected to fill a vacancy on the Town Council, yet did not assume the committee responsibilities. Leone noted he would like to represent the Town of Yucca Valley in additional committee assignments.

Mayor Pro Tem Lombardo moved to receive and file a status update on the Council's Manual of Procedural Guidelines and; adopt section 9.1 (a) of Article IX – Officers, and direct staff to include the adopted language in the final draft when presented to Council for action. Council Member Huntington seconded. Motion carried 5-0 on a voice vote.

AYES: Council Members Huntington, Leone, Lombardo, Rowe, and Mayor Abel

NOES: None

ABSTAIN: None

ABSENT: None

12. **Spay/Neuter Voucher Program**

Animal Care and Control Manager Melanie Crider, presented the staff report explaining the benefits of a spay and neuter voucher program. Crider presented the proposed program and explained the implementation process. Spay and Neuter Voucher Programs provide for a reduction in costs for those services provided through local veterinarians.

Pet owners are responsible for costs exceeding the amount of the voucher.

Crider continued to explain that the proposed spay /neuter program for the Town of Yucca Valley will only be available for Town of Yucca Valley residents, there are no restrictions on personal income level, and have a voucher limit of up to three (3) personal pets (dogs and/or cats) per pet owner / family. Once a pet owner / family receive three vouchers, they may not apply for another Town voucher for a time period of five (5) years after the last voucher was received. Implementation of the spay / neuter voucher program is recommended to start within approximately thirty days following initiation of operations at the Replacement Animal Shelter.

Crider explained the program would initially be funded by the Cyla Wells Bequest. With voucher funding for 500 dogs at \$60 each and 500 cats at \$35 each, the funding is estimated to carry the program for one to two years. Additional funding may be necessary in the form of donations, collected revenues, grants, or budgeted by the Town.

Mayor Abel opened public comment.

Fritz Koenig, Yucca Valley commented on irresponsible pet owners and spoke in favor of the program.

With no other members of the public wishing to speak, Mayor Abel closed public comment.

Council Member Huntington questioned the tracking process of licensing during in the process of spay or neutering the animal.

Mayor Abel spoke favorably of the program and is glad to see it moving forward.

Council Member Leone inquired about the Cyla Wells Bequest funding.

Council Member Rowe spoke in favor of the program and stated that if the current funding sources run low, the Town Council will need to continue the funding.

Council Member Huntington moved to approve the spay/neuter voucher program as outlined within the staff report. Mayor Pro Tem Lombardo seconded. Motion carried 5-0 on a voice vote.

- AYES:** Council Members Huntington, Leone, Lombardo, Rowe, and Mayor Abel
- NOES:** None
- ABSTAIN:** None
- ABSENT:** None

FUTURE AGENDA ITEMS

Council Member Leone stated he would like a discussion about the speed limits on dirt roads. Council Member Huntington suggested including all roads, not just dirt roads in this discussion. Consensus was made for a future discussion on speed limits of Town streets and dirt roads.

PUBLIC COMMENTS

Mayor Abel opened public comment.

Sarann Graham, Yucca Valley spoke on HAVEN Resource Center for the Homeless.

Fritz Koenig, Yucca Valley commented on the closed session, regarding ethics policies for town management and to eliminate severance pay.

With no others wishing to speak, Mayor Abel closed public comment.

STAFF REPORTS AND COMMENTS

San Bernardino Sheriff's Captain Boswell introduced Lieutenant Russ Wilke to the Town Council and Staff.

Administrative Services Director Yakimow reminded the Town Council of the upcoming Annual Tree Light Ceremony at Town Hall on December 7th at 5:30 pm.

Deputy Town Manager Stueckle announced that next Town Council meeting has been moved from December 3rd to December 10th.

MAYOR AND COUNCIL MEMBER REPORTS AND COMMENTS

13. Council Member Leone stated that he places his constituents first.
14. Council Member Rowe thanked the Planning Center and apologized as she misspoke earlier in the meeting.
15. Council Member Huntington gave a brief update on SANBAG activity and welcomed Lieutenant Wilke to the team.
16. Mayor Pro Tem Lombardo thanked Council Member Huntington for his diligence with the Town Council Rules and Procedures Ad-Hoc Committee and stated he is glad the spay / neuter voucher program is moving forward and also welcomed Wilke to his local post.

17. Mayor Abel congratulated Lieutenant Wilke and is also pleased with the voucher program. Also, Abel spoke favorably to see there are local services for the homeless.

ANNOUNCEMENTS

The next meeting of the Yucca Valley Town Council will be held on Tuesday, December 10, 2013 at 6:00 pm, in the Yucca Room of the Yucca Valley Community Center.

ADJOURNMENT

With no further business, Mayor Abel adjourned to closed session at 9:45 p.m.

CLOSED SESSION

Mayor Abel opened public comment for closed session.

Margo Sturges, Yucca Valley warned the Town Council that the public is watching their actions.

Andy Pitts, Yucca Valley commented favorably of Ms. Sturges' comment and stated that the next Town Manager should be a local resident without a severance package included.

With no other members of the public wishing to speak, Mayor Abel closed public comment.

REPORT OUT FROM CLOSED SESSION

Town Attorney Lona Laymon announced that the Town Council met in Closed Session with no reportable action.

Meeting adjourned at 10:20 pm.

Respectfully Submitted,

Lesley Copeland, CMC
Town Clerk



SAN BERNARDINO COUNTY FIRE DEPARTMENT SERVING YUCCA VALLEY

December 2013 Summary

ADMINISTRATIVE MONTHLY REPORT

The County Fire Department responded to a total of 335 requests for assistance within our town boundaries. Division wide responses for the South Desert were 575 incidents.

EMERGENCY RESPONSES

ESTIMATED FIRE LOSS (In dollars)

Total Loss	\$	6,225	Value	\$	6,225
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RESPONSES OTHER THAN FIRES

Fires	3
Rupture / Explosion	0
EMS / Rescue	276
Hazardous Condition	5
Service Calls	8
Good Intent Calls	34
False Call	10
Other	1

ALARMS – ALL TYPES

Yucca Valley Response Area
2013 Year-to-Date

TOTAL NON-FIRE RESPONSE	4070
TOTAL FIRE RESPONSES	82
TOTAL ALARMS	4152

Significant Events:

- Conducted several public education events with schools locally
- Fire loss due to a vehicle fire
- Holiday activities providing Santa, community toy drive, and Town of Yucca events



SAN BERNARDINO COUNTY FIRE DEPARTMENT SERVING YUCCA VALLEY

What to Do during a Winter Storm

- Assign a person to regularly monitor the temperature of the work area.
- Conserve as much fuel as possible.
- Open all faucets. Pour hot water over the pipes, making sure that you start with the parts most exposed to the cold or where cold may penetrate.
- Should the pipes freeze, replace the insulation with rags or layers of newspapers wrapped around the pipes.
- Wear loose-fitting, layered, lightweight clothing. Make sure that outer garments are water-resistant and tightly woven. For the middle layer, don wool or down for better sweat absorption. Lastly, for the inner garments, use synthetic material to allow ventilation.
- Change wet clothing frequently to prevent loss of body heat.
- Don mittens instead of gloves. Fingers actually generate more heat when they touch each other.
- Drink up! You're more at risk to get dehydrated during a winter storm with the extremely low temperature.
- Have a portable, battery-operated radio close to you. Stay tuned to it to get the latest information about the winter storm.
- Follow a buddy system. Workers should monitor each other to check for signs of hypothermia and other cold-induced illnesses and injuries.
- Before going outdoors, devote a few minutes to stretching or warm-up exercises. This is especially true if you have to shovel snow.
- While outdoors, cover your mouth to protect your lungs from the cold air. Try not to speak, as much as possible.
- Avoid overexertion, especially when shoveling snow or pushing a vehicle to prevent heart attack.
- Before going on the road, report your destination, route and expected time of arrival first. This way, should you get stuck along the way, co-workers can send a rescue team along your predetermined route.

TOWN COUNCIL STAFF REPORT

To: Honorable Mayor & Town Council
From: Curtis Yakimow, Director of Administrative Services
Debra Breidenbach-Sterling, Human Resources Manager
Date: January 13, 2014
For Council Meeting: January 21, 2014

Subject: Rejection of One (1) Claim
Donald Graham

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

Recommendation: That the Town Council rejects one Claim filed against the Town of Yucca Valley submitted on December 23, 2013 by J. Donald Graham.

Executive Summary: Under state law, a claim for personal damage must be presented in accordance with Government Code Section 910. Based upon staff and legal review, it is recommended that the claim be rejected in accordance with Government Code 913 and 915.4. If Council wishes to discuss the nature and content of the claim, a closed session under the terms of the Brown Act is appropriate.

Order of Procedure:

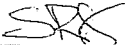


- Request Staff Report
- Request Public Comment
- Council Discussion/Questions of Staff
- Motion/Second
- Discussion on Motion
- Call the Question (Roll Call Vote, Consent Agenda)

Discussion: When the Town receives a claim, a review is conducted regarding the charges of the claim. Based upon legal review and/or review by our insurer Public Agency Risk Sharing Authority of California, a claim is either recommended for rejection or a settlement is attempted.

Alternatives: No alternative is recommended.

Fiscal impact: None

Attachments: None

Reviewed By:	 Town Manager	_____ Town Attorney	 Mgmt Services	 Dept Head
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<input 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 COUNCIL STAFF REPORT

To: Honorable Mayor & Town Council
From: Lesley Copeland, Town Clerk
Date: January 14, 2014
For Council Meeting: January 21, 2014

Subject: Re-schedule the 2013 Building Code Adoption Public Hearing Date to February 4, 2014

Prior Council Review: At its meeting of December 10, 2013, the Town Council introduced the Ordinance adopting the 2013 Edition of the California Building Codes and set the Public Hearing Date for January 21, 2014.

Recommendation: That the Town Council re-schedules the 2013 Building Code Adoption Public Hearing to Tuesday, February 4, 2014.


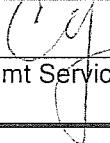
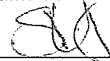
Executive Summary: The Town Council previously set the 2013 California Building Code Public Hearing for January 21, 2014. To allow for required public noticing of the hearing, it is requested to change the hearing date to February 4, 2014.

Order of Procedure:

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

Discussion: Notices of Public Hearing related to adopting code by reference require specific adoption procedures pursuant to Government Code Section 50022.3. Referenced procedures require sufficient notice at least 10 days before the public hearing, published twice, at least five days between publications. In order to sufficiently notice the 2013 California Building Code Public Hearing, it is requested to change the hearing date to Regular Town Council Meeting of Tuesday, February 4, 2014.

Attachments: 2013 Building Code Staff Report of December 10, 2013

Reviewed By:	 <hr style="width: 100%;"/> Town Manager	<hr style="width: 100%;"/> Town Attorney	 <hr style="width: 100%;"/> Mgmt Services	 <hr style="width: 100%;"/> Dept Head
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<input 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 COUNCIL STAFF REPORT

To: Honorable Mayor & Town Council
From: Shane R. Stueckle, Deputy Town Manager
Patrick Carroll, Building Official
Date: December 2, 2013
For Council Meeting: December 10, 2013

Subject: 2013 California Building Codes Overview
Set Public Hearing for January 21, 2014, Town Council Meeting

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

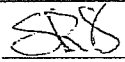

Recommendation: That the Town Council introduces the Ordinance and sets the matter for public hearing at the Town Council meeting of January 21, 2014.

Executive Summary: The State of California updates building codes on a three year cycle. The current Codes are the 2010 California Building Codes.

- Order of Procedure:**
- Request Staff Report
 - Request Public Comment
 - Council Discussion/Questions of Staff
 - Motion/Second
 - Discussion on Motion
 - Call the Question (Voice Vote)

Discussion: The 2013 Building Code includes the following changes that will impact single-family residential construction projects. A majority of the changes are related to energy efficiency. As indicated in the alternatives section of this staff report, the state codes are the minimum standards which may be established and become effective without any local action.

- California Electrical Code, 2013 Edition
 - Annex A. Product Safety Standards
 - Annex B. Ampacity Calculations
 - Annex C. Conduit Fill
 - Annex I. Torque Tables (UL Standard 486-B)

Reviewed By:	 _____ Town Manager	_____ Town Attorney	 _____ Mgmt Services	_____ Dept Head
<input checked="" type="checkbox"/> Department Report	<input type="checkbox"/> Ordinance Action	<input type="checkbox"/> Resolution Action	<input type="checkbox"/> Public Hearing	
<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Minute Action	<input type="checkbox"/> Receive and File	<input type="checkbox"/> Study Session	

- California Plumbing Code, 2013 Edition
 - Appendix A, B, C & D Sizing Plumbing Systems.
 - 403.0 Water Conserving Fixtures (consistent with Green Code)
- California Mechanical Code, 2013 Edition
 - Appendix B, D & F. Sizing, Installation and Inspection of Mechanical Systems.
- California Energy Code 2013 Edition. Mandatory Requirements (Largest fiscal impact)
 - 110.1 Appliances. (California Certified)
 - 110.2 Equipment. (California Certified)
 - 110.3 Water Heating. (California Certified)
 - 110.6 Fenestration. Doors and Windows
 - 110.7 Leakage. Caulked, Gasketed and Weather-stripped
 - 110.8 Roofing and Radiant Barriers. (California Certified)
 - 110.9 Lighting. High Efficiency (California Certified)
 - 110.10 Solar Ready. Subdivision maps of > 10 after 01/01/2014.
- California Residential Code 2013 Edition
 - Appendix G. Pool Barriers (Clarification) 48" for single family residential.
 - Appendix H. Patio Covers. Expanded from Appendix I, CA Building Code
- California Green Building Standards Code 2013 Edition
 - 301.1.1 Additions and Alterations. Mandatory measures apply to residential additions and alterations. Water conserving plumbing fixtures.

The 2013 Building Code includes the following changes that will impact commercial and industrial construction projects.

- California Building Code, 2013 Edition,
 - Chapter 11B. Accessibility. Entire chapter rewritten for consistency with the ADA.
- California Electrical Code, 2013 Edition
 - Annex A. Product Safety Standards
 - Annex B. Ampacity Calculations
 - Annex C. Conduit Fill
 - Annex I. Torque Tables (UL Standard 486-B)
- California Plumbing Code, 2013 Edition
 - Appendix A, B, C & D Sizing Plumbing Systems.
 - 403.0 Water Conserving Fixtures (Consistent with Green Code)

- California Mechanical Code, 2013 Edition
 - Appendix B, D & F. Sizing, Installation and Inspection of Mechanical Systems.

- California Energy Code 2013 Edition. Mandatory Requirements. All occupancies. (Largest fiscal impact)
 - 110.1 Appliances. (California Certified)
 - 110.2 Equipment. (California Certified)
 - 110.3 Water Heating. (California Certified)
 - 110.6 Fenestration. Doors and Windows
 - 110.7 Leakage. Caulked, Gasketed and Weather-stripped
 - 110.8 Roofing and Radiant Barriers. (California Certified)
 - 110.9 Lighting. High Efficiency (California Certified)
 - 110.10 Solar Ready. Subdivision maps of > 10 after 01/01/2014.
 - 120.0 through 120.9. Establishes requirements for nonresidential design and installation of building envelopes, ventilation, space-conditioning and service water heating.
 - 130.0 through 130.5. Establishes requirements for lighting and electric power distribution.
 - 140.0 through 141.1 Prescriptive and performance compliance. (new)

- California Green Building Standards Code 2013 Edition
 - 303.3 Nonresidential additions and alterations. Mandatory measures apply to commercial additions and alterations of 1000 sq. ft. or greater and or with a valuation of \$200,000.00 dollars or more. (Water conserving plumbing fixtures)

Within the building codes profession, there continues to be disagreements regarding California moving towards what are called the “international codes”. California is continuing with the 2013 Building Codes to stay with California provisions and not move towards the “international codes”.

Alternatives: None. The 2013 codes become state law as of 1/1/2014. Failure to amend and adopt would forfeit option of local amendment based on climactic, geographic and topographic conditions.

Fiscal impact: Cost increases will be determined by the scope of individual projects.

Attachments: Ordinance No.

ORDINANCE _____

AN ORDINANCE OF THE TOWN OF YUCCA VALLEY CALIFORNIA, AMENDING TITLE 8, CHAPTER 8.02, OF THE TOWNS MUNICIPAL CODE, WHICH ADDOPTS AS MODIFIED THE 2013 EDITION OF THE CALIFORNIA BUILDING CODE VOLUMES 1, 2 INCLUDING THE APPENDIX AND STANDARDS, THE 2013 EDITION OF THE CALIFORNIA ELECTRICAL CODE, THE 20103 EDITION OF THE CALIFORNIA PLUMBING CODE, THE 2013 EDITION OF THE CALIFORNIA MECHANICAL CODE, THE 2013 EDITION OF THE CALIFORNIA GREEN BUILDING CODE, THE 2013 EDITION OF THE CALIFORNIA RESIDENTIAL CODE, THE 2012 EDITION SOLAR ENERGY CODE AND OTHER REGULATIONS RELATING TO BUILDING REQUIREMENTS.

WHEREAS, Title 8 of the Municipal Code (the "Code") of the Town of Yucca Valley (the "Town") has provided minimum standards to safeguard life or limb, health, property and public welfare by regulating the construction, quality of materials, use, and occupancy, location and maintenance of all buildings and structures within this jurisdiction and certain equipment; and

WHEREAS, Title 8 - Building and Construction has not been comprehensively updated since January 1, 2010 and

WHEREAS, it is deemed to be in the best interest of the Town to update and amend a portion of Title 8 of the Code to incorporate the newly adopted standards adopted by the State of California Building Standards Commission and to account for the new building construction standards; and

WHEREAS, the 2013 California Building Standards Code, contained in the California Code of Regulations, Title 24, parts 1-12, incorporate public health, life safety, and general welfare standards used in the design and construction of buildings in California. The California codes incorporate the latest national standards for construction, including the 2012 International Building Code, the 2012 International Residential Code, the International Fire Code, the 2011 National Electrical Code, the 2012 Uniform Plumbing Code, the 2012 Uniform Mechanical Code and the California Green Building Standards Code; and

WHEREAS, the Town also desires to make certain amendments to the above State codes based on local climatic, geologic and topographic conditions as outlined in the resolution accompanying this ordinance; and

WHEREAS, Government Code Section §50022.1, et seq., provides that ordinances and codes of the Federal, State, or any agency of either of them, may be adopted by reference, provided that prior to such adoption by reference a notice public hearing has been held.

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

SECTION 1. Section 8.02.010 of the Yucca Valley Municipal Code, “Findings”, is hereby repealed in its entirety and restated as follows:

“(a) Government Code sections 50022.1 et. Seq., provide that ordinances and codes of the federal, state or any agency of either of them may be adopted by reference, provided that prior to such adoption by reference a noticed public hearing has been held.

(b) Pursuant to Section 17958.5 of the Health and Safety Code of the State of California, The Town Council of the Town of Yucca Valley hereby finds that the amendments of the building standards contained in the California Building Code, Volumes 1, 2, 2013 Edition are necessary do to:

(1) Local Climatic Conditions.

(A) The Town is subject to extremely strong winds, commonly known as “Santa Ana Winds” which can reach speeds in excess of 90 miles per hour. Extensive damage frequently accompanies these winds, such as blowing sand and debris, downed power lines, fallen trees, overturned vehicles and structural damage to buildings. These conditions result in increased demand for fire services, blocked or delayed emergency vehicle access and impaired water supplies and building emergency systems.

(B) During the summer months, the Santa Ana Winds may produce periods of extremely low humidity, thereby reducing the fuels moisture and increasing the possibility and severity of fire from dry vegetation and other common combustibles.

(C) During the summer months, much of the Town experiences prolonged periods of temperatures in excess of 100°F. When coupled with sustained severe Santa Ana Winds, an increase in the threat from rapidly moving wildfires exists.

(D) During the winter months, heavy rains routinely cause damage to roadways rendering them completely impassible, or with limited access, sometimes for extended periods.

(E) During winter months, heavy snow and ice conditions exist in the mountain areas resulting in increased demand for fire services and limiting or delaying emergency vehicle access. In some cases, emergency vehicle access

roads are completely impassible, or have limited access, sometimes for extended periods.

(2) Local Geological Conditions.

(A) The Town is subject to moderately strong to severe shaking and surface ruptures resulting from known earthquake faults located within or near the Town. These local earthquake faults have the potential to cause severe personal and property damage, utility interruptions, fire hazards and hazardous materials releases. Additionally, significant roadway, bridge structure, water supply and communications systems are subject to failure, thereby causing a detriment to emergency services response.

(B) Unstable slopes in several areas throughout the Town have experienced soil movement as a result of heavy or soaking rains, resulting in damage to roadways, structures and utilities.

(C) Some desert areas of the Town have limited aquifers, exceptionally deep aquifers or aquifers providing only brackish or contaminated water supplies. This limits, or in some cases eliminates, water supplies available for firefighting purposes.

(3) Local Topographical Conditions.

(A) The Town encompasses an area with limited access routes connecting valley, mountain and desert areas. This distance, combined with these limited access routes, results in delays in the reallocation of resources to emergency scenes.

(B) The topography of the Town is exceptionally diverse, ranging from relatively flat desert and valley areas, to foothill areas, and canyon areas. This results in some areas that are inaccessible to radio communications, which hampers emergency response capabilities.

(C) The diverse topography of the Town results in many areas having limited, unreliable or unavailable water supplies available for firefighting purposes.

(c) Copies of these codes and standards were filed with the office of the Town Clerk fifteen days prior to the noticed hearing.

(d) A noticed public hearing shall be held by the Town Council, at which time all interested persons had the opportunity to appear and be heard on the matter of adopting by reference the current editions of certain model codes, as follows:

California Building Code, 2013 Edition, Volumes 1, 2 with Appendix F, G, H, I, J

California Residential Building Code, 2013 Edition with Appendix E, G, H, O
California Mechanical Code, 2013 Edition with Appendix and Standards
California Plumbing Code 2013 Edition with Appendix and Standards
California Electrical Code, 2013 Edition
California Green Building Code, 2013 Edition
2012 International Property Maintenance Code

(e) Pursuant to Section 17958.5 of the Health and Safety Code of the State of California, The Town Council of the Town of Yucca Valley hereby finds that the amendments of the building standards contained in the California Building Code, Volumes 1, 2, 2013 Edition are necessary do to past earthquakes (Landers 1992) and the inherent run off problems incurred with severe thunderstorm activity and flooding due to the Towns desert location.”

SECTION 2. Section 8.02.020 of the Yucca Valley Municipal Code, “Building Code Adopted; Amendments”, is hereby repealed in its entirety and restated as follows:

“(a) Building Code Adopted: Except as hereinafter provided, the California Building Codes, 2013 Edition, Volumes 1, & 2 published by the International Codes Council. All California Building Code Appendix Chapters with the exception of Appendix Chapters A,B,C,D, and E; Elevator Safety Code Title 24 part 7 for Elevators and Escalators, Society of Mechanical Engineers; Structural Welding Code-Reinforcing Steel, AWS D1.4-92 (UBC Standard No.19-2); Structural Welding Code-Steel, ANSI/AWS D1.1-84 (UBC Standard No.27-6) and Structural Welding Code-Sheet Steel, ANSI/AWS D1.3-81 (UBC Standard No. 27-13) published by the American Welding Society; as modified or amended in the California Building Code referenced herein; is hereby adopted by reference as the Building Code of the Town of Yucca Valley for regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment use, height area, maintenance of all buildings or structures in the Town of Yucca Valley providing for the issuance of all permits and collection of fees therefore; and each and all of the regulations, provisions, conditions and terms of such California Building Code, 2013 Edition, Volumes 1, 2, , published by the International Code Council above, except as amended herein, all of which are on file in the office of the Town Clerk, Town of Yucca Valley are hereby referred to, adopted and made part hereof as if fully set out in this ordinance.

