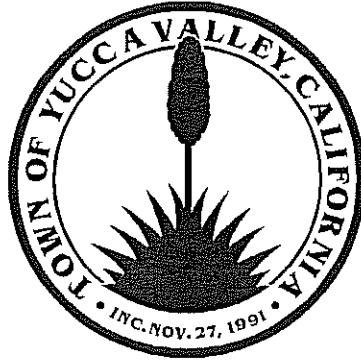


**TOWN OF YUCCA VALLEY  
TOWN COUNCIL MEETING**



*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, FEBRUARY 18, 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*  
*Merl Abel, Council Member*  
*Robert Leone, Council Member*  
*Dawn Rowe, Council Member*

\* \* \* \*

**TOWN ADMINISTRATIVE OFFICE:**  
**760-369-7207**  
**[www.yucca-valley.org](http://www.yucca-valley.org)**

**AGENDA  
MEETING OF THE  
TOWN OF YUCCA VALLEY COUNCIL  
TUESDAY FEBRUARY 18, 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](http://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**

**PRESENTATIONS**

1. Introduction of Miss YV and Court
2. Southern California Edison- Jennifer Cusack
3. Employee of the 4<sup>th</sup> Quarter 2013
4. San Bernardino County Sheriff's Report

5. Morongo Basin Emergency Management Council (MBEMC) Meeting Report
6. Recognition of Captain Rich Boswell

#### **AGENCY REPORT**

7. Hi Desert Water District
8. Yucca Valley Chamber of Commerce

#### **APPROVAL OF AGENDA**

Action: Move \_\_\_\_\_ 2<sup>nd</sup> \_\_\_\_\_ Vote \_\_\_\_\_.

#### **CONSENT AGENDA**

9. 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.**

- P. 1-8 10. Town Council Meeting Minutes of December 10, 2013

**Recommendation: Approve the Town Council meeting minutes of December 10, 2013 as presented**

- P. 9-10 11. One-Year Extension of the Audit Contract with Rogers, Anderson, Malody and Scott

**Recommendation:**

- a. **Extend the Town of Yucca Valley contract with Rogers, Anderson, Malody and Scott, LLP for audit services by one year to include fiscal year ending June 30, 2014 for a not to exceed cost of \$46,160 and direct the Town's Administrative Services Director to execute the annual engagement letter as required.**
- b. **Direct staff to prepare a Request for Proposal for the three year period ending June 30, 2017, and return to Council for consideration**

- P. 11-13 12. AB 1234 Reporting Requirement Schedule

**Recommendation: Receive and file the AB1234 Reporting Requirement Schedule for the month of January 2014**

P. 14-25 13. Warrant Register

**Recommendation:** Ratify the Payroll Registers total of \$135,644.95 dated January 17, 2014. Ratify Warrant Registers total of \$882,029.78 for checks dated January 30, 2014 thru February 6, 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 7-11)

Action: Move \_\_\_\_\_ 2<sup>nd</sup> \_\_\_\_\_ Vote \_\_\_\_\_

**PUBLIC HEARING**

P. 26-80 14. Community Development Block Grant (CDBG) Prioritization Hearing

**Recommendation:**

1. Allocate the Town’s FY 2014-15 CDBG allocation of \$119,995 to the following approved Town Projects;
 

Jacob’s Park Playground Equipment Replacement	\$50,000
Commercial Corridor/Paradise Valley Code Program	\$69,995
2. Allocate \$20,000 of prior program CDBG contingency to the Town’s Jacob’s Park Playground Equipment Replacement Project.
3. Direct staff to include the outside CDBG applicants in the Town’s FY 2014-15 & FY 2015-16 Partnerships and Programs outreach efforts.

Action: Move \_\_\_\_\_ 2<sup>nd</sup> \_\_\_\_\_ Vote \_\_\_\_\_

**DEPARTMENT REPORTS**

P. 81-131 15. Draft Council Manual of Procedural Guidelines

**Recommendation:**

1. Receives and reviews the recommendation from the Rules and Procedures Ad Hoc Committee and directs staff as to any amendments to the Draft Council Manual of Procedural Guidelines.