A copy of the Building Code of the Town of Yucca Valley shall be maintained in the office of the Town Clerk in the Town of Yucca Valley, and shall be made available for public inspection while this code is in force.

(b) Building Code Amended: The 2013 California Building Code as adopted by referenced herein is amended as follows:

(1) The California Building Code, Chapter 1, Division II, Section 104.8, “Liability”, is hereby amended to read as follows:

The Building Official, or his authorized representative charged with the enforcement of this Code and the technical codes, acting in good faith and without malice in the discharge of his duties, shall not thereby render himself personally liable for any damage that may accrue to persons or property as a result of any act or by reason of any act or omission in the discharge of his duties. Any suit brought against the Building Official, agent or employee because of such act or omission performed by him in the enforcement of any provision of such Codes or other pertinent laws or ordinances implemented through the enforcement of this Code or enforced by the code enforcement agency shall be defended by this jurisdiction until final termination of such proceedings, and any judgment resulting there from shall be assumed by this jurisdiction.

The provisions of this section shall apply if the Building Official or his authorized representative are employees of this jurisdiction and shall also apply if the Building Official or his authorized representative are acting under contract as agents of the jurisdiction.

Such Codes shall not be construed to relieve from or lessen the responsibility of any person owning, operating or controlling any building, structure or building service equipment therein for any damages to persons or property caused by defects, nor shall the code enforcement agency or its parent jurisdiction be held as assuming any such liability by reason of the inspection authorized by this code or any permits or certificates issued under this code.

(2) California Building Code Chapter 1, Volume 1, Section 109, “Fees”, shall be amended to read as follows:

(A) All fees shall be as set forth in the most recent resolution of the Town Council regarding fees for building, plumbing, mechanical, electrical, elevator and grading permits and plan review.

(3) California Building Code Chapter 16 Volume 2, “Structural Design Requirements Division General Design Requirements”, is amended by addition of a new Section 1604.11 to read as follows:

(A) Allowable Shear Values for Stucco and Drywall. Reduce the allowable shear values for Portland cement (stucco) and gypsum sheathing board and gypsum wall board (drywall) permitted under the 2013 C.B.C Table 2306.3 (3) as follows:

Portland Cement Plaster:

1. Reduce allowable shear wall value to 90#/foot
2. Limit ratio “h/d” to 1

3. Required minimum nailing will be limited to 11 (gage) x 1 1/2 (length) galvanized nails with lath furred to 1/4 in. Staples and self-furring lath will not be permitted.

Gypsum Sheeting and wallboard (1/2 or 5/8 in. thickness):

1. Reduce the maximum shear value to 30#/foot (for both blocked and unblocked shear walls), with nailing at 7 in. maximum spacing.
2. Limit the ratio "h/d" to 1.
3. Wall frame assemblies of Portland cement plaster or gypsum wallboard will not be permitted to carry shear loads at the ground floor of a multi-story building.

Plywood:

1. Reduce the allowable values for plywood shear walls to 75% of the shear values.
2. Require nominal 3 in. thick boundary and panel edge members for all shear walls with shear values exceeding 300# per foot.
3. Require minimum 1/2 in. edge distance for nailing at the 3X boundary and panel edge members of these shear walls.
4. Limit the shear wall "h/d" ratio to 2:1

(B) Hold-down Connectors:

1. All bolt holes shall be 1/16" (max.) oversized at the connection of hold-downs to posts (note on plans inspector to verify)
2. Specify that hold-down connection bolts and nuts shall be torqued 1/2 turn beyond finger tight or as required by the manufacturer. Inspector shall verify by random inspection prior to covering walls.
3. Allowable load on the manufactured hold-downs should be 75% of the value listed in the research report

(C) Open/Soft Story Design:

1. Column deflection shall be limited to 0.005H, where "H" is story height.
2. Use "K-2.1" the buckling factor for cantilevered columns for the design of columns.

(D) Plan Requirements:

1. Lateral-force resisting system of the structure shall be clearly shown on the plans and calculations.

2. Sufficient elevations and detail references for all shear-walls, frames etc. shall be provided on the plans to clearly show all applicable conditions.

(4) California Building Code Chapter 19 Volume 2, Section 1907.2, "Minimum Slab Provisions", is hereby amended to read as follows:

The minimum thickness of concrete floor slabs shall be not less than 4 inches and shall have minimum 6x6x10x10 welded wire mesh reinforcement.

(5) California Building Code Chapter 15, Volume 1, Section 1505, "Roof Covering Requirements", is hereby amended by addition of the following sentence:

The roof covering on any structure regulated by this Code shall be Class "A" as classified in Section 1505. Exception: Repairs of and additions to existing structures which requires the replacement or addition of 25% or less of the total roof area may be made using material matching the existing roof.

(6) Sections J101.3, "Grading Design", and J110.1, "Erosion Control", of California Building Code Appendix J, "Excavation and Grading", is hereby restated to read as follows:

J101.3 Grading Designation

Grading in excess of 2500 cubic yards shall be performed in accordance with the approved grading plan prepared by a civil engineer, and shall be designated "engineered grading." Grading involving less than 2500 cubic yards shall be designated "regular grading" unless the Town Engineer determines that special conditions or unusual hazards exist, in which case grading shall conform to the requirements for engineered grading.'

J110.1 Erosion Control

(a) Slopes. The faces of cut and fill slopes shall be prepared and maintained to control erosion. This control must consist of effective planting as described elsewhere in this section, or other devices satisfactory to the Building Official.

(b) Planting. The surface of all cut slopes more than 5 feet in height and fill slopes more than three feet in height shall be protected against damage by erosion by planting with grass or ground cover plants. Slopes exceeding 15 feet in height shall also be planted with shrubs, spaced at not to exceed 10 feet on centers; or trees, spaced at not to exceed 20 feet on centers; or a combination of shrubs and trees at equivalent spacing, in addition to the grass or ground cover plants. The plants selected and planting methods used shall be suitable for the soil

and climate conditions of the site and in accordance with the current Town approved publication.

Planting need not be provided for cut slopes rocky in character and not subject to damage by erosion or any slopes protected against erosion damage by other methods when such methods have been specifically recommended by a soils engineer, engineering geologist, or equivalent authority and found to offer erosion protection equal to that provided by the planting specified in this section.

Plant material shall be selected which will produce a coverage of permanent planting effectively controlling erosion. Consideration shall be given to deep-rooted plant material needing limited watering, to low maintenance during the lifetime of the project, to high root to shoot ratio (weight of above ground parts versus root system), wind susceptibility and fire-retardant characteristics.

(c) Irrigation. Slopes required to be planted by sub-section (b) shall be provided with an approved system of irrigation, designed to cover all portions of the slope and plans therefore shall be submitted and approved prior to installation. A functional test of the system may be required.

For slopes less than 20 feet in vertical height, hose bibs to permit hand watering will be acceptable if such hose bibs are installed at conveniently accessible locations where a hose no longer than 50 feet is necessary for irrigation.

The requirements for permanent irrigation systems may be modified upon specific recommendation of a landscape architect or equivalent authority that because of the type of plants selected, the planting methods used, and the soil and climatic conditions at the site, an irrigation system will not be necessary.

(d) Plans and Specifications. Planting and irrigation plans shall be submitted for slopes required to be planted and irrigated by sub-sections (b) and (c). Except when waived by the Town Planner for minor grading, the plans for slopes 20 feet or more in vertical height shall be prepared and signed by a civil engineer or landscape architect.

(e) Rodent Control. Fill slopes steeper than two horizontal to one vertical within a grading project located adjacent to undeveloped and unoccupied land determined by the Agricultural Commissioner to be infested by burrowing rodents, shall be protected from potential slope damage by an effective rodent control program.

(7) California Building Code Chapter 18, Volume 2, is hereby amended by addition of the following Section 1802.1.1.1, "Soils and Foundation" which reads:

The Town Engineer may require an engineering geology or geotechnical engineering report, or both, where in his opinion such reports are essential for the evaluation of the safety of the site. The engineering geology or geotechnical engineering report, or both shall contain a finding regarding the safety of the building site for the proposed structure against hazard from landslide, settlement, or slippage and a finding regarding the effect that the proposed building or grading construction will have on the geologic stability of property outside the building site. Any engineering geology report shall be prepared by a certified engineering geologist licensed by the State of California. Any geotechnical engineering report shall be prepared by a civil engineer qualified to perform this work, such as a geotechnical engineer experienced in soils mechanics. When both an engineering geology and geotechnical engineering report are required for the evaluation of the safety of the site, the two reports shall be coordinated before submission to the Town Engineer.”

SECTION 3. Section 8.02.030 of the Yucca Valley Municipal Code, “Residential Building Code Adopted”, is hereby repealed in its entirety and restated as follows:

“(a) Residential Building Code Adopted by Reference. Except as hereinafter provided, the Residential Code, 2013 Edition, published by the International Code Council is hereby adopted by reference as the Residential Building Code of the Town of Yucca Valley. A copy of the California Residential Building Code, 2013 Edition, shall be maintained in the office of the Town Clerk of the Town of Yucca Valley and shall be made available for public inspection while this Code is in force.”

SECTION 4. Section 8.02.040 of the Yucca Valley Municipal Code, “Electrical Code Adopted”, is hereby repealed in its entirety and restated as follows:

“(a) Electrical Code Adopted by Reference. Except as hereinafter provided, the California Electrical Code, 2013 Edition, published by the National Fire Protection Association is hereby adopted by reference as the Electrical Code of the Town of Yucca Valley. A copy of the California Electrical Code, 2013 Edition, shall be maintained in the office of the Town Clerk of the Town of Yucca Valley and shall be made available for public inspection while this Code is in force.

(b) Electrical Code Amended. The Administrative Provisions governing the California Electrical Code, 2013 Edition, Annex H including violation and penalty provisions shall be as set forth in Section 11 of this Chapter.”

SECTION 5. Section 8.02.050 of the Yucca Valley Municipal Code “Plumbing Code Adopted”, is hereby repealed in its entirety and restated as follows:

“(a) Plumbing Code Adopted by Reference. Except as hereinafter provided, the California Plumbing Code, 2013 Edition, published by the Uniform

Plumbing Code, including the installation standards contained in is hereby adopted by reference as the Plumbing Code of the Town of Yucca Valley. A copy of the California Plumbing Code 2013 Edition, including the installation standards shall be maintained in the office of the Town Clerk of the Town of Yucca Valley and shall be made available for public inspection while this Code is in force.

(b) Plumbing Code Amended. The Administrative provisions of the California Plumbing Code, 2013 Edition, contained in part one of that Code except Sections 101.1, 101.2 101.3 and 101.4 are hereby deleted. The Administrative provisions governing the Plumbing Code, including violation and penalty provisions, shall be as set forth in Section 11 of this ordinance.”

SECTION 6. Section 8.02.060 of the Yucca Valley Municipal Code, “California Existing Building Code”, is hereby repealed in its entirety and restated as follows:

“(a) Existing Building Code Adopted by Reference. Except as hereinafter provided, the California Existing Building Code, 2013 Edition, published by the International Code Council is hereby adopted by reference as the Existing Building Code of the Town of Yucca Valley. A copy of the California Existing Building Code, 2013 Edition, shall be maintained in the office of the Town Clerk of the Town of Yucca Valley and shall be made available for public inspection while this Code is in force.”

SECTION 7. Section 8.02.070 of the Yucca Valley Municipal Code, “California Historical Building Code Adopted”, is hereby repealed in its entirety and restated as follows:

“(a) Historical Building Code Adopted by Reference. Except as hereinafter provided, the California Historical Building Code, 2013 Edition, published by the International Code Council is hereby adopted by reference as the Historical Building Code of the Town of Yucca Valley. A copy of the California Historical Building Code, 2013 Edition, shall be maintained in the office of the Town Clerk of the Town of Yucca Valley and shall be made available for public inspection while this Code is in force.”

SECTION 8. Section 8.02.080 of the Yucca Valley Municipal Code, “California Reference Standards Code Adopted”, is hereby repealed in its entirety and restated as follows:

“(a) California Reference Standards Code Adopted by Reference. Except as hereinafter provided, the California Reference Standards Code, 2013 Edition, published by the International Code Council is hereby adopted by reference as the California Reference Standards Code of the Town of Yucca Valley. A copy of the California Reference Standards Code, 2013 Edition, shall be maintained in the

office of the Town Clerk of the Town of Yucca Valley and shall be made available for public inspection while this Code is in force.”

SECTION 9. Section 8.02.090 of the Yucca Valley Municipal Code “Mechanical Code Adopted”, is hereby repealed in its entirety and restated as follows:

“(a) Mechanical Code Adopted by Reference. Except as hereinafter provided, The California Mechanical Code, 2013 Edition, published by the International Association of Plumbing and Mechanical Officials, is hereby adopted by reference as the Mechanical Code of the Town of Yucca Valley. A copy of the California Mechanical Code, 2013 Edition shall be maintained in the office of the Town Clerk of the Town of Yucca Valley and shall be made available for public inspection while this Code is in force.

(b) Mechanical Code Amended. The Administrative provisions of the California Mechanical Code, 2013 Edition, contained in Part I except sections 101 and 102 are hereby deleted. The Administrative provisions governing the Mechanical Code, including violation and penalty provisions, shall be as set forth in Section 11 of this Chapter.”

SECTION 10. Section 8.02.100 of the Yucca Valley Municipal Code “California Green Building Standards Adopted”, is hereby repealed in its entirety and restated as follows:

“(a) California Green Building Standards Adopted by Reference. Except as hereinafter provided, the California Green Building Standards, 2013 Edition, published by the California Building Standards Commission is hereby adopted by reference as the Green Building Standards of the Town of Yucca Valley. A copy of the California Green Building Standards, 2013 Edition, shall be maintained in the office of the Town Clerk of the Town of Yucca Valley and shall be made available for public inspection while this Code is in force.”

SECTION 11. Section 8.02.110 of the Yucca Valley Municipal Code, “California Energy Code Adopted”, is hereby repealed in its entirety and restated as follows:

“(a) California Energy Code Adopted by Reference. Except as hereinafter provided, the California Energy Code, 2013 Edition, published by the California Building Standards Commission is hereby adopted by reference as the California Energy Code of the Town of Yucca Valley. A copy of the California Energy Code, 2013 Edition, shall be maintained in the office of the Town Clerk of the Town of Yucca Valley and shall be made available for public inspection while this Code is in force.”

SECTION 12. Section 8.02.120 of the Yucca Valley Municipal Code, “The International Property Maintenance Code”, is hereby repealed in its entirety and restated as follows:

“Except as hereinafter provided the International Property Maintenance Code, 2012 Edition, published by the International Code Council, is hereby

adopted by reference as the Housing Code of the Town of Yucca Valley. A copy of the International Property Maintenance Code, 2012 Edition, shall be maintained in the office of the Town Clerk for public inspection while this Code is in force.”

SECTION 13. Section 8.02.130 of the Yucca Valley Municipal Code, “Amendments Necessary”, is hereby repealed in its entirety.

SECTION 14. Current Section 8.02.140 of the Yucca Valley Municipal Code, “Violations and Penalties”, is hereby repealed in its entirety and re-numbered as Section 8.02.130, to read as follows:

“(a) Violations and penalties pertaining to violations of this Chapter 8.02 shall be as follows:

(1) Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this Chapter, or cause same to be done, in conflict with or in violation of any of the provisions of this Chapter.

(2) Notice of violation. The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this Chapter, or in violation of a permit or certificate issued under the provisions of this Chapter. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

(3) Prosecution of violation. If the notice of violation is not complied with promptly, the building official is authorized to request the Town Attorney to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

(4) Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law.

(b) Other Penalties. In addition to the penalties and procedures stated in this Section, the Town may enforce the provisions of this Chapter by any other administrative, criminal or civil remedies available to the Town under this Code.”

SECTION 15. Severability.

If any section, subsection, sentence, clause, phrase or word of this Ordinance is for any reason held to be invalid by a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed and adopted this Ordinance and each and all provisions thereof, irrespective of the fact that any one or more of said provisions may be declared invalid.

SECTION 16. Processing of Ordinance.

After first reading, this ordinance shall be adopted pursuant to the procedures set forth in Government Code Section 50022.3. To wit, after the first reading of the title of the adopting ordinance and of the title of the code to be adopted hereby the City Clerk is directed to schedule a public hearing thereon. Notice of the hearing shall be published pursuant to Section 6066 in a newspaper of general circulation. The notice shall state the time and place of the hearing. It shall also state that copies of the codes being adopted by reference are on file with the Clerk and are open to public inspection. The notice shall also contain a description which the legislative body deems sufficient to give notice to interested persons of the purpose of the ordinance and the subject matter thereof.

PASSED AND ADOPTED this day of 2013.

AYES:
NOES:
ABSENT:

MAYOR

ATTEST:

TOWN CLERK

TOWN COUNCIL STAFF REPORT

To: Honorable Mayor & Town Council
From: Lesley Copeland, Town Clerk
Date: January 14, 2014
For Council Meeting: January 21, 2014

Subject: Re-schedule the Public Facility Development Impact Fee Public Hearing Date to February 4, 2014

Prior Council Review: At its meeting of December 17, 2013, the Town Council received and filed the Public Facilities Development Impact Fee Annual Report and set the Public Hearing Date for January 21, 2014.

Recommendation: That the Town Council re-schedules the Public Facilities Development Impact Fee Public Hearing to Tuesday, February 4, 2014.





Executive Summary: The Town Council previously set the Public Facilities Development Impact Fee Public Hearing for January 21, 2014. To allow for required public noticing of the hearing, it is requested to change the hearing date to February 4, 2014.

Discussion: Notices of Public Hearing related to fees imposed as a condition of approval of a development project such as development impact fees require sufficient notice at least 10 days before the public hearing, published twice, at least five days between publications pursuant to Government Code Section 6062a. In order to sufficiently notice the Public Facilities Development Impact Fee Public Hearing, it is requested to change the hearing date to Regular Town Council Meeting of Tuesday, February 4, 2014.

Order of Procedure:

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

Attachments: December 17, 2013 Public Facility Development Impact Fee Staff Report

Reviewed By:	 _____ Town Manager	 _____ Town Attorney	 _____ Mgmt Services	 _____ Dept Head
--------------	--	---	--	---

<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 COUNCIL STAFF REPORT

To: Honorable Mayor & Town Council
From: Shane R. Stueckle, Deputy Town Manager
Date: December 11, 2013
For Council Meeting: December 17, 2013

Subject: Public Facilities Development Impact Fees
Annual Report
Set Public Hearing for January 21, 2014

Prior Council Review: At its meeting of October 18, 2011, the Town Council established subdivision single family residential public facility development impact fees at the maximum level of \$9,081 per unit.

Modified the development incentive program for infill single family residential public facility development impact fees, setting the fees at \$2,568 per unit with those fees dedicated to Park facilities.

Retained multi-family residential public facility development impact fees at \$3,600 per unit.

Modified the development incentive program for commercial, general office, and industrial development projects as follows:

- Up to 3,000 square feet: \$1.00 per square foot
3,001 to 5,000 square feet: \$2.00 per square foot
5,001 to 10,000 square feet: \$4.00 per square foot
10,001 square feet or more: \$7.85 per square foot

Approved the above public facility development impact fee levels through December 2013 or until thereafter as modified and amended by the Town Council.

At its meeting of October 5, 2010, the Town Council established revised maximum legally defensible public facility development impact fee for the planning period through 2025; maintained the public facility development impact fees at their then current levels; and adopted the development incentive program, waiving public facility development impact fees for infill single family residential development and for the first 10,000 square feet of commercial, general office, and industrial development projects.

The Town Council made no changes to the Fees in 2012.

Reviewed By:

Signatures and titles for Town Manager, Town Attorney, Mgmt Services, and Dept Head.

- X Department Report, Ordinance Action, Resolution Action, Public Hearing, Consent, Minute Action, Receive and File, Study Session

Recommendation: That the Town Council receives and files the report and schedules the public hearing for January 21, 2014.

Executive Summary: Pursuant to the Study prepared by MuniFinanical dated May 5, 2005, on October 27, 2005, the Town Council established Public Facilities Development Impact Fees (DIF) for new residential development. The fees became effective on January 30, 2006. The Town Council implemented Public Facility Development Impact Fees for non-residential development in 2008. Annual review of those Fees is required.

The Town Council, pursuant to Ordinance No. 173 annually receives the report and reviews the fee levels.

Order of Procedure:

- Request Staff Report
- Request Public Comment
- Council Discussion/Questions of Staff
- Motion/Second
- Discussion on Motion
- Call the Question (Voice Vote)

Discussion: The Public Facilities Development Impact Fee Study (Study) evaluated and established maximum legally defensible fee levels that could be imposed on new development, based upon the impact to the Town's public infrastructure system. The infrastructure systems evaluated included the following.

1. General Facilities
2. Park Facilities
3. Trails
4. Storm Drains
5. Streets and Traffic

The Study analyzed the need for public facilities and capital improvements to support future development within the Town through 2025. As part of estimating facility needs, the Study uses residential and household population data provided by the California Department of Finance and internal projections developed for the Town by Stan Hoffman and Associates.

The Study identified the following parameters for the different impact fee categories.

- * Identified the purpose of the fee;
- * Identified the use to which the fee will be put;
- * Determined that there is a reasonable relationship between the fee's use and the type of development on which the fee is to be imposed;
- * Determined how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is to be imposed;
- * Demonstrated a reasonable relationship between the amount of the fees and the costs of the public facilities or portions of the facilities attributable to the development upon which the fees are imposed.

Infrastructure needs within the Town are extensive. Over \$200 million for just streets and flood control systems will be necessary to put into place adequate road and drainage infrastructure to meet community needs. These needs cannot be funded by impact fees alone as new development cannot pay for any existing infrastructure deficits.

The following table illustrates the maximum legally defensible public facility development impact fees for the planning period through 2025, as established by the Town Council at the meeting of October 18, 2011.

Proposed	General Facilities	Parks	Trails	Storm Drains	Street & Traffic	Total
<i>RESIDENTIAL</i>						
	(fee per dwelling unit)					
SFR	\$ 1,181	\$ 2,568	\$ 458	\$ 2,632	\$ 2,242	\$ 9,081
MFR	913	1,980	354	1,316	1,789	6,352
<i>NON-RES</i>						
	(per 1,000 square feet building area)					
Commercial	\$ 264	NA	NA	\$ 1,737	\$ 5,734	\$ 7,735
Office	352	NA	NA	1,816	4,915	7,083
Industrial	176	NA	NA	1,211	1,789	3,176

The table below identifies the fee levels as established by the Town Council in 2011.

Dev. Type	2005 Maximum	Pre-2010	Oct-2010	Prior	10-18-11 Established Fee
SFR, Subdiv.	\$15,815	\$5,200	\$9,081	\$5,200	\$9,081
Infill	NA		NA	\$0	\$2,568 to Park Development
MFR	\$10,820	\$3,600	\$6,352	\$3,600	\$3,600
Commercial	\$19.49 sq. ft.	\$1.00 sq.ft.	\$7.74 sqft	\$0 under 10K \$1 sq ft over	Up to 3,000 sq ft: \$1 sq ft 3001-5000 sq ft: \$2 sq ft 5001-10,000 sq ft: \$4 sq ft * 10,001 + sq ft: \$7.74**
Office	\$17.54 sq. ft.		\$7.08	\$0 under 10K \$1 sq ft over	
Industrial	\$7.50 sq. ft.		\$3.18	\$0 under 10K \$1 sq ft over	

*Industrial caps at \$3.18

**Office caps at \$7.08

Alternatives: No alternative action is recommended.

Fiscal impact: No modifications to the Fees are recommended at this time.

Beginning/Ending Balance(s) for the five individual Fee categories as of June 30, 2013, are as follows.

<u>CATEGORY</u>	<u>6/30/12</u>	<u>6/30/13</u>	<u>'12/'13 Expenditures</u>
General Facilities:	\$59,123	(\$28,401)	\$87,524
Parks:	\$28,411	\$6,114	\$22,297
Streets:	\$369,698	\$403,943	
Drainage:	\$48,952	\$264,326	
Trails:	\$21,251	\$21,251	
Total:	\$527,138	\$667,233	

The above balances reflect the appropriations and transfers authorized by the Town Council with the adoption of prior FY Budgets when all funds have been repaid.

Other Fund activity since inception includes interest earnings in the amount of \$54,515 and indirect cost recovery of \$16,320. Fund balance as of June 30, 2013 is \$328,429.

Attachments: Resolution No. 11-11, with Attachments
2005 Muni-Financial Study

RESOLUTION NO. 11-11

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 66001(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 66001(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 1st day of March, 2011


MAYOR

ATTEST:


TOWN CLERK

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. 11-11 was duly and regularly adopted by the Town Council of the Town of Yucca Valley, California, at a meeting thereof held on the 1st day of March, 2011, by the following vote:

AYES: Council Members Hagerman, Luckino, Mayes, Rowe, and Mayor Huntington

NOES: None

ABSTAIN: None

ABSENT: None



TOWN CLERK

ATTACHMENT "A"
PUBLIC FACILITIES DEVELOPMENT IMPACT FEE STUDY
PREPARED BY MUNIFINANCIAL
MAY 2, 2005

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) ⁶			
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.

⁶ 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	\$ 8,137	\$ 15,815
Multi-family Unit	896	1,980	354	2,581	4,909	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	2,750	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-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	

Source: 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	\$ 1,266	\$ 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
Existing Parks			
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
Planned Parks			
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 Purkis 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 Purkis 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	33,880
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	200,000
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

<u>Land Acquisition</u>	
General Plan Standard (acres/1,000 residents)	5.00
Resident Growth (2004-2025)	15,470
Facility Needs (acres)	77.35
Average Unit Cost (per acre)	\$ 20,000
Total Cost of Facilities	\$ 1,547,000
<u>Land Improvement</u>	
General Plan Standard (acres/1,000 residents)	5.00
Resident Growth (2004-2025)	15,470
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, recovering, 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; MuniFinance1

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
Residential					
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	4,280	193,280
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	138,500	680	139,180
Royal Springs Wash Trail	260,800	1,650	262,450
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	489,520	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	183,800	1,650	185,450
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	214,600	4,280	218,880
Totals:	\$ 6,653,340	\$ 85,800	\$ 6,739,140
Total Trail Miles:	27.75		
Estimated Cost/Mile:	\$ 239,793	\$ 3,092	\$ 242,804

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

Sources: Town of Yucca Valley Adopted Trails/Bike Routes Master Plan, March 10, 2008; Town of Yucca Valley Planning Department, Municipal

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
Residential					
Single Family					
Construction	\$ 196	2.29	\$ 449	\$ 9	\$ 458
Easement	3	2.29	6	0	6
Subtotal					\$ 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.

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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

	DUI/Acre of Acre ¹	Average Percent Impervious ²	Equivalent Dwelling Unit (EDU) ³	Acres/ KSF ³	EDU/ KSF ³
<u>Residential (dwelling units)</u>					
Single Family	2.78	35%	1.00		
Multi-Family	10.85	68%	0.50		
<u>Non-residential</u>					
Commercial Space	1.00	90%	7.16	0.09	0.66
Office Space	1.00	95%	7.55	0.09	0.69
Industrial	1.00	75%	5.98	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; Municipal

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)			
Residential						
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
Non-residential						
Commercial Space	0.66	7,600	5,130	5,016	3,385	8,402
Office Space	0.69	2,200	1,470	1,618	1,014	2,532
Industrial	0.48	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 B.0, MultiFinancial

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)	24,362
Equity per EDU	\$ 5,063

¹ Town of Yucca Valley Master Plan of Drainage - Final Report Prepared by John M. Tellemar & Associates, Inc. A Division of Kelth Companies, Inc. June 1989.

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; MunFinandel

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

	Non-Pass-by Trips		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					
Residential⁶							
Single Family	86%	11%	97%	7.9	1.04	10	10.4
Multi-family	86%	11%	97%	7.9	1.04	8	8.3
Nonresidential⁷							
Commercial	47%	31%	78%	3.6	0.38	70	26.6
Office	77%	19%	98%	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 8.0 miles.

⁴ Trips per dwelling unit of 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

Source: San Diego Association of Governments, *Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region*, July 1988; MuriFinandel.

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	
	Existing	Growth				
<i>Residential</i>						
Single Family	10.38	6,710	4,520	69,485	46,806	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	231,860	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, 1.08 miles	1,707,750
ROW Costs to widen SR 62 - Acoma/Mohawk Trail to SR 247, 1.83 AC	1,427,190
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 Hillon Avenue, 1.03 AC	802,775
Widen SR 62 to 6 Lanes - SR 247 to Hillon Avenue, 0.85 miles	1,335,500
ROW Costs to widen SR 62 - Hillon Avenue to Avalon Avenue, 1.03 AC	806,575
Widen SR 62 to 6 Lanes - Hillon Avenue to Avalon Avenue, 0.85 miles	1,335,500
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., 12.18 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., 2.18 ml.	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	1,186,400
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	2,085,485
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	3,877,871
Widen Avalon Avenue, 4 Lane Collector - Yucca Trail to State Route 62	2,830,329
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	474,864
Widen Golden Bee, 2 Lane Collector - Acoma Trail to Joshua Lane	1,587,605
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		1,335,000
Raised Medians on SR 62 - Cherokee Trail to Acoma/Mohawk Trail		615,000
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		1,094,000
Raised Medians on SR 62 - Indio Avenue to Yucca Mesa Road		1,125,000
Sidewalks on both sides SR 62 - West Town Boundary to Fairway Dr.		278,000
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		455,000
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 Conchita Road		500,000
Yucca Trail/Avalon Avenue/Palomar Avenue		500,000
Onaga Trail/Acoma Trail		500,000
Subtotal - Traffic Signals	\$	3,500,000
Total	\$	138,631,282

Source: Town of Yucca Valley, Exhibit T, of the General Plan EIR Traffic Study prepared by Robert Kohn, John Nash & Associates, 8/3/96

Table 7.3: Streets & Traffic Facilities Standard

	Cost
<i>Planned Projects</i>	
Street Improvements	\$ 117,555,292
Traffic Safety	17,576,000
Traffic Signals	<u>3,500,000</u>
Total Streets & Traffic Facilities	\$ 138,631,292
Less: Other Funding Sources (2004-2025) ¹	<u>4,015,000</u>
Net Facility Needs	\$ 134,616,292
Projected Trip Demand for Future Growth (2004-2025)	<u>231,860</u>
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. FL
<u>Residential</u>						
Single Family	\$ 581	10.4	\$ 6,016	\$ 120	\$ 6,137	
Mult-family	581	8.3	4,813	96	4,909	
<u>Non-residential</u>						
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; Municipal

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 type 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, the Public Works Operations Building, and the future Animal Shelter. 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 life 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

Subdivision, single family residential development:	\$9,081 Per Unit	
Infill, single family residential development:	\$2,568 Per Unit allocated to Park Facilities	
Multi-Family residential development:	\$3,600 Per Unit	
Commercial, Office and Industrial development:	Up to 3,000 sq. ft.	\$1.00 Per Sq. Ft.
	3,001 to 5,000 sq. ft.	\$2.00 Per Sq. Ft.
	5,001 to 10,000 sq. ft.	\$4.00 Per Sq Ft.*
	Over 10,000 sq. ft.	\$7.74 Per Sq. Ft.**
*Industrial Development is capped at:	\$3.18 Per Sq. Ft.	
**Office Development is capped at:	\$7.08 Per Sq. Ft.	

**ATTACHMENT A
GENERAL FACILITIES**

Table 3.1 General Facilities Existing Standard

Existing Facilities	Inventory	Cost / Unit	Total Value
Land (Acres)			
Public Works Complex	1.6	20,000 \$	32,000
Buildings (sq-ft)			
Town Hall/Library	12,640	\$ 200	2,528,000
Community Center	11,922	\$ 250	2,980,500
Museum	5,108	\$ 200	1,021,600
Corp. Yard Operations	9,623	\$ 200	1,924,600
Animal Shelter (Future)**	10,000	\$ 150	1,500,000
Total Facilities		\$	9,986,700
Existing Service Population			19,840
Cost Per Capita		\$	503
Facility Standard per Resident		\$	503
Facility Standard per Worker			103

*** Animal Shelter costs applied to residential users only*

Table 3.2: New Development Contribution

Facility Standard per Resident	\$	503
Growth in Residents (2005-2025)		15,470
Facility Standard per Worker		103
Growth in Workers (2005-2025)		4,000
New Development Contribution	\$	8,199,009

Table 3.3: General Facilities Fee

Land Use	Standard Per EDU	Density	Fee	Admin	Total Fee	Fee/ Sq-ft
RESIDENTIAL		(per dwelling unit)				
Single Family	\$ 503	2.29	\$ 1,152	\$ 29	\$ 1,181	
Multi Family	503	1.77	690	22	913	
NON-RESIDENTIAL		(per 1,000 square feet building area)				
Commercial	\$ 103	2.50	\$ 258	\$ 6	\$ 264	\$ 0.26
Office	103	3.33	343	9	352	0.35
Industrial	103	1.67	172	4	176	0.18

**ATTACHMENT B
STORM DRAIN FACILITIES**

Table 6.2: Storm Drain Facilities Standard

		(2004 Costs)
Detained Flood Control System Projected Cost	\$	102,016,000
Cost Escalator		121%
Escalated Detained Flood Control System Cost		123,439,360
Facilities Standard Cost Allocation:	50% \$	61,719,680
Total EDUs (2025)		24,382
Equity Per EDU	\$	2,531

Table 6.3: Development Share of Storm Drain Facilities

Facility Standard Per EDU	\$	2,531
Growth in EDUs (2005-2025)		9,813
New Development Contribution	\$	24,840,260

Table 6.4: Storm Drain Facility Fees

Land Use	Standard Per EDU	EDU Factor	Fee	Admin	Total Fee	Fee/ Sq-ft
RESIDENTIAL		(per dwelling unit)				
Single Family	\$ 2,531	1.00	\$ 2,531	\$ 101	\$ 2,632	
Multi Family	2,531	0.50	1,266	51	1,316	
NON-RESIDENTIAL		(per 1,000 square feet building area)				
Commercial	\$ 2,531	0.66	\$ 1,670	\$ 67	\$ 1,737	\$ 1.74
Office	2,531	0.69	1,746	70	1,816	1.82
Industrial	2,531	0.46	1,164	47	1,211	1.21

ATTACHMENT C STREETS AND TRAFFIC

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

<u>Streets</u>	<u>Cost</u>
ROW Costs to widen SR 62 - West Town Boundary to Kickapoo Trail, 2.89 AC	\$ 1,346,406
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	1,427,190
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 - SR 62 to San Juan Road, 12.19 AC	2,804,775
Widen SR 247 to 4 Divided Lanes - SR 62 to San Juan Road, 1.57 miles	3,140,000
ROW Costs to widen SR 247 - San Juan Road to Buena Vista Drive, 12.19 AC	2,804,775
Widen SR 247 to 4 Divided Lanes - San Juan Road to Buena Vista Drive, 1.57 miles	3,140,000
ROW Cost to widen SR 247 - Buena Vista Drive to N. Town Boundary, 17.60 AC	4,093,113
Widen SR 247 to 4 Divided Lanes - Buena Vista Drive to N. Town Boundary, 2.16 miles	4,320,000
Widen Onaga Trail, 4 Lane Arterial Divided - Kickapoo Trail to Joshua Lane	7,437,150
Widen Yucca Trail, 4 Lane Arterial Divided - Sage Avenue to Avalon Avenue	5,883,584
Widen Joshua Lane, 4 Lane Arterial Divided - Onaga Trail to SR 62	2,621,399
Widen Kickapoo Trail, 4 Lane Collector - Onaga Trail to SR 62	387,318
Widen Acoma Trail, 4 Lane Collector - Golden Bee Drive to SR 62	3,327,726
Widen Sage Avenue, 4 Lane Collector - Golden Bee Drive to SR 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 SR 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 SR 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
Widen Joshua Drive, 4 Lane Collector - Acoma Trail to Joshua Lane	2,486,232
Widen Warren Vista Avenue, 2 Lane Collector - Yucca Trail to SR 62	474,964
Widen Joshua Lane, 2 Lane Collector - Golden Bee Drive to Warren Vista Drive	793,406
Widen Sage Avenue, 4 Lane Collector - SR 62 to Sunnyslope Drive	1,147,492
Widen Deer Trail, 4 Lane Collector - Onaga Trail to SR 62	1,032,743
Widen Balsa Avenue, 4 Lane Collector - Yucca Trail to SR 62	1,338,740
Widen Yucca Mesa Road, 4 Lane Collector - SR 62 to N. Town Boundary	4,360,469
Widen Buena Vista Drive, 4 Lane Collector - SR 247 to Yucca Mesa Road	6,196,455
Construct Sunnyslope Drive, 4 Lane Collector - Balsa Avenue to La Contenta Road	3,858,874
Construct Indio Avenue, 2 Lane Industrial - Yucca Trail to SR 62	4,879,468
Total:	\$ 106,029,446

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

<u>Traffic Safety</u>	<u>Cost</u>
Raised Medians on SR 62 - West Town Boundary to Fairway Drive	\$ 810,000
Raised Medians on SR 62 - Camino del Cielo to Kickapoo Trail	\$ 1,114,000
Raised Medians on SR 62 - Cherokee Trail to Acoma/Mohawk Trail	\$ 616,000
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 - Indio Avenue to Yucca Mesa Road	\$ 1,126,000
Sidewalks on both sides SR 62 - West Town boundary to Fairway Drive	\$ 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	\$ 13,007,000

<u>Traffic Signals</u>	<u>Cost</u>
Yucca Trail @ Joshua Lane	\$ 500,000
SR 62/Camino del Cielo	\$ 500,000
SR 62/Sage Avenue	\$ 500,000
SR 62/Joshua Lane	\$ 500,000
SR 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: \$ 16,507,000

Table 7.3: Streets & Traffic Facilities Standard

Planned Projects		
Street Improvements	\$	106,029,446
Traffic Safety		13,007,000
Traffic Signals		3,500,000
Total Streets & Traffic Facilities	\$	122,536,446
Less: Other Funding Sources 2004-2025		(4,015,000)
Net Facility Needs	\$	118,521,446
Development Share: 40%		47,408,578
Projected Trips Demand for Future Growth		231,860
Standard Per Trip	\$	204

Table 7.4: Streets & Traffic Facility Fees

Land Use	Standard Per Trip	Trip Demand Factor	Fee	Admin	Total Fee	Fee/ Sq-ft
RESIDENTIAL		(per dwelling unit)				
Single Family	\$ 204	10.4	\$ 2,122	\$ 120	\$ 2,242	
Multi Family	204	8.3	1,693	96	1,789	
NON-RESIDENTIAL		(per 1,000 square feet building area)				
Commercial	\$ 204	26.6	\$ 5,426	\$ 308	\$ 5,734	\$ 5.73
Office	204	22.8	4,651	264	4,915	4.91
Industrial	204	8.3	1,693	96	1,789	1.79

TOWN COUNCIL STAFF REPORT

To: Honorable Mayor & Town Council
From: Diane Olsen, Planning Technician
Date: January 13, 2014
For Council Meeting: January 21, 2014

Subject: Request for a Secondhand Dealers License
SPL 23-13, Bear Arms

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

Recommendation: That the Town Council approves Special License, SPL 23-13

Policy Discussion: Under Code Section 41.025 (c) and (d), all secondhand dealers license/permit applications are subject to review and approval by Town Council. The Code requires that the Planning Division and the Sheriff Department investigate the application and submit a report of their findings together with a recommendation for approval or denial to the Town Council.

Order of Procedure:

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

Discussion: The applicant is requesting approval for a Secondhand Dealers License for an existing firearms retail business 57205 29 Palms Hwy, Suite A. The property is zoned General Commercial (C-G). The site is improved with paved parking and has access from 29 Palms Outer Hwy south. Please see attached detailed staff report.

The State of California requires licensed firearm dealers to obtain local permits for the purchase and sale of pre-owned firearms.

Alternatives: Staff recommends no alternative action


Fiscal impact: There is no fiscal impact to the approval of this application.

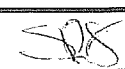
Attachments: Detailed Staff Report
Recommended Conditions of Approval
Application Materials
Code Section 41.02 Junk and Secondhand Dealers

Reviewed By:


Town Manager

Town Attorney


Mgmt Services


Dept Head

Department Report

Ordinance Action

P.97

Resolution Action

Public Hearing Policy

Town Council: January 21, 2014
TOWN OF YUCCA VALLEY
COMMUNITY DEVELOPMENT DEPARTMENT
CURRENT PLANNING DIVISION
STAFF REPORT
BEAR ARMS

Case: SPECIAL PERMIT LICENSE, SPL 23-13
SECONDHAND DEALERS LICENSE

Request: THE APPLICANT REQUESTS APPROVAL OF SPECIAL LICENSE, SPL 23-13, FOR A SECONDHAND DEALERS LICENSE FOR AN EXISTING FIREARMS RETAIL BUSINESS LOCATED AT 57205 29 PALMS HWY, SUITE A, ON THE SOUTH SIDE OF 29 PALMS HWY. THE SITE IS APPROXIMATELY 0.44 ACRES.

Applicant: RONALD NEWHOUSE
9347 DESERT WILLOW TR
MORONGO VALLEY, CA 92256

Property Owner:
ZUHAIR & SUAD ELQAZA
57205 29 PALMS HWY
YUCCA VALLEY, CA 92284

Representative
SAME AS APPLICANT

Location: THE PROJECT IS LOCATED AT 57205 29 PALMS HWY, SUITE A AND IS IDENTIFIED AS ASSESSOR PARCEL NUMBER 595-162-02.

Existing General Plan Land Use Designation
THE SITE IS CURRENTLY DESIGNATED GENERAL COMMERCIAL (C-G)

Existing Zoning Designation:
THE SITE IS CURRENTLY ZONED GENERAL COMMERCIAL (C-G)

Reviewed By: _____ _____ _____ _____
 Town Manager Town Attorney Mgmt Services Dept Head

Department Report Ordinance Action P.98 _____ Resolution Action _____ Public Hearing Policy

Surrounding General Plan Land Use Designation

NORTH: NEIGHBORHOOD COMMERCIAL (C-N)
SOUTH: GENERAL COMMERCIAL (C-G)
WEST: GENERAL COMMERCIAL (C-G)
EAST: GENERAL COMMERCIAL (C-G)

Surrounding Zoning Designations:

NORTH: NEIGHBORHOOD COMMERCIAL (C-N)
SOUTH: GENERAL COMMERCIAL (C-G)
WEST: GENERAL COMMERCIAL (C-G)
EAST: GENERAL COMMERCIAL (C-G)

Surrounding Land Use:

NORTH: COMMERCIAL RETAIL ACROSS 29 PALMS HWY
SOUTH: VACANT LAND
WEST: COMMERCIAL RETAIL
EAST: COMMERCIAL RETAIL

RECOMMENDATIONS:

SPECIAL LICENSE, SPL 23-13: THAT THE TOWN COUNCIL APPROVES SPECIAL LICENSE, SPL 23-13

PROJECT PLANNER: DIANE OLSEN, PLANNING TECHNICIAN
REVIEWED BY: SHANE STUECKLE, DEPUTY TOWN MANAGER

I. GENERAL INFORMATION

PROJECT DESCRIPTION: .The applicant requests approval of Special License, SPL 23-13, for a secondhand dealers license at an existing firearms retail business.

LOCATION: The project is located at 57205 29 Palms Hwy, Suite A and is identified as Assessor Parcel Number 595-162-02.

II. PROJECT ANALYSIS

GENERAL PLAN CONSIDERATION: Policy 1 of the Land Use Element of the General Plan states "A full range of commercial land uses conveniently and appropriately distributed throughout the Town, meeting the community's need and taking full advantage of emerging development and economic opportunities". The site is developed with a 3,951 square foot commercial building and as currently developed is consistent with the General Plan.

ENVIRONMENTAL CONSIDERATIONS: As defined by Section 15301, Existing Facilities, of the California Environmental Quality Act, the project is exempt from environmental review.

SURROUNDING LAND USES: The land uses surrounding the subject property consist of a grocery store across 29 Palms Hwy to the north, smaller retail business to the east and west and a vacant lot to the south.

SURROUNDING GENERAL PLAN LAND USE AND ZONING DESIGNATIONS: The properties surrounding the site have zoning designations of General Commercial and Neighborhood Commercial.

PARKING: Bases upon the size of the structure at 3,951 square feet, the property is required to have 16 paved parking stalls. The property currently has 17 paved parking stalls, and therefore has an excess of 1 parking stalls.

DISCUSSION: The applicant is requesting approval for a secondhand dealers license for the purpose of buying and selling previously owned firearms. The business is an existing firearms retail business located at 57205 29 Palms Hwy. The property is located within the General Commercial land use district. The site is improved with paved parking on the north side of the property and has access from 29 Palms Outer Highway south. The site consists of a rectangular lot of approximately 0.44 acre.

The application was forwarded to the Sheriff's Department on January 09, 2014. The Town has received no response from the Sheriff's Department as of the writing of this staff report.



Special License Permit Application

Date Received	<u>12-23-13</u>
By	<u>D OLSEN</u>
Fee	<u>110.00</u>
Case #	<u>SPL-23-13</u>

- Pawnbroker
 Secondhand Dealer
 Junk Dealer
 New
 Renewal

General Information

APPLICANT Bear Arms Gun Shop Phone 760-369-4867 Fax 760-369-3017
 Mailing Address 57205 A 29 Palms Hwy Email bear-arms@hotmail.com
 City Yucca Valley State CA Zip 92284
 Driver's License # N4317866 State CA

REPRESENTATIVE Ronald Newhouse Phone 760-554-0449 Fax _____
 Mailing Address 9347 Desert Willow Tr, Morongo Valley Email rnewhouse@hotmail.com

PROPERTY OWNER Larry Reid, Manager Phone 760-365-7779 Fax 760-365-5739
 Mailing Address 57205 B 29 Palms Hwy Email ldreidiii@hotmail.com
 City Yucca Valley State CA Zip 92284

Project Information

Business Name Bear Arms Gun Shop Assessor Parcel Number(s) _____
 Business Address 57205 A 29 Palms Hwy
 Resale Number: SR EHC 102-267356
 (Board of Equalization)
 Applicant Signature *Ronald Newhouse*
 Property Owner Signature *Larry Reid*

Town of Yucca Valley
 Community Development Department
 Planning Division
 58928 Business Center Dr
 Yucca Valley, CA 92284
 760 369-6575 F.P. 101 228-0084
www.yucca-valley.org

Owner/Applicant Authorization

Applicant/Representative: I/We have reviewed this completed application and the attached material. The information included with this application is true and correct to the best of my/our knowledge. All documents, maps, reports, etc., submitted with this application are deemed to be public records. I/We further understand that the Town might not approve the application as submitted, or might set conditions of approval. Further, I understand that all documents, maps, reports, etc., submitted with this application are deemed to be public records.