2. Directs staff to return the Final Council Manual of Procedural Guidelines to the Town Council for adoption

Action: Move \_\_\_\_\_ 2<sup>nd</sup> \_\_\_\_\_ Vote \_\_\_\_\_

P. 132-13616. HUD Park Funds Special Revenue Fund 551 Update

**Recommendation:**

- A) **Receive and file the HUD Park Funds Special Revenue Fund 551 Update**
- B) **Amend the FY 2013-14 adopted budget for HUD Park Funds Special Revenue Fund 551 to accommodate final changes, and close the fund as appropriate.**
- C) **Amend the FY 2013-14 amended budget for Development Impact Fees Special Revenue Fund 350 to reflect increase in transfer for repayment to the General Fund.**

Action: Move \_\_\_\_\_ 2<sup>nd</sup> \_\_\_\_\_ Vote \_\_\_\_\_

P. 137-139 17. CORE Senior Housing Project Naming Recommendations

**Recommendation:**

- 1. **Review the naming recommendations from the Town's senior community and forward a limited list to the project developer for consideration.**

Action: Move \_\_\_\_\_ 2<sup>nd</sup> \_\_\_\_\_ Vote \_\_\_\_\_

P. 140-14318. Ordinance Deleting Yucca Valley Municipal Code Sections 2.08.090 and 2.08.100 Pertaining to Town Manager Separation Issues

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY REPEALING YUCCA VALLEY MUNICIPAL CODE SECTIONS 2.08.090 AND 2.08.100 PERTAINING TO TOWN MANAGER REMOVAL

**Recommendation:**

- 1. Introduce the Ordinance deleting Yucca Valley Municipal Code Sections 2.08.090 and 2.08.100, the terms of which provide for certain notice and hearing procedures in the event of a Town Manager separation.**

Action: Move \_\_\_\_\_ 2<sup>nd</sup> \_\_\_\_\_ 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, March 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
DOJ	Department of Justice
DOT	Department of Transportation
ED	Economic Development
EIR	Environmental Impact Report (pursuant to CEQA)
GAAP	Generally Accepted Accounting Procedures
GASB	Governmental Accounting Standards Board
HUD	US Department of Housing and Urban Development
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 <sup>st</sup> 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 <sup>rd</sup> 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 <sup>th</sup> 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
RDA BOND COMMITTEE	ROWE LEONE

**TOWN OF YUCCA VALLEY  
SPECIAL TOWN COUNCIL MEETING MINUTES  
DECEMBER 10, 2013**

**OPENING CEREMONIES**

Mayor Abel called the Town Council meeting to order at 6:00 pm. Council Members present were Huntington, Leone, Rowe, Mayor Pro Tem Lombardo and Mayor Abel.

Staff members present were: Deputy Town Manager Stueckle, Administrative Services Director Yakimow, Police Lieutenant Wilke, Town Attorney Laymon and Town Clerk Copeland.

The Pledge of Allegiance was led by Mayor Abel

The Invocation was presented by Pastor Myron Wells, of First Christian Church

**PRESENTATION**

**1. San Bernardino County Sheriff's School Resource Officer Update**

San Bernardino County Sherri's Lieutenant Wilke presented an update on the recent activity of the local School Resource Officer.

Mayor Abel commented favorably of having this wonderful asset in our community.

Council Member Leone inquired on the percentage that Morongo Unified School District contributes to the expense of this position.

**2. State of the Town Address**

The State of the Town Address was presented by Mayor Abel, highlighting Financial Activity, Public Safety, Recreation and community Services, Public Works and Private Land Development

**APPROVAL OF AGENDA**

Council Member Huntington moved to approve Town Council meeting agenda for December 10, 2013. Council Member Leone seconded. Motion carried 5-0 on a voice vote.