Signed: Ronald Newland

Date: 12-23-13

Property Owner/ Authorized Agent: I/We certify that I/We are presently the legal owner(s) of the above described property (If the undersigned is different from the legal property owner, a letter of authorization must accompany the form). Further, I/We acknowledge the filing of this application and certify that all of the above information is true and accurate. I/We understand that I/We are responsible for ensuring compliance with conditions of approval I hereby authorize the Town of Yucca Valley and or/its designated agent(s) to enter onto the subject property to confirm the location of existing conditions and proposed improvements including compliance with applicable Town Code Requirements. Further, I understand that all documents, maps, reports, etc., submitted with this application are deemed to be public records. I am hereby authorizing Kenneth Lantz

to act as my agent and is further authorized to sign any and all documents on my behalf.

Signed: [Signature]

Dated: 12-23-13

In accordance with the provisions of Title I, Gun Control Act of 1968, and the regulations issued thereunder (27 CFR Part 478), you are licensed to engage in the business specified in this license, within the limitations of Chapter 44, Title 18, United States Code, and the regulations issued thereunder, until the expiration date shown. See "WARNINGS" and "NOTICES" on reverse.

Direct ATF Correspondence To: ATF - Chief, FFLC, 244 Needy Road, Martinsburg, WV 25405-9431
License Number: **9-33-071-02-5M-04602**

Chief, Federal Firearms Licensing Center (FFLC)
Tracy Robertson
Name: BEAR ARMS
Expiration Date: **December 1, 2015**

Premises Address (Changes? Notify the FFLC at least 30 days before the move.)
**57205 29 PALMS HWY
YUCCA VALLEY, CA 92284-**

Type of License
02-PAWNBROKER IN FIREARMS OTHER THAN DESTRUCTIVE DEVICES

Purchasing Certification Statement
The licensee named above shall use a copy of this license to assist a transferor of firearms to verify the identity and the licensed status of the licensee as provided by 27 CFR Part 478. The signature on each copy must be an original signature. A faxed, scanned or e-mailed copy of the license with a signature intended to be an original signature is acceptable. The signature must be that of the Federal Firearms Licensee (FFL) or a responsible person of the FFL. I certify that this is a true copy of a license issued to the licensee named above to engage in the business specified above under "Type of License."

Mailing Address (Changes? Notify the FFLC of any changes.)
NEWHOUSE, RONALD LEE
BEAR ARMS
57205 29 PALMS HWY
YUCCA VALLEY, CA 92284-

Ronald Newhouse
Licensee Responsible Person Signature
11-16-12
Position Title
RONALD NEWHOUSE
Printed Name
OWNER.
Date

California Department
Of Justice
CFD # 21362

DISPLAY CONSPICUOUSLY AT PLACE OF BUSINESS FOR WHICH ISSUED

CALIFORNIA STATE BOARD OF EQUALIZATION
SELLER'S PERMIT



ACCOUNT NUMBER
07/01/2012 SR EHC 102-267356
BEAR ARMS
BEAR ARMS
57205 29 PALMS HWY UNIT A
YUCCA VALLEY, CA 92284-2929

NOTICE TO PERMITTEE:
You are required to obey all Federal and State laws that regulate or control your business. This permit does not allow you to do otherwise.

IS HEREBY AUTHORIZED PURSUANT TO SALES AND USE TAX LAW TO ENGAGE IN THE BUSINESS OF SELLING TANGIBLE PERSONAL PROPERTY AT THE ABOVE LOCATION. THIS PERMIT IS VALID ONLY AT THE ABOVE ADDRESS.
THIS PERMIT IS VALID UNTIL REVOKED OR CANCELED AND IS NOT TRANSFERABLE. IF YOU SELL YOUR BUSINESS OR DROP OUT OF A PARTNERSHIP, NOTIFY US OR YOU COULD BE RESPONSIBLE FOR SALES AND USE TAXES OWED BY THE NEW OPERATOR OF THE BUSINESS.

Not valid at any other address

For general tax questions, please call our Information Center at 800-400-7115.
For information on your rights, contact the Taxpayers' Rights Advocate Office at 888-324-2798 or 916-324-2798.



Chapter 2

JUNK AND SECONDHAND DEALERS

Sections:

- 41.021 Definitions and License Requirements.
 - (a) Junk Dealer.
 - (b) Pawnbroker.
 - (c) Salvage Collector.
 - (d) Secondhand Dealer.
- 41.022 Daily Reports.
- 41.023 Inspection.
- 41.024 Property.
- 41.025 Licenses.
 - (a) Renewals.
 - (b) License Not Transferable.
 - (c) Application for License, Contents and Investigation.
 - (d) Issuance of License.
 - (e) Temporary Permits.
 - (f) Display of License.
 - (g) Suspension or Revocation of License.
 - (h) Disciplinary Action – Grounds.
 - (i) Suspension or Revocation Without Hearing.
 - (j) Procedure.
 - (k) Pending Revocation or Suspension Proceedings – Effect on Permittee.
- 41.026 Purchase Report Forms.
- 41.027 Cost and Inspection of Purchase Report Forms.
- 41.028 Correct Name and Address Required.
- 41.029 Penalty.

41.021 Definitions and License Requirements.

- (a) JUNK DEALER.
 - (1) Junk Dealer means any person having a fixed place of business and conducting, managing or maintaining any place where secondhand and used machinery and scrap metals, including automobiles, tools, implements, or parts or portions thereof, are gathered together, stored, purchased or kept for shipment, sale or transfer.
 - (2) Every junk dealer shall be licensed and pay an annual license fee of:
 - (A) \$165.00 for the first year; and
 - (B) \$55.00 for each annual renewal.
- (b) PAWNBROKER.
 - (1) "Pawnbroker" means any person engaged in any one or more of the following businesses:

- (A) Pawnbroking;
- (B) Lending money for himself or any other person on personal property, pawns, or pledges in the possession of the lender;
- (C) Purchasing articles of personal property and reselling or agreeing to resell such articles to the vendors or assignees at prices agreed upon at or before the time of such purchase.

(2) Every pawnbroker shall obtain a license and pay an annual license fee of:

- (A) \$165.00 for the first year; and
- (B) \$55.00 for each annual renewal.

(c) SALVAGE COLLECTOR.

(1) "Salvage collector" means a person not having a fixed place of business who goes from house to house or place to place gathering, collecting, buying, selling, or otherwise dealing in secondhand and used machinery and scrap metals including automobiles, tools, implements, or parts or portions thereof, or other articles commonly known as salvage.

(2) Every salvage collector shall be licensed and pay an annual license fee of:

- (A) \$15.00 for the first year; and
- (B) \$5.00 for each renewal.

(d) SECONDHAND DEALER.

(1) "Secondhand dealer" means any person, copartnership, firm or corporation whose principal business is that of engaging in buying, selling, trading, accepting for sale on consignment, accepting for auctioning, or auctioning secondhand personal property.

(2) Every secondhand dealer shall obtain a license and shall pay an annual license fee of:

- (A) \$50.00 for the first year; and
- (B) \$25.00 for each annual renewal.

41.022 Daily Reports.

Junk dealers, pawnbrokers, and secondhand dealers under this chapter shall report to the Sheriff of San Bernardino County at the office of the Sheriff, Courthouse, San Bernardino, California, every day before twelve o'clock noon, on a blank form, all personal property that is required to be reported by this chapter.

The specific information to be set out on the purchase form is as follows:

1. Dealer's name, business, address and telephone number;
2. Date of purchase;
3. Seller's name, description, residence address, vehicle license number, driver's license or County business license number;
4. Material category descriptions;
5. Weight of material, amount paid, and time of payment;

6. Description and identification number of automobile and automobile bodies. Such information may be provided by submission of a vehicle report completed by the seller of any automobile or automobile body. The vehicle report forms will be made available by the Sheriff.

Junk dealers shall make a complete report of information set out on the purchase form and wherever possible include the driver's license number of the seller or sellers, and the motor vehicle license number of the automobile driven by said seller or sellers.

Junk dealers shall include a general description where the scrap or junk is comprised of such things as castings, wire, tubing, pipe or such items which may be commonly described.

Junk dealers shall report on purchase forms all nonferrous materials and shall report the following ferrous materials: fence material, pipe, chain, machinery parts, new foundry castings, cable, automobiles, and automobile bodies.

Any transactions totaling five dollars (\$5.00) or less need not be reported, except automobile or automobile bodies, which may be reported in accordance with item 6., above. It shall not be necessary to report any automobile or automobile bodies purchased from auto dismantlers licensed by the State of California.

Pawnbrokers and secondhand dealers shall make their reports in compliance with the provisions of Business and Professions Code, Section 21500 et seq., of the State of California.

Salvage collectors shall maintain purchase records.

The records required by this section shall be retained for a period of three (3) years and shall be available for inspection upon demand of any law enforcement officer.

The reports shall be written in the English language in a clear and legible manner.

41.023 Inspection.

Every junk dealer, pawnbroker and secondhand dealer shall hold and keep exposed any property acquired by them in the course of their business for inspection on their business premises during business hours.

41.024 Property.

Junk dealers shall hold all personal property received as received except automobile bodies until the expiration of three (3) days after the submission of the report required by this chapter.

41.025 Licenses.

(a) RENEWALS. Upon expiration of any license issued pursuant to this chapter, the holder thereof shall upon the payment of the required license fee, be entitled to a new license for the ensuing year without making

a new application therefor, provided the required license fee is paid before the expiration of the license.

(b) LICENSE NOT TRANSFERABLE. Each license issued hereunder shall be issued to a specific person and shall in no event be transferable from one person to another.

(c) APPLICATION FOR LICENSE, CONTENTS AND INVESTIGATION. Application for licenses under this chapter shall be made in writing and filed with the Clerk of the Board of Supervisors. Each application shall be accompanied by a ten dollar (\$10.00) fee. Said fee shall be credited as part of the first annual license fee. The application shall contain the name of the applicant, the person's interest in the business, his business address, or if the applicant is an itinerant dealer, his residence address. The application shall be immediately referred to the Planning Department, the Building and Safety Department, and to the Sheriff for investigation concerning the applicant's business and character of the applicant. The Planning Department, Building and Safety Department, and the Sheriff shall make reports of their findings, together with a recommendation as to whether or not the applicant shall be granted a license, to the Board of Supervisors within ten (10) days after the application was referred to them.

(d) ISSUANCE OF LICENSE: The Board of Supervisors shall, upon receiving an application and reports of the Planning Department, Building and Safety Department, and the Sheriff, either approve or disapprove the issuance of such license.

(e) TEMPORARY PERMITS. Any applicant for a business license under this chapter may be issued a temporary permit for a period of one (1) year commencing January 19, 1967. During the year such application shall be investigated by the Planning and Building and Safety Departments. Where any violation of County ordinances or pertinent State laws is determined, such violation shall be corrected within the one (1) year period. In the event corrections are not so made within the one (1) year period, the temporary permit shall terminate.

(f) DISPLAY OF LICENSE. Every pawnbroker, junk dealer and secondhand dealer shall display the license issued by the County of San Bernardino in a conspicuous place in his business premises.

(g) SUSPENSION OR REVOCATION OF LICENSE. The Board may, upon its own motion or upon the verified complaint in writing of any person, investigate the actions of any permittee and may temporarily suspend for a period not exceeding one (1) year, or revoke the permit of any permittee who commits any one or more of the acts or omissions constituting grounds for disciplinary action under this chapter.

(h) DISCIPLINARY ACTION - GROUNDS. It shall be a ground for disciplinary action if any permittee, his agent or employee or any person connected or associated with the permittee as partner, director, officer, stockholder, general manager, or person who is exercising managerial authority of or on behalf of the permittee has:

(1) Knowingly made any false, misleading or fraudulent statement of a material fact in an application for a permit, or in any report or record required to be filed with the Board; or

(2) Violated any provision of this chapter or of any statute relating to his permitted activity; or

(3) Been convicted of a felony or any crime involving theft, embezzlement or moral turpitude; or

(4) Committed any act constituting dishonesty or fraud; or

(5) A bad moral character, intemperate habits or a bad reputation for truth, honesty or integrity; or

(6) Committed any unlawful, false, fraudulent, deceptive or dangerous act while conducting a permitted business; or

(7) Published, uttered or disseminated any false, deceptive or misleading statements or advertisements in connection with the operation of a permitted business; or

(8) Violated any rule or regulation adopted by the Board relating to the permittee's business; or

(9) Wilfully failed to comply with the terms of any contract made as a part of the exercise of the permitted business; or

(10) Conducted the permitted business in a manner contrary to the peace, health, safety, and general welfare of the public; or

(11) Demonstrated that he is unfit to be trusted with the privileges granted by such permit; or

(12) Failed to comply with zoning regulations of San Bernardino County.

(i) **SUSPENSION OR REVOCATION WITHOUT HEARING. CONVICTION.** If any person holding a permit under this chapter is convicted in any court of the violation of any law relative to his permit, the Board may revoke the permit forthwith without any further action thereon other than giving notice of revocation to the permittee.

(j) **PROCEDURE.** The licensee may, within ten (10) days after service upon him of a written notice of suspension or revocation of his license, file a request for a hearing with the Board. The request for hearing shall be in writing and signed by or on behalf of the applicant. It need not be verified or follow any particular form. Failure to file such a request for a hearing shall constitute a waiver of the licensee's right to a hearing.

(k) **PENDING REVOCATION OR SUSPENSION PROCEEDINGS – EFFECT ON PERMITTEE.**

(1) **Continuing business.** Pending the final determination of a proceeding for revocation or suspension of a permit, a permittee may continue to engage in the business for the period of his permit or until the Board makes such final determination.

(2) **Renewal – Application.** A permittee may file an application for renewal of a permit pursuant to Subsection (h) accompanied by the required fee during the pendency of a proceeding to suspend or revoke his

permit. Such filing shall continue such permit in full force and effect until the entry of the final order by the Board terminating the proceedings. Failure of the Board to revoke, suspend, limit or condition the permit shall have the effect of granting the permit. The application for renewal shall become a part of the pending proceeding and be subject to all evidence which has been or is thereafter presented. No further notice to the applicant is required and the Board or Hearing Examiner is authorized to consider and make findings upon such application in accordance with this chapter.

41.026 Purchase Report Forms.

The Sheriff of the County of San Bernardino, in conjunction with the Purchasing Agent of the County of San Bernardino, shall immediately upon the adoption and publication of the ordinance codified in this chapter, cause such number of Sheriff's Purchase Report Forms to be printed, as may be necessary for pawnbrokers, junk dealers and secondhand dealers to report the transactions required by this chapter.

41.027 Cost and Inspection of Purchase Report Forms.

The Sheriff of the County of San Bernardino shall cause the blanks referred to in Section 41.026 to be printed in books and shall furnish the books to any junk dealer or secondhand dealer upon payment of the sum specified in Section 16.0226 of Chapter 2 of Title 1, Division 6 of the San Bernardino County Code. Upon the receipt of the report from any of the persons from whom the reports are required, the Sheriff shall file the same in his office and the same shall be open to inspection only to any peace officer and to the District Attorney, Deputy District Attorney or investigator from the office of the District Attorney, or upon the order of a duly authorized court for such purpose.

41.028 Correct Name and Address Required.

(a) Every pawnbroker, junk dealer and secondhand dealer, their agents and employees, shall cause the person or persons by whom property is left in pledge, stored, deposited, or from whom purchased, to sign his true name and give his correct address in each Sheriff's purchase report.

(b) It shall be unlawful for any person or persons to sign a fictitious name or fictitious address in connection therewith.

41.029 Penalty.

Any person violating any provision of this chapter shall be guilty of a misdemeanor and subject to a fine of not more than five hundred dollars (\$500) or imprisonment in the County Jail for not more than six (6) months, or both such fine and imprisonment.

TOWN COUNCIL STAFF REPORT

To: Honorable Mayor & Town Council
From: Curtis Yakimow, Director of Administrative Services
Jessica Rice, Administrative Assistant III
Date: January 13, 2014
For Council Meeting: January 21, 2014
Subject: FY 2013 Homeland Security Grant Program
Authorization to Purchase

Prior Council Review: On November 5, 2013 Council authorized Town Staff to solicit informal bids from three vendors for the purchase of a portable solar message board using the FY 2013 Homeland Security Grant Program (HSGP) funds, and to waive the formal bidding procedures finding that the established procedures (Chapter 3.12) would be impractical for the purchase.

Recommendation: That Town Council authorizes Town Staff to purchase the portable solar message board using the FY 2013 Homeland Security Grant Program (HSGP) funds, from Tops N Barricades, the lowest of four bidders, in the amount of \$15,629.76.

Order of Procedure:

- Staff Report
- Public Comment
- Questions of Staff
- Agency Discussion.
- Motion/Second
- Discussion on Motion
- Call the Question (Roll Call Vote – Consent Agenda)

Discussion: The Town received notification of availability of \$12,476 in Federal funds as part of the FY 2013 cycle of the Homeland Security Grant Program (HSGP). These funds are made available to cities and counties for qualified projects that meet the Federal and County guidelines related to emergency planning, preparation and related equipment.

Staff solicited informal bids from four vendors for a solar powered message board, and Tops N Barricades was the low bidder with a bid of \$15,629.76. The bids are summarized as follows:

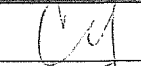
1. Tops N Barricades	\$15,629.76	3. United Traffic	\$17,291.12
2. A Cone Zone	\$15,991.13	4. Hi-Way Safety	\$17,938.31

Reviewed By:


Town Manager

Town Attorney


Mgmt Services


Dept Head

Department Report Ordinance Action Resolution Action Public Hearing
 Consent Minute Action Receive and File Study Session

Alternatives: None recommended

Fiscal impact: The allocation of HSGP funds available to the Town is \$12,476. The remaining funds necessary will be accommodated by the adopted FY 13/14 budget, Gas Tax Fund.

Attachments: Bids
Minutes from November 5, 2013 Town Council Meeting



PLEASE RENT TO:
TOPS N BARRICADES
 44-503 JACKSON ST., INDIO, CA 92201

MAIN OFFICE:
 44-503 JACKSON ST.
 INDIO, CALIFORNIA 92201
 (760) 347-2111
 FAX (760) 347-3680

Cont. Lic. #787664
(800) 852-TOPS

BRANCH OFFICE:
 VICTORVILLE (760) 949-5991

SALE QUOTE

BILL TO: TOWN OF YUCCA VALLEY
 58928 BUSINESS CENTER DRIVE
 YUCCA VALLEY CA 92284

QUOTE #: 96
QUOTE DATE: 07/11/2013

SHIP TO: TOWN OF YUCCA VALLEY
 58928 BUSINESS CENTER DRIVE
 YUCCA VALLEY

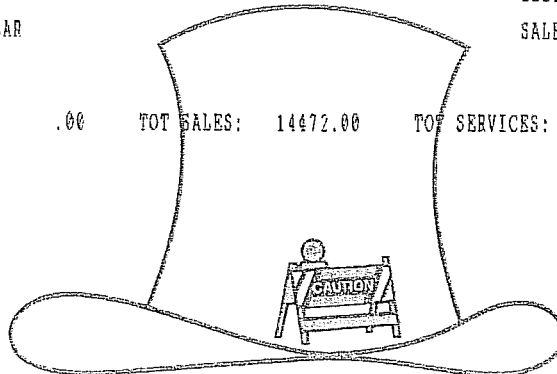
PO#: SALES QUOT
REF: JESSICA
CUSTOMER: 761
TEL: 760-369-7207
TERMS: NET 30

PAGE: 1

SALES QUOTE FOR SUNRAY 490 SOLAR POWERED MESSAGE BOARD
 INCLUDES THE DIGITAL COMMUNICATION CELL KIT & INTELLESTAT
 TRAFFIC COUNTING SOFTWARE
 INCLUDES DELIVERY TO YUCCA VALLEY CITY YARD

CUSTOMER RESPONSIBLE FOR ANY DAMAGE & OR LOSS
 MINIMUM RENTAL \$15.00

PRODUCT #	DESCRIPTION/COMMENTS	STATUS	QUANTITY	UNIT PRICE	AMOUNT
S/MISC	SUNRAY 490 FULL MATRIX SOLAR	SALE	1	14472.00	14472.00
TOT RENTALS: .00		TOT SALES: 14472.00		TOT SERVICES: .00	
				SUBTOTAL:	14472.00
				SN BERN CO	1157.76
				TOTAL:	15629.76



ental agreement and conditions on the reverse side are
 accepted by customer



A Cone Zone, Inc.
 160 N. Joy St.
 Corona, CA 92879
 951-734-9535
 Fax 951-734-2887
 LIC# 851996 C-31

QUOTATION

Quote Date	Quote ID
7/11/2013	JC130711-2

Valid Through: 6/6/2013

THE TOWN OF YUCCA VALLEY

Jessica Rice
 58928 BUSINESS CENTER DR
 YUCCA VALLEY, CA 92284
 Fax: 760-228-0084
 Email: jrice@yucca-valley.org

Job Location:

CITY WIDE
 YUCCA VALLEY
 Quote Created By: John Castillo
 Estimated Days: 1

Item Description	Price	UOM	Qty/Day	Days	Total Qty.	Total
SUNRAY 490 FULL MATRIX SOLAR MESSAGE BOARD *	\$13,703.93	EACH	1	1	1	\$13,703.93
OPTION 1: DIGITAL COMMUNACATION KIT *	\$985.50	EACH	1	1	1	\$985.50
OPTION 2: TRAFFIC COUNTING SOFTWARE *	\$117.17	EACH	1	1	1	\$117.17

Note: The * indicates taxable items.

APPROX 1-2 WEEKS ARO

SUBTOTAL	\$14,806.60
SALES TAX (8%)	\$1,184.53
QUOTE TOTAL	\$15,991.13

Add'l Terms: Invoices are payable with Terms of Net 30 Days.

This quote is confidential and intended for addressed recipient only and is not to be disclosed to any other company(s) and/or person(s).

See attached Exhibit A - Terms and Conditions made a part hereof.

Created By:

Accepted By:

John Castillo
 A Cone Zone, Inc.

Date

Signature

Date

Print Name

Title

Company

Visit Our Website at www.AConeZone.com

United Traffic Services & Supply

14000 East Valley Blvd.
City of Industry, CA 91746

Quote

Date	Estimate #
7/11/2013	6745

Name / Address
Town of Yucca Valley Attn: Jessica Rice 57090 Twentynine Palms Hwy Yucca Valley, Ca 92284

Terms	Rep	Job #	PO#
Net 30	KH		

Item	Description	Qty	Cost	Total
001-11	Sunray 490 - Solar Powered - Full Matrix Portable Changeable Solar Message Sign	1	14,852.25	14,852.25
001-11	Digital Communication Cell Kit	1	1,035.00	1,035.00
001-11	Intelstat Traffic Counting Software	1	123.05	123.05
	** FREE DELIVERY **			

Quoted Prices Good For 30 Days From Date Of Issuance	Subtotal	\$16,010.30
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QUOTE ENTERED BY:	Sales Tax (8.0%)	\$1,280.82
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Total	\$17,291.12
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Phone #	Fax #
626-961-5736	626-961-4746

**** ALL SALES ARE FINAL ****

Contractors License#785683 A-General Engineering, C-31 Work Zone Traffic Control, C-32 Highway Improvements

Type	Shipping Method
<input type="radio"/> Sales <input type="radio"/> Rentals <input checked="" type="radio"/> Quotation	<input checked="" type="radio"/> Delivery <input type="radio"/> Will Call <input type="radio"/> Freight

Salesman ID: KRIS H

Customer	THE TOWN OF YUCCA VALLEY	Quote Date	07/11/13
Location	57090 TWENTYNINE PALMS	Delivery Date	
	YUCCA VALLEY, CA. 92284	Job #	
Contact	JESSICA RICE	P.O. #	
Phone	760-369-7207 EXT 227	Fax	760-369-0626

Product #	Qty	Unit	Description	Unit Price	TOTAL
	1	EA	96L 3 MESSAGE BOARD W / DIGITAL COMMUNICATION CELL KIT & INTELLESTAT TRAFFIC COUNTING SOFTWARE	\$ 16,495.00	\$ 16,495.00
			QUOTE		\$ -
			PLUS MONTHLY FEE'S WE ARE NOT SURE ON THE PRICE AT THIS TIME		\$ -
			DELIVERY CHINO		\$ -
			AVAILIBLITY 1 MONTH		\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
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					\$ -

Standard wage rates apply. Certified wages do not apply unless specifically stated. Overtime, doubletime, and Saturday & Sunday rates do not apply unless stated in proposal.	SUBTOTAL	\$ 16,495.00
1. INSTALLATIONS EXCLUDE ANY CUTTING OR CORING OF ASPHALT OR CONCRETE	DELIVERY	\$0.00
2. (1) MOVE IN INCLUDED UNLESS OTHERWISE NOTED.	TAX RATE	8.75%
3. THIS QUOTE WILL BE HONORED FOR 30 DAYS	TAX	\$1,443.31
4. ALL CUSTOM ORDERS ARE NON-REFUNDABLE.	FREIGHT	
5. SALES TERMS & CONDITIONS APPLY	LABOR	
<i>Insurance Certificates will be provided upon request. The request must include certificate requirements. If CUSTOMER requires a Waiver of Subrogation an additional endorsement fee of \$250- will be billed directly to CUSTOMER</i>	OTHER	
	TOTAL	\$17,938.31

To accept this quote please sign and fax to: Chino (909) 627-0999
Escondido (760) 745-2094

PRINT NAME

SIGNATURE

TITLE

DATE

Authority to Sign: Any individual signing represents and warrants that he/she is of legal age, and has the authority and power to sign on their own behalf or on behalf of the Lessee.

Council Member Leone moved to remove items 9-12 and approve the Yucca Valley Town Council meeting agenda, including items 1-8 and 13, for November 5, 2013. Mayor Pro Tem Lombardo seconded. Motion carried 5-0 on a voice vote.

CONSENT AGENDA

4. **Waive** further reading of all ordinances and read by title only.
5. **Approve** the Town Council Meeting minutes of September 3, 2013 and September 17, 2013 and the Special Town Council Meeting minutes of September 19, 2013 as presented
6. **Award** the construction contract to Cicero Engineering, in the amount of \$105,800. And authorize a construction contingency in the amount of \$9,200. For a total contract amount not to exceed \$115,000. Authorizing the Mayor, Town Manager, and Town Attorney to sign all necessary documents, and authorizing the Town manager to expend the contingency fund, if necessary, to complete the project.
7. **Adopt** Resolution No. 13-37 and approve the granting of an easement to the public for street and utility purposes for Antelope Trail, as described in Attachment "A" to this staff report, and authorizes the Mayor to sign the grant of easement, and directs the Town Clerk to record the easement with the San Bernardino County Recorder's Office.
8. **Authorize** Town Staff to solicit informal bids from three vendors for the purchase of a portable solar message board using the FY 2013 Homeland Security Grant Program (HSGP) funds, and to waive the informal bidding procedures finding that the established procedures (Chapter 3.12) would be impractical for this purchase

Item 9-12 removed from agenda.

Mayor Abel opened public comment for the consent items. With no members of the public wishing to speak, Mayor Abel closed public comments.

Mayor Abel commented on Item 8, asking for clarification that informal bid results are also considered public records.

Council Member Leone confirmed that Item 7, has nothing to do with the closure of antelope Trail for the Senior Housing Project.

Council Member Huntington moved to approved Consent Items 4-8. Council Member Rowe seconded. Motion carried 5-0 on a voice vote.

AYES: Council Members Huntington, Leone, Lombardo, Rowe and Mayor Abel

NOES: None
ABSTAIN: None
ABSENT: None

DEPARTMENT REPORTS

13. Request for Amendment to Existing Relocation & Settlement Agreement California Alternative Medicinal Solutions

Deputy Town Manager Stueckle presented the staff report explaining that California Alternative Medicinal Solutions (CAMS) representatives have requested an amendment to the existing agreement allowing additional time for operations. CAMS, a medical marijuana dispensary in Yucca Valley has been operating under the current Relocation and Settlement Agreement since August 3, 2010.

Mayor Abel opened public comments.

William Green, Yucca Valley spoke in opposition to granting additional time to CAMS existing agreement.

Lori Green, Yucca Valley also spoke in opposition to allowing additional time to CAMS existing agreement.

Brian Nicholson, CAMS owner spoke of the benefits of medical marijuana and how it fills a role in the community.

With no other members of the public wishing to speak, Mayor Abel closed public comment.

Council Member Rowe questioned Nicholson, if he has met with school resource officers about controlling medical marijuana availability in the home.

Mayor Pro Tem Lombardo confirmed that the project being sold is not consumed on the business premises. Lombardo also questioned how money changes hands. Nicholson explained that donations are received for the project and those donations are distributed throughout the co-op.

Council Member Leone questioned the forms of marijuana offered locally and spoke of concern for abuse of the medical cards.

Council Member Huntington inquired about sales tax revenue.

Mayor Abel re-opened public comment.

TOWN COUNCIL STAFF REPORT

To: Honorable Mayor & Town Council
From: Curtis Yakimow, Director of Administrative Services
Sharon Cisneros, Senior Accountant

Date: January 15, 2014

**For
Council**

Meeting: January 21, 2014

Subject: Authorization to submit a grant application to the California Department of Housing and Community Development for Housing-Related Parks Program funding.

Prior Council Review: None

Recommendation: That the Council:

- Adopts the resolution authorizing staff to submit a grant application to the California Department of Housing and Community Development to seek Housing-Related Parks Program funding for additional Paradise Park improvements.
- Authorizes the Director of Administrative Services as the official designated and authorized to represent the Town on current and subsequent park specific grant documents, reimbursement requests and reports.

Order of Procedure:

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

Discussion:

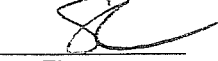
The California Department of Housing and Community Development released program guidelines for funding through the Housing-Related Parks (HRP) Program. The HRP Program is one of several initiatives funded by the Housing and Emergency Shelter Trust Fund Act of 2003 (Proposition 1C). The Program is designed to encourage cities and counties to develop new residential housing by rewarding those jurisdictions that approve housing affordable to lower-income households by funding the creation and renovation of community parks.

Reviewed By:


Town Manager

Town Attorney


Mgmt Services


Finance

Department Report

Ordinance Action

Resolution Action

Public Hearing

Consent

Minute Action

Receive and File

Study Session

With the issuance of the building permits associated with the senior housing development project sponsored by National CORE, the Town became eligible for application of a program grant. If successful, grant proceeds are anticipated to be in the range of \$130,000 - \$150,000.

The proposed park project is designed to provide significant improvements to an existing neighborhood park developed in the 1960's and located in an area within the Town that is economically disadvantaged. The funding sought in this grant will be leveraged with other sources such as Community Development Block Grant, impact fees, park fees and corporate donations to provide improvements which may include, but are not limited to, playground equipment replacement, sport court refurbishment/relocation, regional wastewater connection, practice field installation, wellness path development, and security and indoor facility improvements. Total estimated costs for the project are anticipated to range between \$350,000 - \$500,000.

The application period to apply for funding under the Housing-Related Parks (HRP) Program is currently open. With formal Council authorization, staff will finalize the grant application to seek funding to assist with the park improvement project. The grant application deadline is January 22, 2014.

Financial Impact: None with this action. If successful, grant proceeds are anticipated to be in the range of \$130,000 - \$150,000.

Alternatives: Decline to authorize the submittal of the grant application.

Attachments: Authorizing resolution

RESOLUTION NO. 14-

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY
AUTHORIZING APPLICATION FOR HOUSING RELATED PARKS GRANT

WHEREAS:

- A. The State of California, Department of Housing and Community Development (Department) has issued a Notice of Funding Availability dated October 2, 2013 (NOFA), under its Housing-Related Parks (HRP) Program.
- B. Town of Yucca Valley (Applicant) desires to apply for a HRP Program grant and submit the 2013 Designated Program Year Application Package released by the Department for the HRP Program.
- C. The Department is authorized to approve funding allocations for the HRP Program, subject to terms and conditions of the NOFA, Program Guidelines, Application Package, and Standard Agreement.

THEREFORE, BE IT RESOLVED THAT:

1. Applicant is hereby authorized and directed to apply for and submit to the Department the HRP Program Application Package released October 2013 for the 2013 Designated Program Year. If the application is approved, the Applicant is hereby authorized and directed to enter into, execute, and deliver a State of California Standard Agreement (Standard Agreement), and any and all other documents required or deemed necessary or appropriate to secure the HRP Program Grant from the Department, and all amendments thereto (collectively, the "HRP Grant Documents").
2. Applicant shall be subject to the terms and conditions as specified in the Standard Agreement. Funds are to be used for allowable capital asset project expenditures to be identified in **Exhibit A** of the Standard Agreement. The application in full is incorporated as part of the Standard Agreement. Any and all activities funded, information provided, and timelines represented in the application are enforceable through the Standard Agreement. Applicant hereby agrees to use the funds for eligible capital asset(s) in the manner presented in the application as approved by the Department and in accordance with the NOFA and Program Guidelines and Application Package.
3. That Director of Administrative Services is authorized to execute in the name of Applicant the HRP Program Application Package and the HRP Grant Documents as required by the Department for participation in the HRP Program.

PASSED, APPROVED AND ADOPTED this 21st day of January, 2014

MAYOR

ATTEST:



TOWN COUNCIL STAFF REPORT

To: Honorable Mayor & Town Council
From: Curtis Yakimow, Director of Administrative Services
 Sharon Cisneros, Senior Accountant
Date: January 13, 2014
For Council Meeting: January 21, 2013
Subject: AB1234 Reporting Requirements

Prior Council Review: Current reimbursement policy for Council members and Redevelopment Agency members reviewed and approved by Council August 2006.

Recommendation: Receive and file the AB1234 Reporting Requirement Schedule for the month of December 2013.

Order of Procedure:

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

Discussion: AB1234 requires members of a legislative body to report on "meetings" attended at public expense at the next meeting of the legislative body. "Meetings" for purpose of this section are tied to the Brown Act meaning of the term: *any congregation of a majority of the members of a legislative body at the same time and place to hear, discuss, or deliberate upon any item that is within the subject matter jurisdiction of the legislative body or the local agency to which it pertains.* Qualifying expenses include reimbursement to the member related to meals, lodging, and travel.

An example of when a report is required is when a Town Council member represents his or her agency on a joint powers agency board and the Town pays for the official's expenses in serving in that representative capacity. Additionally, in the spirit of AB1234, the Yucca Valley Town Council also reports all travel related to conference and training attended at public expense.

Reviewed By:



 Town Manager

 Town Attorney



 Admin Services



 Finance

Department Report
 Ordinance Action
 Resolution Action
 Public Hearing
 Consent
 Minute Action
 Receive and File
 Study Session

Although the AB1234 report can be either written or oral, this report must be made at the next meeting of the legislative body that paid for its member to attend the meeting.

Alternatives: None.

Fiscal impact: There is no anticipated financial impact associated with the recommended approval of AB1234 reporting requirements.

Attachments: AB1234 Reporting Requirement Schedule

Town of Yucca Valley

Councilmember AB1234 Meetings Schedule Month of December 2013

<u>Date of Travel</u>	<u>Organization</u>	<u>Description</u>	<u>Location</u>
-----------------------	---------------------	--------------------	-----------------

Mayor Abel

No Reportable Meetings

Mayor Pro Tem Lombardo

No Reportable Meetings

Councilmember Huntington

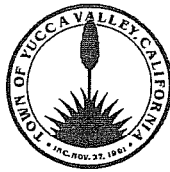
No Reportable Meetings

Councilmember Rowe

No Reportable Meetings

Councilmember Leone

No Reportable Meetings



TOWN COUNCIL STAFF REPORT

To: Honorable Mayor & Town Council
From: Curtis Yakimow, Administrative Services Director
Date: January 13, 2014
Council Meeting: January 21, 2014
Subject: Warrant Register January 21, 2014

Recommendation:

Ratify the Payroll Registers total of \$ 374,224.73 dated December 06, 2013 thru January 03, 2014. Warrant Registers total of \$1,264,438.96 for checks dated December 19, 2013 to January 09, 2014.

Order of Procedure:

- Department Report
- Request Staff Report
- Request Public Comment
- Council Discussion
- Motion/Second
- Discussion on Motion
- Call the Question (Roll Call Vote, Consent Agenda Item)

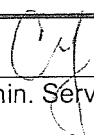
Attachments:

- Payroll Register No. 22 dated December 06, 2013 total of \$117,762.71
- Payroll Register No. 24 dated December 20, 2013 total of \$138,910.80
- Payroll Register No. 26 dated January 03, 2014 total of \$117,551.22
- Warrant Register No. 29 dated December 19, 2013 total of \$ 892,529.41
- Warrant Register No. 31 dated January 09, 2014 total of \$ 371,909.55

Reviewed By:


Town Manager

Town Attorney


Admin. Services


Finance

- | | | | |
|---|---|--|---|
| <input 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 Item |

TOWN OF YUCCA VALLEY
PAYROLL REGISTER # 22
CHECK DATE - December 06, 2013

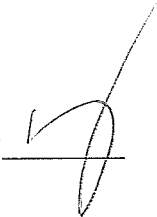
Fund Distribution Breakdown

Fund Distribution

General Fund	\$107,596.65
Gas Tax Fund	10,166.06
Successor Agency	0.00 **
	<hr/>

Grand Total Payroll	\$117,762.71
	<hr/> <hr/>

****This is not an obligation of the Town of Yucca Valley.**

Prepared by P/R & Financial Specialist: 

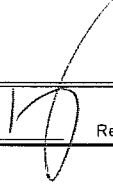

Reviewed by H/R & Risk Mgr.: 

Town of Yucca Valley
Payroll Net Pay & Net Liability Breakdown

Pay Period 22 - Paid 12/06/2013

(November 16, 2013 - November 29, 2013)

Checks: 4788 - 4794

	Employee	Employer	Total
<u>Net Employee Pay</u>			
Payroll Checks	\$3,189.43		\$3,189.43
Direct Deposit	57,575.53	-	57,575.53
Sub-total	60,764.96		60,764.96
<u>Employee Tax Withholding</u>			
Federal	9,979.42		9,979.42
Medicare	1,133.51	1,133.52	2,267.03
SDI - EE	-	-	-
State	3,048.31		3,048.31
Sub-total	14,161.24	1,133.52	15,294.76
<u>Employee Benefit & Other Withholding</u>			
Misc. Payroll Adjustment Credit's	-	-	-
Deferred Compensation	2,199.12	907.36	3,106.48
PERS Survivor Benefit	34.00		34.00
Health Café Plan	1,422.24	10,856.57	12,278.81
American Fidelity Pre-Tax	77.94		77.94
American Fidelity After-Tax	97.40		97.40
American Fidelity-FSA	627.86		627.86
PERS EE - Contribution 6.25 %	160.97		160.97
PERS EE - Contribution 7%	901.65		901.65
PERS EE - Contribution 8%	4,556.76		4,556.76
PERS Retirement - Employer 6.25 %	-	160.97	160.97
PERS Retirement - Employer 7.846 %	-	1,036.78	1,036.78
PERS Retirement - Employer 18.586 %	-	11,112.63	11,112.63
Wage Garnishment - Employee	10.00		10.00
Life & Disability Insurance		760.62	760.62
Other Post Employee Benefit's		2,212.03	2,212.03
Unemployment Insurance		1,390.30	1,390.30
Workers' Compensation		3,177.79	3,177.79
Sub-total	10,087.94	31,615.05	41,702.99
Gross Payroll	\$85,014.14	\$32,748.57	\$117,762.71
Prepared by P/R & Financial Specialist:  Reviewed by H/R & Risk Mgr.: 			

TOWN OF YUCCA VALLEY
PAYROLL REGISTER # 24
CHECK DATE - December 20, 2013

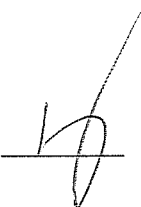
Fund Distribution Breakdown

Fund Distribution

General Fund	\$128,390.34
Gas Tax Fund	10,520.46
Successor Agency	<u>0.00</u> **



Grand Total Payroll \$138,910.80

****This is not an obligation of the Town of Yucca Valley.**

Prepared by P/R & Financial Specialist: 

Reviewed by H/R & Risk Mgr.: 

Town of Yucca Valley
Payroll Net Pay & Net Liability Breakdown
Pay Period 24 - Paid 12/20/2013
(November 30, 2013 - December 13, 2013)
Checks: 4795 - 4800

	Employee	Employer	Total
<u>Net Employee Pay</u>			
Payroll Checks	\$3,391.16		\$3,391.16
Direct Deposit	69,003.12	-	69,003.12
Sub-total	72,394.28		72,394.28
<u>Employee Tax Withholding</u>			
Federal	13,051.74		13,051.74
Medicare	1,520.67	1,425.65	2,946.32
SDI - EE	-	-	-
State	4,158.27		4,158.27
Sub-total	18,730.68	1,425.65	20,156.33
<u>Employee Benefit & Other Withholding</u>			
Misc. Payroll Adjustment Credit's	-	214.60	214.60
Deferred Compensation	3,299.68	2,883.01	6,182.69
PERS Survivor Benefit	44.00		44.00
Health Café Plan	1,422.24	10,971.11	12,393.35
American Fidelity Pre-Tax	77.94		77.94
American Fidelity After-Tax	97.40		97.40
American Fidelity-FSA	627.86		627.86
PERS EE - Contribution 6.25 %	160.97		160.97
PERS EE - Contribution 7%	935.18		935.18
PERS EE - Contribution 8%	4,711.53		4,711.53
PERS Retirement - Employer 6.25 %	-	160.97	160.97
PERS Retirement - Employer 7.846 %	-	1,075.32	1,075.32
PERS Retirement - Employer 18.586 %	-	11,490.11	11,490.11
Wage Garnishment - Employee	75.00		75.00
Life & Disability Insurance		760.62	760.62
Other Post Employee Benefit's		2,375.85	2,375.85
Unemployment Insurance		1,514.65	1,514.65
Workers' Compensation		3,462.15	3,462.15
Sub-total	11,451.80	34,908.39	46,360.19
Gross Payroll	\$102,576.76	\$36,334.04	\$138,910.80
Prepared by P/R & Financial Specialist: 	Reviewed by H/R & Risk Mgr.: 		


TOWN OF YUCCA VALLEY
PAYROLL REGISTER # 26
CHECK DATE - January 03, 2014

Fund Distribution Breakdown

Fund Distribution

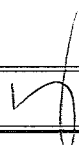
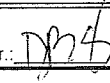
General Fund	\$107,339.64
Gas Tax Fund	10,211.58
Successor Agency	<u>0.00</u> **
Grand Total Payroll	<u><u>\$117,551.22</u></u>

****This is not an obligation of the Town of Yucca Valley.**

Prepared by P/R & Financial Specialist: 

Reviewed by H/R & Risk Mgr.: 

Town of Yucca Valley
Payroll Net Pay & Net Liability Breakdown
 Pay Period 26 - Paid 01/03/2014
 (December 14, 2013 - December 27, 2013)
 Checks: 4801 - 4808


	Employee	Employer	Total
<u>Net Employee Pay</u>			
Payroll Checks	\$2,718.09		\$2,718.09
Direct Deposit	58,137.90	-	58,137.90
Sub-total	60,855.99		60,855.99
<u>Employee Tax Withholding</u>			
Federal	9,670.12		9,670.12
Medicare	1,128.89	1,128.90	2,257.79
SDI - EE	-	-	-
State	2,926.14		2,926.14
Sub-total	13,725.15	1,128.90	14,854.05
<u>Employee Benefit & Other Withholding</u>			
Misc. Payroll Adjustment Credit's	-	-	-
Deferred Compensation	2,201.58	942.90	3,144.48
PERS Survivor Benefit	34.00		34.00
Health Café Plan	1,422.24	10,840.22	12,262.46
American Fidelity Pre-Tax	29.95		29.95
American Fidelity After-Tax	85.25		85.25
American Fidelity-FSA	647.86		647.86
PERS EE - Contribution 6.25 %	160.97		160.97
PERS EE - Contribution 7%	901.42		901.42
PERS EE - Contribution 8%	4,511.55		4,511.55
PERS Retirement - Employer 6.25 %	-	160.97	160.97
PERS Retirement - Employer 7.846 %	-	1,036.51	1,036.51
PERS Retirement - Employer 18.586 %	-	11,002.41	11,002.41
Wage Garnishment - Employee	10.00		10.00
Life & Disability Insurance		1,119.48	1,119.48
Other Post Employee Benefit's		2,196.49	2,196.49
Unemployment Insurance		1,380.96	1,380.96
Workers' Compensation		3,156.42	3,156.42
Sub-total	10,004.82	31,836.36	41,841.18
Gross Payroll	\$84,585.96	\$32,965.26	\$117,551.22
Prepared by P/R & Financial Specialist:  Reviewed by H/R & Risk Mgr.: 			

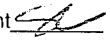
WARRANT REGISTER # 29
CHECK DATE - DECEMBER 19, 2013


FUND DISTRIBUTION BREAKDOWN

Checks # 43859 to # 43974 are valid

GENERAL FUND # 001	\$447,915.60
INTERNAL SERVICE FUND # 100	\$3,058.89
DEPOSITS FUND # 200	\$9,804.87
COPS-LLESA FUND # 511	\$38.01
AB2928-TCRP FUND # 513	\$392,682.74
STREET MAINTENANCE FUND # 515	\$7,082.72
MEASURE I 2010-2040 FUND # 524	\$14,606.53
PUBLIC LANDS FEDERAL GRANT FUND # 527	\$4,232.96
SAFE ROUTES TO SCHOOLS FUND # 529	\$12,615.00
CAPITAL PROJECTS FUND # 800	\$492.09
GRAND TOTAL	<u><u>\$892,529.41</u></u>