**CONSENT AGENDA**

3. Waive further reading of all ordinances and read by title only.
4. Approve the Town Council Meeting minutes of November 5, 2013 as presented

- 5. Item Pulled
- 6. **Ratify** the Payroll Registers total of \$258,684.37 for checks dated November 8, 2013 and November 22, 2013;  
**Ratify** the Warrant Registers total of \$376,612.59 for checks dated November 14, 2013

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

Council Member Huntington moved to approve Consent Agenda items 3, 4 and 6. 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

**Item 5- Records Retention Policy Compliance; Authorization to Purge Records**

Administrative Services Director Yakimow presented the staff report on the item, explaining that listed items to be purged are primarily financial records. All records meet the criteria for destruction in accordance to the Town’s approved Records Destruction Policy.

Mayor Abel opened public comment on the item.

Ramon Mendoza, Morongo Valley inquired if flood control records were included.

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

Council Member Leone moved to approve continuing compliance with the Town’s Records Retention Policy and authorizes the purging of out-of-date records in accordance with California Government Code and the Town’s Resolution 04-14. 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

**REORGANIZATION OF TOWN COUNCIL**

**7. Selection of Mayor**

Town Clerk Copeland opened Public Comment on the selection of Mayor and the selection of Mayor Pro Tem. With no members of the public wishing to speak, public comments were closed.

Town Clerk Copeland opened nominations for Mayor.

Council Member Rowe nominated Mayor Pro Tem Lombardo for the position of Mayor. Council Member Leone seconded. There were no other nominations. Motion carried 5-0 on a roll call vote.

**8. Selection of Mayor Pro Tem**

Mayor Lombardo opened nominations for the selection of Mayor Pro Tem.

Council Member Leone nominated Council Member Huntington for the position of Mayor Pro Tem. Council Member Abel seconded. There were no other nominations. Motion carried 5-0 on a roll call vote.

**9. Presentation to Outgoing Mayor**

Mayor Lombardo presented a plaque to Outgoing Mayor Abel for his dedication and leadership while serving as the Mayor of Yucca Valley.

**PUBLIC HEARING**

**10. Development Code Amendment, DCA 08-13;  
Chapter 9.46, Renewable Energy Generation Facilities**

Mayor Lombardo opened the public hearing on Development Code Amendment, DCA 08-13; Chapter 9.46, Renewable Energy Generation Facilities

Town Clerk Copeland announced that no written communication has been received on the item.

Planning Technician Diane Olsen presented the staff report, explaining that Chapter 9.46 prohibits the development of commercial solar facilities and commercial wind energy facilities in any land use district with the Town of Yucca Valley. The Yucca Valley Planning Commission discussed this item at its meeting of May 7, 2013 and held a public hearing on October 22, 2013. Under this ordinance, the description of solar energy generation project or wind energy facilities does not include accessory solar or wind energy equipment installed primarily for onsite consumption.

Mayor Lombardo opened public comment. With no members of the public wishing to speak, public comments were closed.

Council Member Leone commented favorably on the item and was glad to see that it does not restrict renewable energy projects for onsite consumption.

Mayor Pro Tem Huntington stated he also is in favor of prohibiting commercial farms which can disrupt Yucca Valley’s natural beauty.

Council Member Rowe commented on the current situation in the County Area regarding commercial solar facilities.

Council Member Rowe moved to:

A. Find that the project is exempt from CEQA in accordance with Section 15061 (b)(3) of the California Environmental Quality Act. The proposed amendment to revise the Town’s regulations has no potential to impact the environment. The proposed amendment does not alter the existing requirements that specific development projects must comply with the provisions of the California Environmental Quality Act. Development Code Amendment, DCA 08-13 meets the exemption criteria which states “that if an activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment and where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA”.

B. Introduce the Ordinance amending the Development Code, DCA 08-13

Council Member Leone seconded. Motion carried 5-0 on a roll call vote

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

**DEPARTMENT REPORTS**

**11. Budget Report for the fiscal year ended June 30, 2013;  
Comprehensive Annual Financial Report for the fiscal year ended June 30, 2013**

Senior Accountant Sharon Cisneros presented the Budget Report for the fiscal year ending June 30, 2013 summarizing the General Fund fiscal performance. Revenue exceeded the final budget by \$602,000 and expenditures were \$352,000 less than the final budget.