Prepared by Shirlene Doten, Accounting Technician II 

Reviewed by Sharon Cisneros, Senior Accountant 

Approved by Curtis Yakimow, Administrative Services Director 

Town of Yucca Valley

Warrant Register

December 19, 2013

Fund	Check #	Vendor	Description	Amount
001		GENERAL FUND		
	43860	Animal Care Equip. & Svs.	Shelter Equipment	\$ 2,455.92
	43861	Addiction Medicine Consultants	2014 D.O.T. Testing Program	630.00
	43862	Aleshire & Wynder, LLC	11/13 Professional Services	12,630.16
	43863	Ruth Alkire	Contract Instructor	33.60
	43864	Alsco/American Linen, Inc.	Facilities Operating Supplies	303.06
	43865	Janet Anderson	01/14 Medical Insurance	844.62
	43866	Janet Anderson	Professional Services	120.00
	43867	Animal Action League	Spay & Neuter Services	2,565.00
	43868	Arrowhead Mountain Water	Office Supplies	390.80
	43869	Blue Shield of California	01/14 Medical Insurance Premium	1,246.21
	43871	Cheyenne Bonnell	Contract Instructor	53.20
	43872	Carol Boyer	Contract Instructor	60.20
	43873	Debra Breidenbach-Sterling	PARSAC Meeting Expense	210.18
	43874	Brian's Lockshop	Brehm 1 Park Locks	633.47
	43875	Builders Supply-Yucca Valley	Facilities Maintenance	58.97
	43876	C & S Electric	Facilities Maintenance	154.28
	43877	C & S Electric	Security Lighting Supplies	327.72
	43878	C & S Electric	Facilities Maintenance	477.74
	43879	Vanessa Cantu	Professional Services	1,960.00
	43880	CDW Government, Inc.	Computer Maintenance	160.39
	43881	Charles Abbott & Assoc, Inc.	Plan Check Services	18,729.13
	43882	Janine Cleveland	Contract Instructor	168.00
	43882	Janine Cleveland	01/14 Medical Insurance	104.90
	43883	Companion Animal Clinic	Veterinary Services & Supplies	54.00
	43884	Lesley Copeland	Mileage Reimbursement	175.15
	43885	Corelogics Information Solution	Subscription Renewal	2,680.00
	43887	Robert Cox	Contract Instructor	33.60
	43888	C.S. Legacy Construction, Inc.	TCRP Retention Account	20,646.33
	43890	Cyber Photographics	Uniform Expense	118.57
	43891	Data Ticket	Citation Processing Service	209.00
	43892	Dept. of Pesticide Regulation	Pesticide License Renewal	60.00
	43893	Dept. of Pesticide Regulation	Pesticide License Renewal	60.00
	43894	Dept. of Toxic Substances	EPA ID Verification Fee	150.00
	43895	Desert Pacific Exterminators	Animal Shelter Exterminator Svs.	49.00
	43896	Desert Arc	Park Maintenance Services	4,095.00
	43897	Desert Green Landscape	Abatement Service	1,035.17
	43898	Dillon Concrete	Community Center Maintenance	3,100.00
	43899	Employment Develop. Dept.	07-09/13 Unemployment Insurance	18,749.00
	43900	Ewing Irrigation, Inc.	Parks Irrigation Supplies	312.88
	43901	Farmer Bros. Co.	Office Supplies	267.65

Town of Yucca Valley

Warrant Register

December 19, 2013

Fund	Check #	Vendor	Description	Amount
	43902	FedEx	Delivery Service	92.24
	43903	Catherine Fletcher	Contract Instructor	30.80
	43905	G & K Propane	Maintenance Supplies	11.58
	43906	Gaylord Bros, Inc.	Office Supplies	19.86
	43908	Graphic Penguin	Web Site Maintenance	340.00
	43909	Joy Groves	Contract Instructor	309.43
	43910	Totalfunds by Hasler	Postage	434.92
	43911	Lori Herbel	Contract Instructor	472.50
	43912	Hi-Desert Air, Inc.	Facilities Maintenance	55.00
	43913	Hi-Desert Glass	Facilities Emergency Repair	389.50
	43914	Hi-Desert Water	Water Service	1,158.30
	43916	Hi-Desert Star	Subscription Renewal	89.00
	43917	Honeywell	HVAC Maintenance Contract	10,686.25
	43918	Inland Empire Stages Unlimited	Adult Trip Services	1,818.00
	43919	Susan Jordan	Contract Instructor	266.00
	43920	Heather Kaczmarczk	Contract Instructor	979.50
	43921	Knorr Systems, Inc.	YVHS Pool Maintenance	31.48
	43922	KV Vet Supply Co.	Shelter Supplies	258.00
	43923	League of Calif Cities - Reg	2014 Annual Membership Dues	7,940.00
	43925	David Luse	Contract Instructor	28.00
	43926	Connie Madras	Recreation Trip Refund	85.00
	43927	Mark S. Mahoney	Hearing Official	600.00
	43928	Krista McVey	Recreation Trip Refund	110.00
	43930	Navitas Lease Corp.	Shelter Phone Lease	547.15
	43932	Sierra Oakes	Contract Instructor	23.80
	43933	Oasis Office Supply, Inc.	Office Supplies	344.24
	43934	Ole's Alignment & Brake	Vehicle Maintenance	65.00
	43935	Carl Otteson	Home Depot Median Irrigation	950.00
	43936	Pacific Telemanagement Svcs.	Public Phone Service	82.64
	43937	Premier Pet Products, LLC	Shelter Adoption Supplies	242.13
	43938	Pro Video	Town Council Taping	200.00
	43939	QuarterMaster	Shelter Uniform Expense	69.80
	43940	Ron's Automotive	Vehicle Maintenance	48.53
	43941	Linda Sande	Contract Instructor	44.10
	43942	SBCO - Information Services	11/13 Radio Access	2,058.11
	43943	SBCO Sheriff's Dept	12/13 Professional Services	293,590.00
	43944	SBCO Sheriff's Dept	Work Release Injury	690.00
	43945	Office of the County Recorder	Filing Fee	63.00
	43946	SCE	Electric Service	10,351.81
	43948	Beverly Schmuckle	Contract Instructor	25.20
	43950	Signs by Wanda	Signage	463.80
	43951	Simplot Partners, Inc.	Parks Maintenance Supplies	1,115.11

Town of Yucca Valley

Warrant Register

December 19, 2013

Fund	Check #	Vendor	Description	Amount
	43952	So. Cal. Gas Co.	Natural Gas Vehicle Fuel	13.00
	43953	Southwest Networks, Inc.	Technology Support	2,959.20
	43954	Sprint	Cell Phone Service	3.37
	43955	TFI Resources, Inc.	Temporary Employment Svs.	2,510.64
	43956	That Shirt Place	Recreation Program Expense	1,346.64
	43957	Time Warner Cable	Internet & Cable Expense	464.62
	43958	Trophy Express	Engraving Service	95.04
	43959	Turf Star, Inc.	Parks Equipment Maintenance	983.34
	43960	Vagabond Welding Supply	Shelter Facility Expense	33.61
	43961	VCA Yucca Valley Animal	Veterinary Services	89.24
	43962	Verizon	Long Distance Service	159.51
	43964	Valley Independent	Printing Expense	271.62
	43965	US Bank Voyager Fleet Systems	Vehicle Fuel	142.50
	43966	Walmart Community	Shelter Supplies	881.83
	43967	West Tech Refrigeration	Equipment Maintenance	601.25
	43968	Woods Auto Repair	Fleet Vehicle Maintenance	1,240.58
	43969	Elizabeth (Betty) Wulf	Contract Instructor	40.60
	43970	Yucca Auto Body	Vehicle Repair	1,841.02
	43971	Yucca Valley Quick Lube, LLC	Fleet Vehicle Maintenance	114.04
	43972	YV Chrysler Center	Facility Rental Refund	500.00
	43973	Yucca Valley Lobos Football	Facility Rental Refund	200.00
	43974	Yucca Valley Auto Parts, Inc.	Maintenance Supplies	131.27
Total 001	GENERAL FUND			\$ 447,915.60
100 INTERNAL SERVICE FUND				
	43907	GE Capital Corporation	Copier Leases	\$ 2,916.00
	43964	Valley Independent	Window Envelope Printing	142.89
Total 100	INTERNAL SERVICE FUND			\$ 3,058.89
200 DEPOSITS FUND				
	43924	Legacy Office Products	Copying Service	\$ 34.87
	43931	NRO Engineering	Engineering Services	4,850.00
	43949	Schoepner Shows	Special License Refund	4,920.00
Total 200	DEPOSITS FUND			\$ 9,804.87
511 COPS-LLESA				
	43963	Verizon Wireless	Sheriff's Office Phone Svs.	\$ 38.01
Total 511	COPS-LLESA			\$ 38.01

Town of Yucca Valley

Warrant Register

December 19, 2013

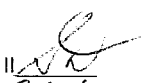
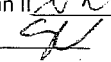

Fund	Check #	Vendor	Description	Amount
513 AB2928-TCRP FUND				
	43889	C.S. Legacy Construction, Inc.	TCRP Project	\$ 392,280.24
	43931	NRO Engineering	Engineering Service	402.50
Total 513	AB2928-TCRP FUND			\$ 392,682.74
515 GAS TAX				
	43859	A Cone Zone, Inc.	Street Name Signage	\$ 1,082.70
	43864	AlSCO/American Linen, Inc.	Streets Uniform Service	66.00
	43870	Bobcat of Cerritos	Vehicle Repair	2,832.74
	43875	Builders Supply-Yucca Valley	Maintenance Supplies	96.07
	43890	Cyber Photographics	Uniform Expense	226.61
	43904	Fred's Tires	Vehicle Maintenance	380.00
	43915	Hi-Desert Water	Bulk Meter Repair	179.00
	43946	SCE	Electric Service	793.59
	43968	Woods Auto Repair	Vehicle Maintenance	1,296.78
	43974	Yucca Valley Auto Parts, Inc.	Vehicle Maintenance	129.23
Total 515	GAS TAX			\$ 7,082.72
524 MEASURE I - 2010-2040 FUND				
	43886	Counts Unlimited	Annual Census Counts	\$ 7,435.00
	43946	SCE	Electric Service	7,171.53
Total 524	MEASURE I - 2010-2040 FUND			\$ 14,606.53
527 PUBLIC LANDS FEDERAL GRANT FUND				
	43931	NRO Engineering	Engineering Service	\$ 1,840.00
	43947	SCE	Church Street Project	2,392.96
Total 527	PUBLIC LANDS FEDERAL GRANT FUND			\$ 4,232.96
529 SAFE ROUTES TO SCHOOLS FUND				
	43929	Minagar & Associates, Inc.	Safe Routes to School Project	\$ 12,615.00
Total 529	SAFE ROUTES TO SCHOOLS FUND			\$ 12,615.00
800 CAPITAL PROJECT RESERVE FUND				
	43914	Hi-Desert Water	Water Service	\$ 492.09
Total 800	CAPITAL PROJECT RESERVE FUND			\$ 492.09
***	Report Total			\$ 892,529.41

WARRANT REGISTER # 31
CHECK DATE - JANUARY 9, 2014

FUND DISTRIBUTION BREAKDOWN

Checks # 43975 to # 44063 are valid

GENERAL FUND # 001	\$358,025.85
INTERNAL SERVICE FUND # 100	\$941.20
CUP DEPOSITS FUND # 200	\$162.67
COPS-SLESF FUND # 504	\$1,277.00
COPS-ELEAS FUND # 511	\$141.03
STREET MAINTENANCE FUND # 515	\$1,460.72
MEASURE I 2010-2040 FUND # 520	\$5,755.32
MEASURE I 2010-2040 FUND # 524	\$4,145.76
GRAND TOTAL	<u><u>\$371,909.55</u></u>

Prepared by Shirlene Doten, Accounting Technician II 
Reviewed by Sharon Cisneros, Senior Accountant 
Approved by Curtis Yakimow, Administrative Services Director 

Town of Yucca Valley

Warrant Register

January 9, 2014

Fund	Check #	Vendor	Description	Amount
001	GENERAL FUND			
	43975	SBCO Clerk/Board of Supervisors	Filing Fee	\$ 3,079.75
	43976	Action Pumping, Inc.	Annual Septic Maintenance	160.00
	43978	Ruth Alkire	Contract Instructor	32.20
	43979	Alliant Insurance Services	Staff Event Insurance	247.00
	43980	Alsco/American Linen, Inc.	Facilities Operating Supplies	76.74
	43981	Arrowhead Mountain Water	Office Supplies	54.19
	43982	AT & T Mobility	Cell Phone Service	303.82
	43983	Big 5 Corp.	Sports Equipment	52.84
	43984	Cheyenne Bonnell	Contract Instructor	37.80
	43985	Carol Boyer	Contract Instructor	42.00
	43986	Jeff Brady	Sports Referee Instructor	264.00
	43987	C & S Electric	Parks Maintenance	39.19
	43988	California Building Standards	10-12/13 SB1473 Fees	53.10
	43989	California Chamber of Commerce	Reference Materials	463.44
	43990	CACEO	Code Officer Training	50.00
	43991	Vanessa Cantu	Professional Services	3,675.00
	43992	Corelogics Information Solutions	Property Search Information	161.00
	43993	Robert Cox	Contract Instructor	26.60
	43994	CPRS - Calif Park & Rec Soc	Annual Membership Dues	480.00
	43995	Data Ticket	Citation Processing Service	309.00
	43996	Department of Conservation	10-12/13 SMIP Fees	121.84
	43997	Desert Pacific Exterminators, LLC	Exterminator Services	202.00
	43998	DFM Associates	Reference Materials	50.00
	43999	Candy Drake	01/14 Medical Insurance Premium	585.31
	44000	Alec Earnest	Sports Referee	24.00
	44001	Farmer Bros. Co.	Office Supplies	363.73
	44002	FedEx	Delivery Service	29.14
	44003	Catherine Fletcher	Contract Instructor	36.40
	44004	Fulton Distributing Co.	Facilities Maintenance	1,890.83
	44006	Graphic Penguin	Web Site Maintenance	460.00
	44007	Joy Groves	Contract Instructor	200.20
	44008	Totalfunds by Hasler	Postage Meter Expense	4.84
	44009	HdL Hinderliter, DeLlamas	Professional Services	1,087.76
	44010	Hi-Desert Water	Water Service	1,102.18
	44011	Hi-Desert Publishing	Employment Advertising	162.00
	44012	I-Shred	Professional Services	645.00
	44013	Institute-Transportation Eng.	Membership Dues	296.78
	44014	Susan Jordan	Contract Instructor	210.00
	44015	Robert Kirschmann	01/14 Medical Insurance Premium	1,589.05
	44016	Legacy Office Products	Office Supplies	15.11
	44017	David Luse	Contract Instructor	15.40

Town of Yucca Valley

Warrant Register

January 9, 2014

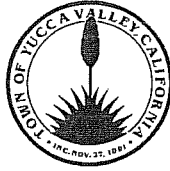
Fund	Check #	Vendor	Description	Amount
	44019	Bill McClay	Sports Referee	30.00
	44020	Mojave Desert & Mtn. Integ. JPA	FY 13/14 Member Contribution	4,718.00
	44021	Brent Murphy	Sports Referee	30.00
	44022	Karver Murphy	Sports Referee	45.00
	44023	Morongo Unified School District	Fleet Vehicle Fuel	2,630.49
	44024	Nichols Consulting	SB 90/State Mandated Costs Svs.	1,200.00
	44025	Sierra Oakes	Contract Instructor	15.40
	44026	Carl Otteson	Backflow Testing	30.00
	44027	Public Agency Retirement Services	10/13 Trust Administrator	300.00
	44028	Petty Cash	Miscellaneous Supplies	321.42
	44029	Pro Video	Town Council Taping	200.00
	44030	Rogers,Anderson, Malody & Scott	FY 12/13 Audit Services	920.00
	44031	Rotary Club of Yucca Valley	12/13 Light Parade Partnership	2,000.00
	44032	SANBAG	FY 13/14 Membership Dues	902.80
	44033	Linda Sande	Contract Instructor	16.80
	44034	SBCO - Hazardous Material Div	01-03/14 Household Hazardous	6,920.00
	44035	SBCO Sheriff's Dept	01/14 Professional Services	293,590.00
	44036	SCCCA	Members Meeting	40.00
	44037	SCE	Electric Service	4,752.15
	44038	Beverly Schmuckle	Contract Instructor	28.00
	44040	Simplot Partners, Inc.	Parks Maintenance Supplies	383.46
	44041	Dr. Stephenie Slahor	Museum Lecture	100.00
	44042	So. Cal. Gas Co.	11/13 Natural Gas Service	3,146.44
	44043	Southwest Networks, Inc.	Computer Maintenance Svs.	3,996.75
	44044	Sprint	Cell Phone Service	2.84
	44045	Steven Enterprises	Office Supplies	285.61
	44046	TFI Resources, Inc.	Temporary Employment Svs.	1,014.40
	44047	Time Warner Cable	Cable & Internet Service	464.62
	44049	Trophy Express	Engraving Service	101.41
	44050	Unisource Worldwide, Inc.	Facilities Maintenance Supplies	1,074.88
	44051	Vagabond Welding Supply	YVHS Pool Maintenance	45.36
	44053	Verizon Business	Shelter Internet Circuit	1,210.24
	44054	Valley Independent	Employee Business Card Printing	74.41
	44055	US Bank Voyager Fleet Systems	Natural Gas Vehicle Fuel	95.20
	44056	Walmart Community	Recreation Event Supplies	443.19
	44058	Woods Auto Repair	Fleet Vehicle Maintenance	756.44
	44059	Elizabeth (Betty) Wulf	Contract Instructor	54.60
	44060	Yucca Rentals	Parks Maintenance	237.50
	44061	Yucca Valley Quick Lube, LLC	Fleet Vehicle Maintenance	114.04

Town of Yucca Valley

Warrant Register

January 9, 2014

Fund	Check #	Vendor	Description	Amount
	44062	Yucca Valley Auto Parts, Inc.	Vehicle Maintenance	328.72
	44063	Z 107.7 Mobile Music	Senior Dance Music Svs.	250.00
	EFT	First Bankcard	Meetings/Operating Supplies	4,444.67
	EFT	The Home Depot	Facilities Maintenance	2,011.77
Total 001	GENERAL FUND			\$ 358,025.85
100 INTERNAL SERVICE FUND				
	44005	GE Capital Corporation	Copier Lease	\$ 413.08
	44018	Mail Finance	01/28-04/27/14 Mail Machine	528.12
Total 100	INTERNAL SERVICE FUND			\$ 941.20
200 DEPOSITS FUND				
	44002	FedEx	Delivery Service	\$ 162.67
Total 200	DEPOSITS FUND			\$ 162.67
504 CLEEPS - HIGH TECH FUND				
	43977	Adorama	Sheriff's Office Camera Kit	\$ 1,277.00
Total 504	CLEEPS - HIGH TECH FUND			\$ 1,277.00
511 COPS-ELEAS FUND				
	44047	Time Warner Cable	Sheriff's Office Internet Svs.	\$ 64.99
	44052	Verizon Wireless	Sheriff's Office Phone Svs.	76.04
Total 511	COPS-ELEAS FUND			\$ 141.03
515 GAS TAX				
	43980	Alsco/American Linen, Inc.	Streets Uniform Service	\$ 16.50
	44010	Hi-Desert Water	Water Service	60.00
	44037	SCE	Electric Service	706.17
	44048	Tops n Barricades, Inc.	Festival of Lights Parade Exp.	630.00
	44062	Yucca Valley Auto Parts, Inc.	Vehicle Maintenance	48.05
Total 515	GAS TAX FUND			\$ 1,460.72
520 MEASURE I-2010-2040 REGIONAL FUND				
	44057	Albert A. Webb Assoc.	Dumosa Signal Design	\$ 5,755.32
Total 520	MEASURE I- 2010-2040 REGIONAL FUND			\$ 5,755.32
524 MEASURE I - 2010-2040 FUND				
	44037	SCE	Electric Service	\$ 3,895.76
	44039	Siemens Industry, Inc.	Signal Maintenance	250.00
Total 524	MEASURE I - 2010-2040 FUND			\$ 4,145.76
***	Report Total			\$ 371,909.55



TOWN COUNCIL STAFF REPORT

To: Honorable Mayor & Town Council
From: Curtis Yakimow, Director of Administrative Services
Sharon Cisneros, Senior Accountant
Date: January 16, 2014
For Council Meeting: January 21, 2014
Subject: Mid-Year Budget Report for the Six Months Ending
December 31, 2013
Recommendation: Receive and file the Mid-Year Budget Report for FY2013-14

Order of Procedure:

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

Discussion: The attached report summarizes the Town's General Fund fiscal performance through the first six months of the current fiscal year. As indicated in the report, the Town's fiscal performance for the first six months is in line with the levels included in the FY 2013-14 budget as amended on September 17, October 1, and November 19, 2013. Revenue and expenditures are tracking in line with the FY 2013-14 amended budget. Although expenditures track evenly throughout the fiscal year, revenues are normally received later in the year.

At this time, the Town does not expect actual annual fiscal results to vary significantly from the financial plan incorporated in the Fiscal Year 2013-14. As trends become more fully developed in the year, there may be more than a minimal impact on the projected annual revenues, expenditures and fund balance.

Reviewed By:


Town Manager

Town Attorney


Admin Services


Finance

Department Report Ordinance Action Resolution Action Public Hearing
 Consent Minute Action Receive and File Study Session

Alternatives: None.

Fiscal impact: The Town's first six months results are currently generally aligned with the financial plan incorporated in the FY 2013-14 amended budget.

Attachments:

Mid-Year Budget Report FY 2013-14



Town of Yucca Valley
Mid-Year Budget Report
Fiscal Year 2013-14

December 31, 2013

Town of Yucca Valley

Mid-Year Budget Report

Fiscal Year 2013-14

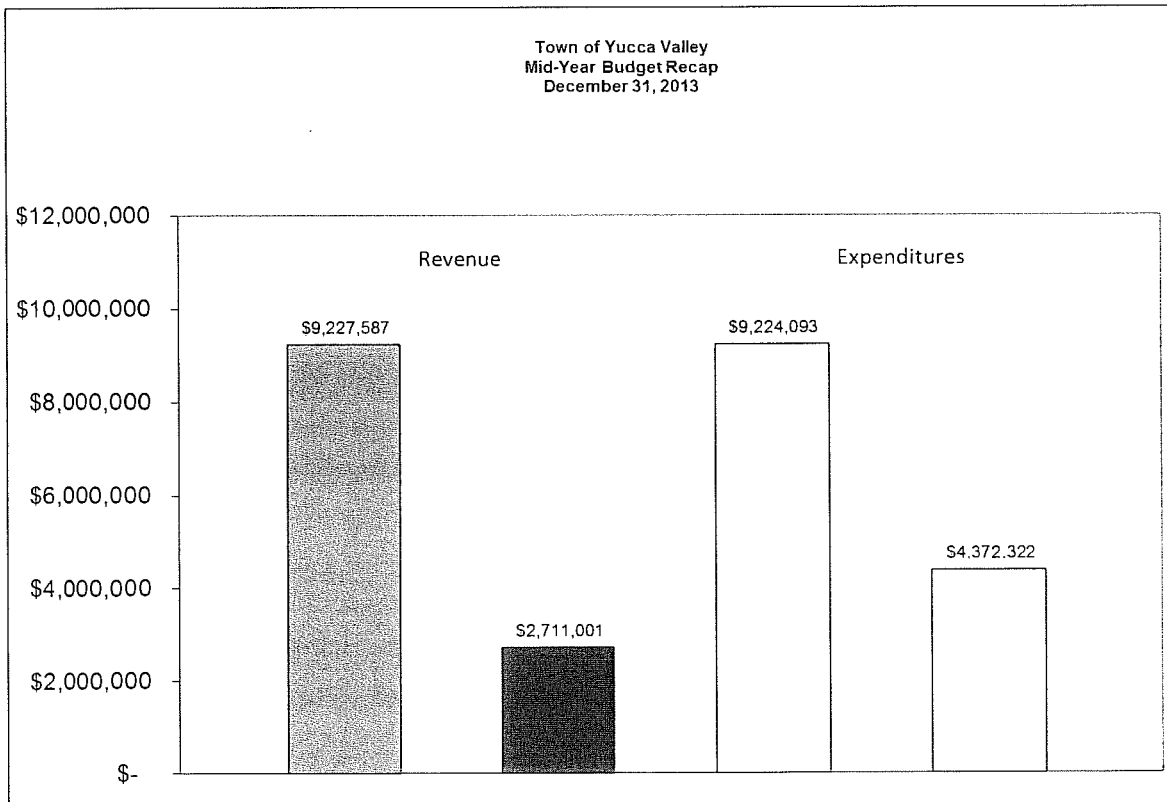
Mid-Year Financial Highlights

Revenues

- Sales and Use tax decreased from prior year due to one less payment being recorded in the same period due to an accounting change.
- Property tax revenues decreased from prior six month period due to Low-Mod Housing funds being swept to the town in FY2012-13. This one-time payment will not occur in FY2013-14.
- The decrease in Community development revenues was anticipated and was considered in the reduced budget for FY2013-14.

Expenditures

- Salaries and benefit decreased from prior year by over 2% reflecting the expenditure reduction plan implemented at the end of FY2012-13.
- Major non-personnel expenditures remain Contract safety, accounting for 41% of expenditures for the first six months, or \$1,802,053.
- Other expenditure categories remain in line for the first six months reflecting typical even expenditure patterns throughout the fiscal year.



Upcoming Financial Events

February

- Single Audit field work on Federal Grants
- Town staff continues process and review of FY2014-16 Budget

March

- Continued advances and apportionments of Sales & Use and Vehicle License Fee tax revenues.
- Town staff continues process and review of FY2014-16 Budget
- Budget Workshop #1

April

- Continued advances and apportionments of Sales & Use and Vehicle License Tax revenues.
- Town staff continues process and review of FY2014-16 Budget
- Budget Workshop #2

Town of Yucca Valley

**General Fund Revenues and Expenditures
Mid-Year Budget Report**

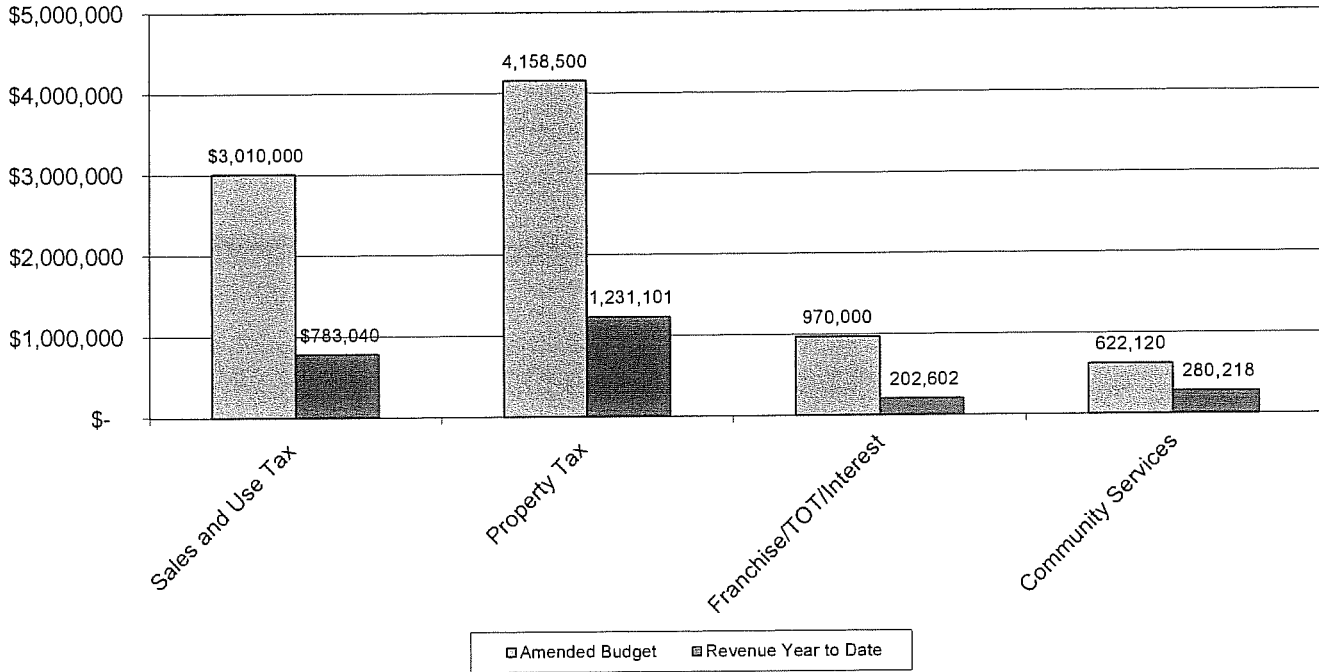
December 31, 2013

REVENUES	Prior Year FY 2012-13			Current Year FY 2013-14		
	Amended Budget	Revenue Year to Date	% of Budget	Amended Budget	Revenue Year to Date	% of Budget
Sales and Use Tax	\$ 3,100,000	\$ 966,682	31.18%	\$ 3,010,000	\$ 783,040	26.01%
Property Tax	4,074,000	1,325,679	32.54%	4,158,500	1,231,101	29.60%
Franchise/TOT/Interest	1,008,500	173,752	17.23%	970,000	202,602	20.89%
Community Development	459,000	235,527	51.31%	262,250	149,788	57.12%
Administrative/Other	251,800	46,752	18.57%	204,717	64,252	31.39%
Community Services	587,000	274,847	46.82%	622,120	280,218	45.04%
Total Revenues	\$ 9,480,300	\$ 3,023,240	31.89%	\$ 9,227,587	\$ 2,711,001	29.38%
EXPENDITURES	Amended Budget	Expenditures Year to Date	% of Budget	Amended Budget	Expenditures Year to Date	% of Budget
Personnel Services	\$ 3,427,945	\$ 1,616,325	47.15%	\$ 2,845,587	\$ 1,570,052	55.17%
Contract Safety	3,600,711	1,009,438	28.03%	3,738,000	1,802,053	48.21%
Operating Supplies and Services	2,481,699	1,734,436	69.89%	2,087,130	825,783	39.57%
Partnerships	109,000	59,217	54.33%	80,500	28,786	35.76%
Capital Projects	421,051	148,746	35.33%	472,876	145,648	30.80%
Total Expenditures	\$ 10,040,407	\$ 4,568,162	45.50%	\$ 9,224,093	\$ 4,372,322	47.40%

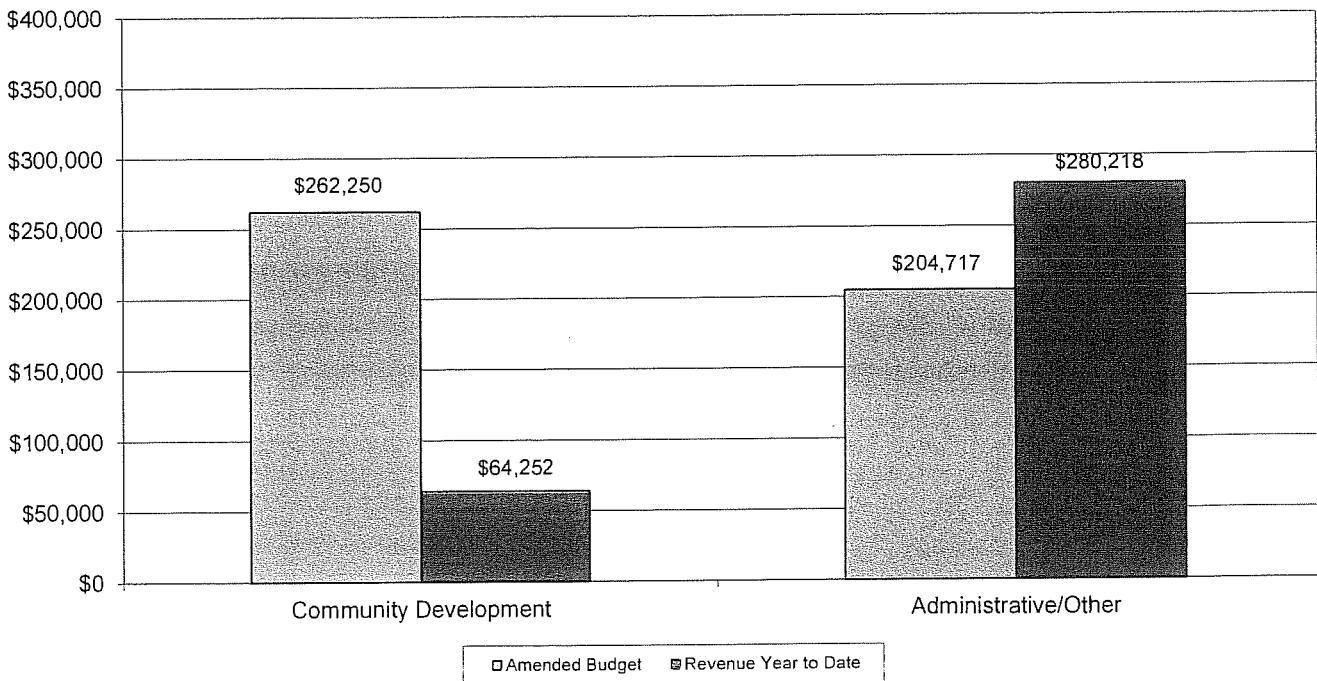
Notes

1. Sales and Use tax in FY2012-13 included one more payment than FY13-14 due to an accounting correction done in FY12-13 .
2. Property tax in FY2012-13 includes one-time funds from dissolution of RDA in the amount of \$128,057.

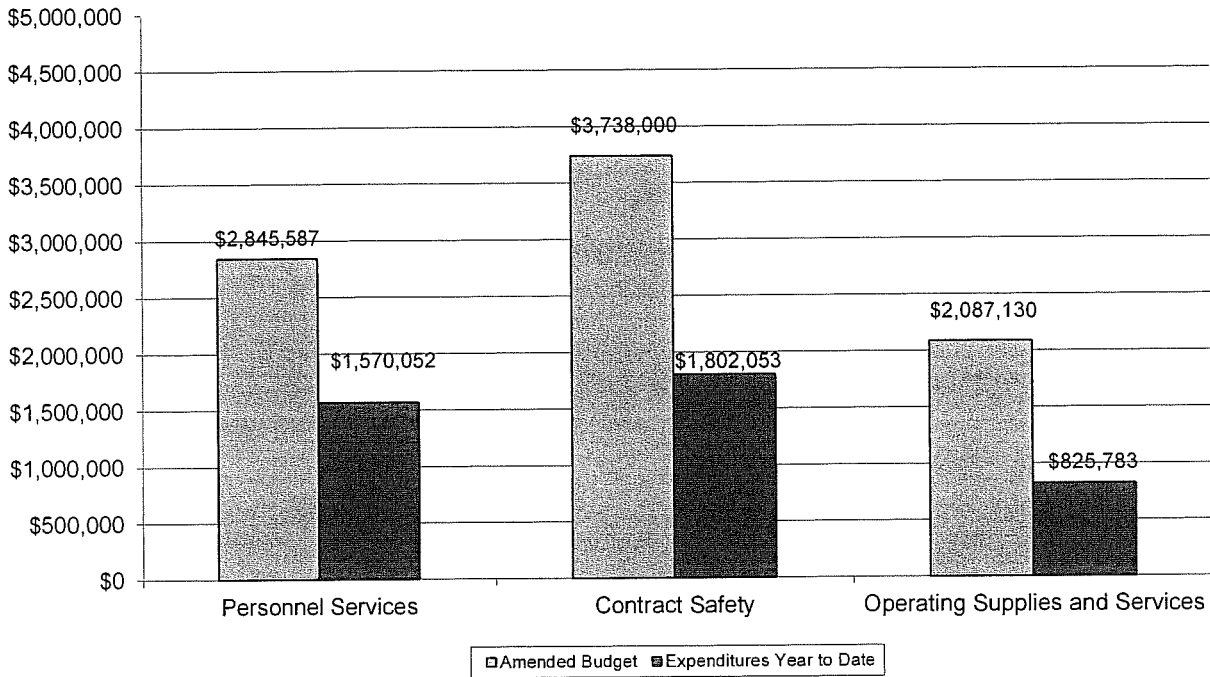
**Town of Yucca Valley
Major Revenue Sources
December 31, 2013**



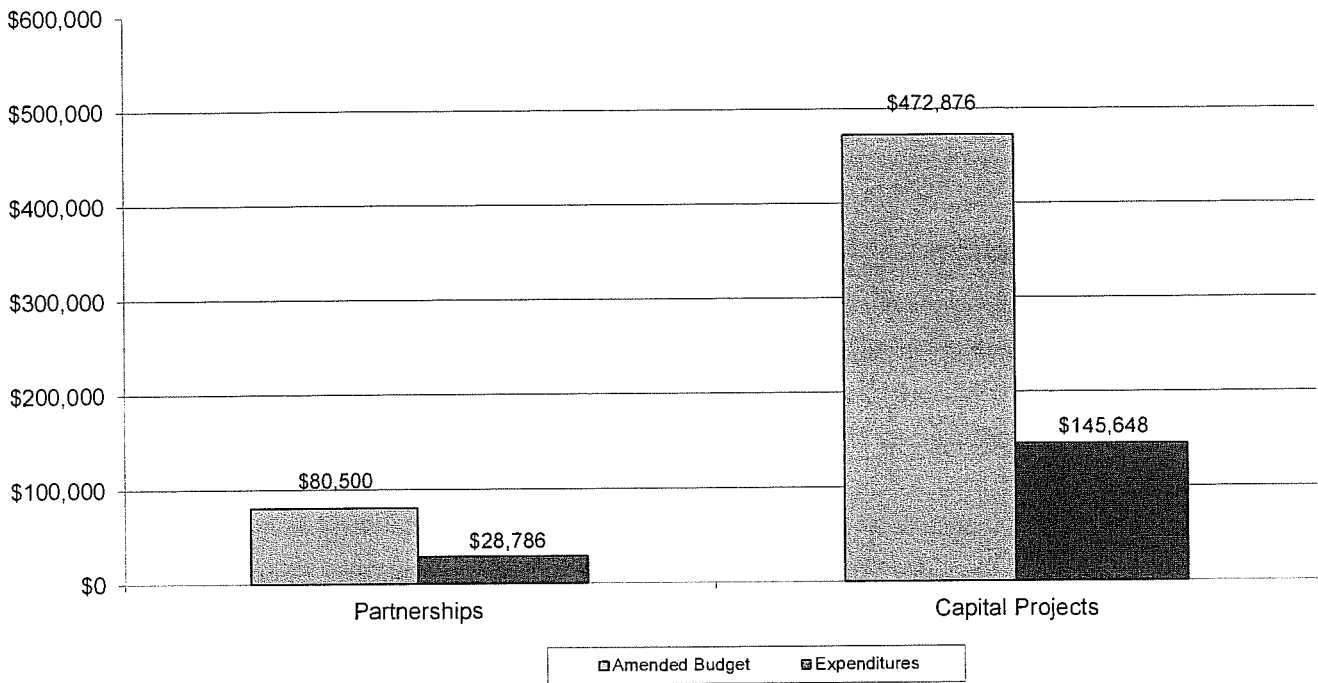
**Town of Yucca Valley
Other Revenue Sources
December 31, 2013**



**Town of Yucca Valley
Major Expenditure Categories
December 31, 2013**



**Town of Yucca Valley
Other Expenditure Categories
December 31, 2013**



TOWN COUNCIL STAFF REPORT

To: Honorable Mayor & Town Council
From: Shane R. Stueckle, Deputy Town Manager
 Alex Qishta, Project Engineer
Date: January 15, 2014
For Council Meeting: January 21, 2014

Subject: Capital Improvement Program Update Report

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

Recommendation: That the Town Council receives the Capital Improvement Program update report

Executive Summary: Staff will present an update to the capital projects contained in the current year Capital Projects Budget.

Order of Procedure:

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

Discussion: Staff will be presenting an update to the Town Council on the status of the Capital Improvement Program. The presentation covers only those projects that are funded in the current year adopted budget.

Alternatives: Staff recommends no alternative action.

Fiscal impact: The Town Council has previously approved the projects in the 2013/2014 Budget. There is no fiscal impact related to this report.

Attachments: None

Reviewed By: _____ _____ CSA SRS
 Town Manager Town Attorney Mgmt Services Dept Head

-
- Department Report Ordinance Action Resolution Action Public Hearing
 - Consent Minute Action Receive and File Study Session

TOWN COUNCIL STAFF REPORT

To: Honorable Mayor & Town Council
From: Curtis Yakimow, Director of Administrative Services
Sharon Cisneros, Senior Accountant
Date: January 16, 2014
For
Council
Meeting: January 21, 2014

Subject: Senior Housing Development Financing Structure Update

Prior Council Review: Last reviewed by Council on July 24, 2012 with the approval of the amendment to the Financing, Disposition and Development Agreement between the Town and National Community Renaissance of California ("NCRC").

Recommendation: That the Council:

- Receives and files the Senior Housing Development financing structure update.
- Amends the FY 2013-14 adopted budget to implement the previously approved Senior Housing financing structure and accommodate the Supplemental Educational Revenue Augmentation Fund ("SERAF") repayment plan incorporated into the Yucca Valley Redevelopment Agency dissolution process.

Order of Procedure:

Request Staff Report
Council Questions of Staff
Request Public Comment
Council Discussion
Motion/Second
Discussion on Motion
Call the Question

Discussion:

On October 19, 2010, the former Yucca Valley Redevelopment Agency selected National Community Renaissance of California (NCRC) as their preferred development entity to deliver an affordable senior housing project in the Town of Yucca Valley. Since that selection, NCRC and the Town have made great strides to bring the concept of an affordable senior housing project to fruition by:


- Selecting the Dumosa / SR-62 site as a preferred location on November 16, 2010;
- Approving an Exclusive Negotiating Agreement (ENA) on December 21, 2010;

Reviewed By:



Town Manager

Town Attorney



Admin Services



Finance

Department Report

Ordinance Action

Resolution Action

Public Hearing

Consent

Minute Action

Receive and File

Study Session

- Developing and approving the Yucca Valley Senior Affordable Housing Specific Plan (S01-11) and Conditional Use Permit (CUP 03-11) on May 17, 2011;
- Completing an application for HUD-202 funding;
- Securing HOME program funds through the County of San Bernardino in the amount of \$1,622,830;
- Securing Sec 518 USDA Permanent Financing in the amount of \$1,451,000
- Approved of the Financing, Disposition and Development Agreement (FDDA) between the Town and NCRC on March 20, 2012;
- Completing an application for the first round of the Tax Credit Allocation Committee for the March 22, 2012 TCAC Cycle;
- Completing an application for the second round of the Tax Credit Allocation Committee for the July 2012 TCAC Cycle;
- Receipt of Notice of Preliminary Reservation of Tax Credits dated October 10, 2012;
- Issuance of related building permits for the Senior Housing building project on March 27, 2013;
- Summer 2013 Construction Begins;
- Initial Project Completion Date set for Summer 2014.

Financing Structure Review

The Town’s participation in the Project is solely as a lender -- the Town is not participating in the Project as a developer or owner. All funds provided to the developer will be returned to the Town in the form of residual receipts generated from the operation of the development.

Based upon the infrastructure being delivered by the project and prior actions from the former Redevelopment Agency, there are a number of funding sources used in the development’s financing structure:

1. Land Contribution (non-cash)	\$940,000
2. Project Development Impact Fees:	250,000
3. Storm Drain Impact Fees:	300,000
4. Local Transportation Fund (LTF)	300,000
5. December 2010 Exclusive Negotiating Agreement (Low Mod Income Housing Set Aside)	500,000
6. SERAF Repayment from Successor Agency	<u>635,000</u>
Total	\$2,925,000

Changes since Notice of Reservation

Since the time of the Council's approval of the Amendment to the Financing, Disposition and Development Agreement in July 2012, the Town has received clarification regarding two of the financing sources initially identified.

1. December 2010 Exclusive Negotiating Agreement ("ENA") \$500,000

In 2011, the Successor Agency to the former Yucca Valley Redevelopment Agency ("Agency") received a final determination from the California Department of Finance that the inclusion of the ENA amount on the Agency's Recognized Obligation Payment Schedule was disallowed. While Agency staff felt the obligation was justified, a business decision was made to move forward with no further legal action challenging the state beyond the meet and confer process. Accordingly, this funding per the approved agreement was then provided from additional property tax revenues repaid to the Town as a taxing entity pursuant to AB1x 26.

2. SERAF Repayment \$636,679

During the completion of the wind-down process of redevelopment agencies, the Department of Finance has issued guidance on its interpretations of both AB1x 26 and AB 1484. One area of guidance deals with the permanent allocation and distribution of the former Yucca Valley RDA SERAF receivable of \$636,679. The guidance provided was two-fold:

- i. The Town was entitled to the full SERAF receivable of \$636,679, due to the Town acting as the Low/Mod Housing function of the prior Yucca Valley RDA.
- ii. The Successor Agency could request reimbursement of the SERAF repayment in accordance with state law, which provides for inclusion on the recurring Agency's Recognized Obligation Payment Schedules, in an amount determined by the Department of Finance.

Impacts on Project Cash flow

It is anticipated that the Successor Agency will be able to request full SERAF reimbursement over the next three to five years. As a result, the Town will need to provide a cash flow resource for the SERAF allocation toward the Senior Housing Development project financing structure in the near term. After reviewing the alternatives available to the Town, staff is recommending the utilization of unused low/mod bond funds as a cash flow resource, until such time as the SERAF allocation is fully recovered. This resource would be provided from the Town's Low/Mod Bond Funds special revenue fund and would be advanced to the Town's Low/Mod Housing Fund special revenue fund, as a payable of that fund. It will not be an expenditure of the Bond Funds, rather a loan of funds with planned repayment. The proposed use of the funds is in accordance with the original intent of issuance as identified in the Indenture of Trust.

It is important to highlight that with the recommended action, the Town's role in the financing structure of the Senior Housing Development project remains solely as a lender, with a note receivable in the Town's Low/Mod Housing Fund for the entire \$2,925,000. The proposed actions simply provide the cash flow transactions necessary to meet the Town's obligations as previously committed.

Financial Impact: The proposed budgets for the Town's Low/Mod Housing Funds are included for the Council's consideration.

Alternatives: None recommended.