Administrative Services Director presented a recap on General Fund Reserves which as of June 30, 2013 totaled \$7.1 million.

Charles DeSimoni for Rogers, Anderson, Malody and Scott, LLP (RAMS) presented the audit report and explained the audit process, the responsibilities as an auditing firm and findings from the recent audit.

Mayor Lombardo opened public comments.

Ramon Mendoza, Morongo Valley commented on the financial reports and requested data to report if the available budget is affective and meeting all the needed services.

Margo Sturges, Yucca Valley commented on development impact fees and senior housing fund restrictions.

Fritz Koenig, Yucca Valley state he would like to see the infrastructure deficit included in the annual budget report.

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

Council Member Rowe inquired on the status of development impact fee loans for the current fiscal year. Rowe also commented that the excess of the general fund balance for fiscal year ending June 30, 2013 should be earmarked for roads as previously discussed.

Mayor Lombardo asked for clarification that the General Fund will not be impacted by development impact fee repayment activity.

Mayor Abel thanked RAMS for their professional service.

Mayor Pro Tem Huntington asked DeSimoni if having the same audit firm each year produces the most comprehensive review. DeSimoni explained that the audit staff assigned to the Town periodically changes and RAMS also has its own quality control standards each audit team must meet.

Council Member Abel moved to receive and file the Budget Report for the fiscal year ended June 30, 2013; and receive and file the Comprehensive Annual financial Report (CAFR) for the fiscal year ended June 30, 2013. Mayor Pro Tem Huntington seconded. Motion carried 5-0 on a voice vote.

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None



## **12. 2013 California Building Codes Overview; Set Public Hearing for January 21, 2014, Town Council Meeting**

Patrick Carroll of Charles Abbott and Associates presented the staff report to introduce the ordinance and set the matter for public hearing. Carroll explained that the State of California updates building code standards every three years. The Town of Yucca Valley currently uses 2010 California Building Codes. The majority of the changes are related to energy efficiency.

Town Attorney Laymon gave clarification that adopting an ordinance by reference as in this case, the public hearing is held at the second reading of the ordinance.

Mayor Lombardo opened public comment.

Fritz Koenig, Yucca Valley commented on Appendix J regarding grading limits.

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

Council Member Abel spoke on the benefits of keeping up with the current building standards.

Mayor Pro Tem Huntington asked for clarification of Appendix J and if this was a change from previous code standards.

Mayor Pro Tem Huntington moved to introduce the Ordinance and set the matter for public hearing at the Town Council meeting of January 21, 2014. Council Member Rowe seconded. Motion carried 5-0 on a roll call vote.

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

## **FUTURE AGENDA ITEMS**

Council Member Leone stated he would like to discuss speed limits on dirt roads at a future meeting.

## **PUBLIC COMMENTS**

Mayor Lombardo opened public comments for items not on the agenda.

Fritz Koenig, Yucca Valley commented on the recruitment process for the vacant Town Manager position.

Sarann Graham, Yucca Valley congratulated the Lombardo and Huntington and wished everyone well for the new year.

Cary Harwin, Yucca Valley thanked the Town Council for the accomplishments during the past year.

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

### **STAFF REPORTS AND COMMENTS**

Deputy Town Manager Stueckle reported that San Bernardino County Fire personnel will be using available office space at the Community Development Building for fire inspection services. Stueckle continued by thanking the Town Council for their financial guidance and to the Administrative Services staff for a successful audit.

Administrative Services Director Yakimow reported that the Town events this past weekend, including the Holiday Craft Faire and the Annual Tree Lighting Ceremony were a success.

### **MAYOR AND COUNCIL MEMBER REPORTS AND COMMENTS**

13. Council Member Abel thanked Town Staff for assistance with the State of the Town Address and commented that he is proud of the Town Council and Town Staff for what has been accomplished during this challenging year.
14. Council Member Leone congratulated Mayor Lombardo and Mayor Pro Tem Huntington.
15. Council Member Rowe thanked Council Member Abel for his leadership this past year and congratulated Lombardo and Huntington.
16. Mayor Pro Tem Huntington thanked Yakimow and Cisneros for a successful audit and announced that the Replacement Animal Shelter facility is now operational.
17. Mayor Lombardo commended staff for a clean financial report and thanked Council Member Abel for his mentorship.