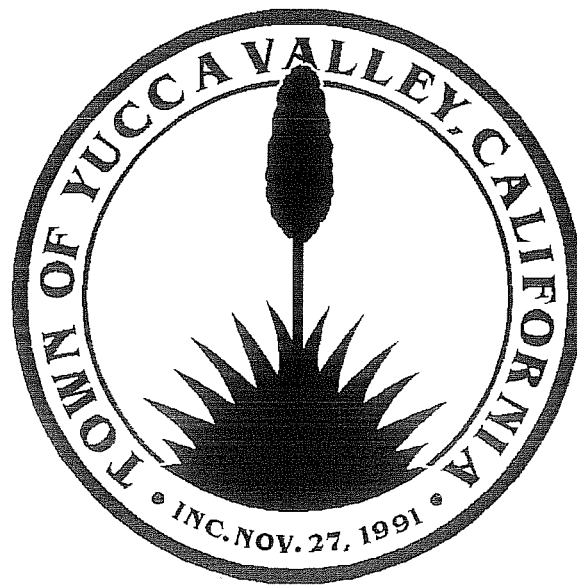
Attachments:

1. First Amendment to Affordable Housing, Financing & Disposition & Development Agreement by and between the Town of Yucca Valley and Yucca Valley Senior Housing Partners, L.P.
2. Fund 630 – Low/Mod Housing Bond Funds FY 2013-14 Amended Budget
3. Fund 632 – Low/Mod Housing Fund FY 2013-14 Amended Budget

Attachment 1

Town of Yucca Valley

**First Amendment to Affordable Housing, Finance &
Disposition & Development Agreement**



**FIRST AMENDMENT TO
AFFORDABLE HOUSING, FINANCING &
DISPOSITION & DEVELOPMENT AGREEMENT**

(Dumosa)

by and between the

TOWN OF YUCCA VALLEY

and

YUCCA VALLEY SENIOR HOUSING PARTNERS, L.P.,

A California limited partnership

**FIRST AMENDMENT TO
AFFORDABLE HOUSING, FINANCING &
DISPOSITION & DEVELOPMENT AGREEMENT
(DUMOSA)**

This FIRST AMENDMENT (the "**Amendment**") to the AFFORDABLE HOUSING, FINANCING & DISPOSITION & DEVELOPMENT AGREEMENT dated March 20, 2012, by and between THE TOWN OF YUCCA VALLEY, a California general law municipality ("**Town**"), and YUCCA VALLEY SENIOR HOUSING PARTNERS, L.P., a California limited partnership ("**Developer**"), is entered into as of July __, 2012 on the following terms and conditions.

RECITALS

A. The Town and Developer entered into that certain Affordable Housing, Financing & Disposition & Development Agreement on or about March 20, 2012 ("**DDA**"), which includes as attachments, among others, a Grant Deed (the "**Grant Deed**"), Regulatory Agreement and Declaration of Covenants, Conditions, and Restrictions ("**Regulatory Agreement**"), Promissory Note ("**Note**"), Deed of Trust and Assignment of Rents ("**Deed of Trust**"), and **Project Budget** (collectively, "**Related Documents**").

B. The DDA concerns the development of a 75-unit affordable rental housing complex for senior citizens (the "**Project**") on a 2.87 acre vacant property located in the Town of Yucca Valley, County of San Bernardino, State of California, at the northwest corner of the intersection of Twentynine Palms Highway (State Highway 62) and Dumosa Avenue (the "**Site**").

C. Through the DDA, the Town was to convey to Developer the Site, whose fair market value is \$940,000.00, and to provide Developer a loan in the amount of \$635,000.00 ("**Town Loan**") for construction, improvement and operation costs. At the time the DDA was negotiated, the only source of funding for the Town Loan included funds from the former Yucca Valley Redevelopment Agency's Low to Moderate Income Housing Fund ("**Low/Mod Fund**") that were to be re-paid to the former Agency as a result of Low/Mod Fund monies being borrowed for purposes of paying the Supplemental Educational Revenue Augmentation Fund ("**SERAF**"). Both the fair market value of the Site and the Town Loan were to be repaid to the Town through the residual receipts loan Note secured by the Deed of Trust. With the fair market value of the Site and the Town Loan combined, the total amount of assistance from the Town to the Developer was \$1,575,000.00 ("**Note Amount**").

D. Additional sources of funding, including a deferral of Development Fees (i.e., deferring payment of \$250,000 in Development Fees to time for repayment under Town Loan) and proceeds from the Storm Drain Impact Fees, Local Transportation Fund, and the Low/Mod Fund, have become available to support an increase of \$1,350,000.00 in the Note Amount. Including the original Note Amount of \$1,575,000.00, the total amount of assistance from the Town will be \$2,925,000.00. Thus, this Amendment will increase the Town Loan and Note Amount to a total of \$2,925,000.00 funds available to Developer and repayable to Town.

E. Notwithstanding the foregoing Recital, the Note Amount (as revised herein to \$2,925,000.00) will be offset or decreased should Developer be awarded Federal Home Loan Bank Affordable Housing Program ("AHP") funds. Developer plans to apply for these funds for the Project in the amount of \$740,000 (\$10,000 per affordable unit). If awarded, such AHP funds shall go first to cover any approved Project cost overruns and second to reduce the Town Loan and Note Amount ("AHP Offset"). If there is an AHP Offset against the Town Loan, the Note and Deed of Trust shall be amended by the parties to show the revised Note Amount.

F. The parties now desire to amend the DDA and Related Documents to reflect the increased assistance and sources of funding, as set forth in more detail below.

NOW, THEREFORE, the Town and Developer hereby agree as follows:

1. All capitalized terms not defined herein shall have the meaning as set forth in the DDA and Related Documents unless the context dictates otherwise.

2. Paragraph F of the Recitals of the DDA is hereby amended to read in its entirety as follows:

Town Loan to Developer. Town agrees to loan \$1,985,000.00 to Developer for Developer's use towards Project construction, improvements and operation ("Town Loan"). About \$156,861.93 of the Town Loan proceeds have already been disbursed to Developer by Town for Developer's pre-construction Project costs. The remainder of the Town Loan (approximately \$1,828,138.00) will be disbursed to Developer prior to, or upon, the Close of Escrow (the "Remainder Loan Proceeds"). The Town has identified the following sources of funding for the Remainder Loan Proceeds to be payable to Developer: (i) \$250,000.00 which will be paid to Developer in the form of deferred Project Development Fees (i.e., ~~payment of Development Fees~~ deferred to time for repayment of Town Loan), (ii) \$300,000.00 payable to Developer from the Town's proceeds from Storm Drain Impact Fees, (iii) \$300,000.00 payable to Developer from Town proceeds in the Local Transportation Fund, (iv) \$500,000.00 from the former Agency's Low/Mod Fund, based on the December 2010 Exclusive Negotiating Agreement for the Project and/or revenues expected to be repaid to the Town as a taxing entity pursuant to AB1x 26; and (v) \$635,000.00 from revenues expected to be repaid to the former Agency's Low/Mod Fund as a result of Low/Mod Funds being borrowed for purposes of paying Supplemental Educational Revenue Augmentation Fund ("SERAF"). Given the current status of AB 26 and its unknown potential impacts upon these funding sources, the availability of a source of funds for the Remainder Loan Proceeds must be confirmed prior to making any further disbursements of the Town Loan to Developer.

550,000

3. Section 225 [Note; Note Amount] of the DDA is hereby amended to read in its entirety as follows:

The term "Note" shall mean the promissory note evidencing Developer's repayment obligation to Town as a residual receipts loan, subordinate to Senior

Financing, in the amounts of the Purchase Price and the Town Loan, all as further described in Section 404, which shall be substantially in the form attached hereto as Exhibit "C". Developer's repayment obligations to pay both the full amount of the Town Loan (\$1,985,000.00) plus the full Purchase Price (\$940,000.00) shall be secured as a single debt obligation owing by Developer to the Town, totaling Two Million Nine Hundred Twenty-Five Thousand Even Dollars (\$2,925,000.00) also referenced herein as the "**Note Amount**". The Note Amount may be reduced by the amount of the AHP Offset if AHP funds are awarded to Developer

Notwithstanding the foregoing, the Note Amount will be offset or decreased should Developer be awarded Federal Home Loan Bank Affordable Housing Program ("**AHP**") funds. Developer plans to apply for these funds for the Project in the amount of \$740,000 (\$10,000 per affordable unit). If awarded, such AHP funds shall go first to cover any approved Project cost overruns, and second to reduce the Town Loan and Note Amount ("**AHP Offset**"). If there is an AHP Offset against the Town Loan, the Note and Deed of Trust shall be amended by the parties to show the reduced Note Amount.

4. Section 245 [Town Loan; Remainder Loan Proceeds] of the DDA is hereby amended to read in its entirety as follows:

The term "Town Loan" shall mean that loan in the amount of \$1,985,000.00 by Town to Developer for Developer's use towards Project construction, improvements, and operation, which loan shall bear an interest rate of 0.5% per annum. About \$156,861.93 of the Town Loan proceeds have already been disbursed to Developer by Town for Developer's pre-construction Project costs. The remainder of the Town Loan (approximately \$1,828,138.00) will be disbursed to Developer after the Effective Date hereof and is referenced herein as the "**Remainder Loan Proceeds**". Notably, the amount of the Remainder Loan Proceeds may be reduced pursuant to the AHP Offset as described in Section 225.

5. The first paragraph of Subsection 1 [Town Loan] of Section 404 [Town Loan, Security & Covenants] of the DDA is hereby amended to read in its entirety as follows:

Town Loan. The total estimated cost of the Project is approximately \$17.05 Million, as further described in the Project Budget. This estimated cost includes the Site acquisition costs and the hard and soft costs of constructing the Project. The Town agrees to provide the Town Loan to Developer in an amount equal to One Million Nine Hundred Eighty-Five Thousand Even Dollars (\$1,985,000.00) to fund the actual costs for the development, construction and operation of the Project. About \$156,861.93 of the Town Loan proceeds have already been disbursed to Developer by Town for Developer's pre-construction Project costs. The remainder of the Town Loan (approximately \$1,828,138.00) will be disbursed to Developer prior to, or upon, the Close of Escrow (the "**Remainder Loan Proceeds**"), with the exception that a portion of the Remainder Town Loan Proceeds will be disbursed to Developer in the form of a deferral of Development Fee up-to a maximum amount of \$250,000. Alternatively, the parties may

mutually-agree to other means for the timing and method of Developer's draw upon the Remainder Loan Proceeds. Again, as described in Sections 225 and 245, the actual amounts of the Remainder Loan Proceeds may be decreased or offset as a result of an AHP Offset.

6. Paragraph D of Subsection 1 [Town Loan] of Section 404 [Town Loan, Security & Covenants] of the DDA is hereby amended to read in its entirety as follows:

If all conditions to disbursement of Remainder Loan Proceeds have been fulfilled, pursuant to Section 404, subsection 3, the Town shall disburse Remainder Loan Proceeds directly to Developer, or into Escrow for ultimate distribution to Developer, pursuant to (i) the Town's customary practices for disbursing such funds and (ii) verification that such proceeds will be used towards actual Project costs as reflected in the Project Budget. Notwithstanding the foregoing, a portion of the Remainder Town Loan Proceeds will be disbursed to Developer in the form of Development Fee deferrals up-to a maximum of \$250,000. If Remainder Loan Proceeds are required for Project Costs prior to Close of Escrow, Developer shall first request in writing a draw-down on Remainder Loan Proceeds, or a fee deferral, as necessary to pay Town-approved Project costs, provided that Developer has submitted all required documentation reasonably requested by the Town to demonstrate that the Town Loan proceeds drawn shall be used for actual Project costs as reflected in the Project Budget.

7. The first paragraph of Subsection 2 [Security for Assistance] of Section 404 [Town Loan, Security & Covenants] of the DDA is hereby amended to read in its entirety as follows:

Security for Assistance. Developer's repayment obligations to pay both the full amount of the Town Loan (\$1,985,000.00) plus the full Purchase Price (\$940,000.00) shall be secured as a single debt obligation owing by Developer to the Town, totaling TWO MILLION NINE HUNDRED TWENTY-FIVE THOUSAND EVEN DOLLARS (\$2,925,000.00) (the "Note Amount"). The actual Note Amount may be decreased or offset as a result of an AHP Offset, in which case the parties will modify the Note and Deed of Trust to reflect the Note Amount as adjusted for the AHP Offset.

8. Paragraph A of Subsection 3 [Conditions Precedent to Disbursement of Town Loan] of Section 404 [Town Loan; Security & Covenants] of the DDA is hereby amended to read in its entirety as follows:

A. The Developer has submitted a financing plan for the Town's approval that identifies all sources of funds with a Developer Fee that does not exceed One Million Four Hundred Thousand Even Dollars (\$1,400,000.00).

9. The stated Note Amount on the Note, which is attached as Exhibit "C" to the DDA, is hereby amended to read: "\$2,925,000.00."

10. The first sentence of the first paragraph of the Note, which is attached as Exhibit "C" to the DDA, is hereby amended to read as follows:

FOR VALUE RECEIVED, the undersigned (herein, the "Maker") hereby promises to pay to the order of the TOWN OF YUCCA VALLEY, a California general law municipality ("Holder" or "Town"), at a place designated by Holder, the principal sum not to exceed TWO MILLION NINE HUNDRED TWENTY-FIVE THOUSAND EVEN DOLLARS (\$2,925,000.00) ("Note Amount"), plus accrued interest, or such lesser amount which shall be disbursed by the Town and from time to time be owing hereunder pursuant to the terms hereof.

11. Section 2.1 [Loan Amount] of the Note, which is attached as Exhibit "C" to the DDA, is hereby amended to read in its entirety as follows:

Loan Amount. The principal amount of the Loan shall be in the amount not to exceed Two Million Nine Hundred Twenty-Five Thousand Even Dollars (\$2,925,000.00). The Loan Amount includes the Purchase Price of the Site being conveyed by Town to Maker plus such amounts of the Town Loan advanced to Maker from time to time which will be contributed to the Project by Town. Interest shall accrue on the outstanding principal amount at the simple rate of one-half of one percent (0.5 %) per annum until repaid in full.

12. The second full paragraph of page 3 of the Deed of Trust, which is attached as Exhibit "D" to the DDA, is hereby amended to read in its entirety as follows:

FOR THE PURPOSE OF SECURING, in such priority as Beneficiary may select, (i) payment of that certain Town Note of even date herewith executed by Trustor and payable to Beneficiary in the original principal amount of not to exceed Two Million Nine Hundred Twenty-Five Thousand Even Dollars (\$2,925,000.00) (the "Town Note"); (ii) Trustor's due, prompt and complete payment, performance, observance and discharge of each and every covenant, condition, provision and agreement contained in this Deed of Trust; (iii) until recordation of the Release of Construction Covenants (as defined in the Agreement referred to herein), Trustor's due, prompt and complete performance, observance and discharge of all obligations of Trustor under that certain Affordable Housing, Financing & Disposition & Development Agreement dated as of March 20, 2012, executed by Trustor and Beneficiary (the "Agreement") and each other ancillary instrument or agreement executed by Trustor for the benefit of Beneficiary pursuant to executory provisions of the Agreement, including, but not limited to, the Regulatory Agreement and Declaration of Covenants and Restrictions from Trustor in favor of Beneficiary recorded concurrently herewith (the "Regulatory Agreement" and, with the Town Note and the Agreement, collectively the "Town Agreements"); and (iv) payment of all monies expended or advanced by Beneficiary pursuant to the terms hereof or to preserve the Trust Estate or the rights of Beneficiary under the Town Agreements (the foregoing obligations, duties and performance by Trustor secured hereby are referred to herein collectively as the "Secured Obligations"). This Deed of Trust shall secure any

and all extensions, amendments, modifications or renewals of the Secured Obligations, however evidenced.

13. Paragraph A of the Recitals of the Regulatory Agreement, which is attached as Exhibit "F" to the DDA, is hereby amended to read in its entirety as follows:

Pursuant to an AFFORDABLE HOUSING, FINANCING & DISPOSITION & DEVELOPMENT AGREEMENT between and among Town and Owner dated March 20, 2012 ("DDA"), Town has sold to Owner real property and provided to Owner a financial loan under the terms of one promissory note for the cumulative amount of Two Million Nine Hundred Twenty-Five Thousand Even Dollars (\$2,925,000.00) (collectively the "Town Financing"), all for the purpose of assisting Owner in the development of an affordable, senior housing complex as further described herein on that certain real property located in the Town of Yucca Valley, County of San Bernardino, State of California, more particularly described in Exhibit "A" attached hereto and incorporated herein by reference ("Site").

14. The Project Budget, which is attached as Exhibit "H" to the DDA, is hereby replaced in its entirety with the revised Project Budget, attached to this Amendment as Attachment 1.

15. The Note, Deed of Trust, and Regulatory Agreement, as amended, herein, are attached to this Amendment as Attachments "2," "3" and "4" respectively. These amended documents hereby replace their counterparts in the DDA (i.e., Attachment "2" replaces DDA Exhibit "C"; Attachment "3" replaces DDA Exhibit "D"; Attachment "4" replaces DDA Exhibit "F").

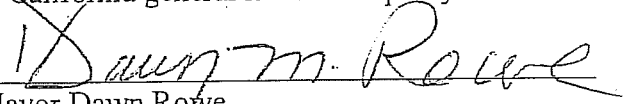
16. Except as otherwise amended herein, the DDA and Related Documents shall remain in full force and effect in accordance with its terms.

[Signatures appear on following page.]

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment as of the date stated above.

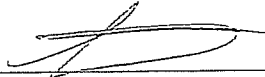
"TOWN"
TOWN OF YUCCA VALLEY,
A California general law municipality

Date 7/24/12



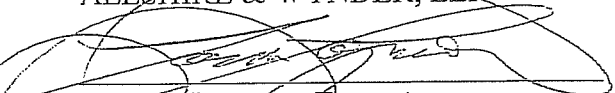
Mayor Dawn Rowe

ATTEST:



Janet M. Anderson, Town Clerk

APPROVED AS TO FORM:
ALESHIRE & WYNDER, LLP

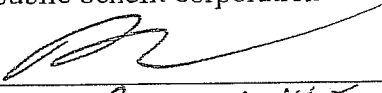


Lena N. Laymon, Town Attorney

"DEVELOPER"
YUCCA VALLEY SENIOR HOUSING
PARTNERS L.P., a California Limited
Partnership,
By its General Partner:

THE SOUTHERN CALIFORNIA HOUSING
DEVELOPMENT CORPORATION OF THE
INLAND EMPIRE, a California non-profit
public benefit corporation

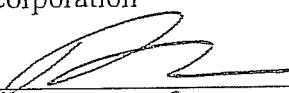
Date 7/24/12



Name: Richard J. Whitely, CEO

And, its Related Entity:
NATIONAL COMMUNITY RENAISSANCE
OF CALIFORNIA, a California public benefit
corporation

Date 7/24/12



Name: Richard J. Whitely, CEO

[End of Signatures]

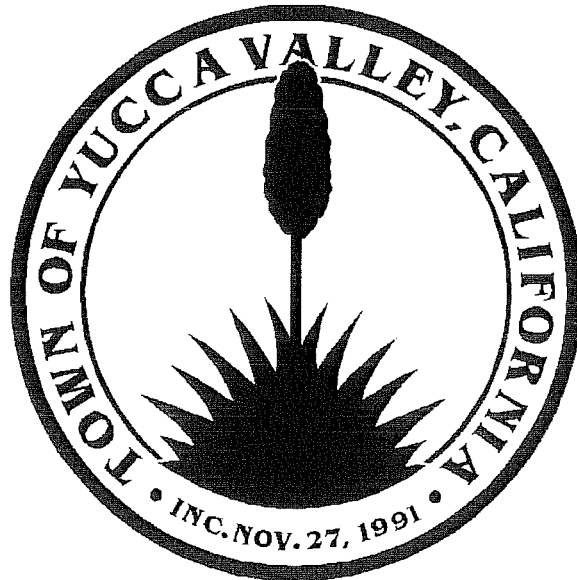
Attachments 2 & 3

Town of Yucca Valley

Proposed FY 2013-14 Amended Budgets

Fund 630 – Bond Funded L/M Housing

Fund 632 – Town Housing Fund



**Town of Yucca Valley
FY 2013-14 Amended Budget
Special Revenue Funds**

AMENDED AT 9/17/13 COUNCIL MEETING
Proposed changes for 1/21/14

	Amended Budget 2012-13	Actual 2012-13	Adopted 2013-14	Amended 2013-14
630 - Bond Funded L/M Housing Capital				
RECEIPTS				
Gain on RDA Dissolution	\$ -	\$ 1,077,000	\$ -	\$ -
Interest	-	422	-	-
TOTAL RECEIPTS	-	1,077,422	-	-
EXPENDITURES				
Operating Expenditures	-	-	-	-
Professional Services	-	-	-	-
Debt Service - Housing Bonds	-	-	-	-
TOTAL EXPENDITURES	-	-	-	-
CAPITAL OUTLAY				
Work in Progress	-	-	-	-
TOTAL CAPITAL OUTLAY	-	-	-	-
OPERATING TRANSFERS IN (OUT)				
Transfer OUT - Fund 632	-	-	-	(636,679)
Transfer OUT - Fund	-	-	-	-
Transfer IN - Fund	-	-	-	-
TOTAL OPERATING TRANSFERS IN (OUT)	-	-	-	(636,679)
INCREASE (DECREASE) IN FUND BALANCE	-	1,077,422	-	(636,679)
BEGINNING FUND BALANCE	-	-	-	1,077,422
ENDING FUND BALANCE	\$ -	\$ 1,077,422	\$ -	\$ 440,743

Work in Progress Detail

Project	Account	Amended Budget 2012-13	Actual 2012-13	Adopted 2013-14	Amended 2013-14
Qualified L/M Housing Project		-	-	-	-
		-	-	-	-

Town of Yucca Valley
FY 2013-14 Amended Budget
Special Revenue Funds

Proposed changes 1/21/14

632 - Town Housing Fund

RECEIPTS

		Amended Budget 2012-13	Actual 2012-13	Adopted 2013-14	Amended 2013-14
SERAF Loan Repayment	632 00-00 4177	\$ 636,679	\$ -	\$ 636,679	\$ -
Interest		-	295	500	500
TOTAL RECEIPTS		636,679	295	637,179	500

EXPENDITURES

Operating Expenditures		-	-	2,000	2,000
Professional Services		-	1,250	5,000	5,000
Debt Service - Housing Bonds		-	-	-	-
TOTAL EXPENDITURES		-	1,250	7,000	7,000

CAPITAL OUTLAY

Work in Progress		1,985,000	854,123	635,000	978,138
TOTAL CAPITAL OUTLAY		1,985,000	854,123	635,000	978,138

OPERATING TRANSFERS IN (OUT)

Transfer OUT - Fund		(65,000)	-	-	-
Transfer IN - Fund 630		-	-	-	636,679
TOTAL OPERATING TRANSFERS IN (OUT)		(65,000)	-	-	636,679

**INCREASE (DECREASE) IN
FUND BALANCE**

		(1,413,321)	(855,078)	(4,821)	(347,959)
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BEGINNING FUND BALANCE

		647,591	647,591	6,412	(207,487)
ENDING FUND BALANCE		\$ (765,730)	\$ (207,487)	\$ 1,591	\$ (555,446)

ADVANCES FROM OTHER FUNDS

Advance from General Fund		-	343,138	-	343,138
Advance from Dev Impact Fund		-	550,000	-	550,000
Advance from LTF Fund		-	300,000	-	300,000

ENDING AVAILABLE BALANCE

		\$ (765,730)	\$ 985,651	\$ 1,591	\$ 637,692
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Work in Progress Detail

Project	Account	Amended Budget 2012-13	Actual 2012-13	Adopted 2013-14	Amended 2013-14
Sr. Housing Proj-CORE	632 00-00 8310 8671-811	1,985,000	854,123	635,000	978,138
		1,985,000	854,123	635,000	978,138