**ANNOUNCEMENTS**

The next Yucca Valley Town Council meeting is scheduled for Tuesday, December 17, 2013 at 6:00 p.m. in the Yucca Valley Community Center Yucca Room.

**CLOSED SESSION**

1. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
Name of Case: Mirage Front Properties, LLC

Mayor Lombardo opened public comments for the closed session item.

Bart Porter, Newport Beach stated he is formally involved with the property being discussed in closed session and believes that the interests of both parties are aligned and the bonds should be released properly.

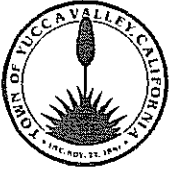
Mayor Lombardo adjourned the meeting to closed session at 8:25 pm.

Town Attorney Lona Laymon reported out from closed session with no reportable action at 9:10 pm.

Respectfully submitted,

Lesley Copeland, CMC

Town Clerk



**TOWN COUNCIL STAFF REPORT**

**To:** Honorable Mayor & Town Council  
**From:** Curtis Yakimow, Administrative Services Director  
Sharon Cisneros, Senior Accountant  
**Date:** February 10, 2014  
**For** Council February 18, 2014  
**Meeting:**

**Subject:** One-Year Extension of the Audit Contract with Rogers, Anderson, Malody & Scott

**Prior Council Review:** Town Council appointment of Rogers, Anderson, Malody & Scott, LLP as the Town's Independent Auditor in May 2008. On February 16, 2011, Council amended the agreement to extend the term of the agreement for a three year period through fiscal year 2012-2013.

**Recommendation:** It is recommended that the Town Council:





- Extend the Town of Yucca Valley contract with Rogers, Anderson, Malody & Scott, LLP for audit services by one year to include fiscal year ending June 30, 2014 for a not to exceed cost of \$46,160, and direct the Town's Administrative Services Director to execute the annual engagement letter as required;
- Direct staff to prepare a Request for Proposal for the three year period ending June 30, 2017, and return to Council for consideration.

**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:** According to the Town's municipal code, the Town's independent auditor is appointed by and serves at the pleasure of the Town Council. In May 2008, the Council appointed Rogers, Anderson, Malody & Scott, LLP, and entered into a professional services contract for audit services. This contract was renewed in February 2011. Since 2008, Rogers, Anderson, Malody & Scott, LLP has performed annual audits of the Town's financial statements and other related audit services to the

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 Session

satisfaction of the Town Council. Over the past two contract terms, the Town has experienced multiple audit managers, leads and field staff to ensure transparency and independence throughout the audit process.

The request for extension is recommended to allow sufficient time to send out a Request for Proposal (RFP) for a new multi-year contract period to area Certified Public Accounting firms. Sending out a comprehensive RFP's will enable the Town to get competitive bids on audit services, and will provide the Town Council with multiple options in the appointment process. Extending the current contract by one year, and starting the RFP process in the fall of 2014 will allow the process to be conducted outside of the timeframe when the Town's two-year budget is being prepared and allow for a more comprehensive approach in managing the bid process. The additional time will provide for a smoother transition should the Council be inclined to select a different provider, as interim field work traditionally begins in late spring.

**Alternatives:** Direct staff to prepare bid documents for the current fiscal year audit.

**Fiscal impact:** The total cost for audit services for FY 2014-15 is projected to total \$46,160 and reflects an increase of 2.5% over prior year costs. The FY 2014-15 Budget will provide sufficient funding for audit services in the Finance Division line item 001-10-10-7110 Professional Services.



TOWN COUNCIL STAFF REPORT

To: Honorable Mayor & Town Council
From: Curtis Yakimow, Director of Administrative Services
Sharon Cisneros, Senior Accountant
Date: February 10, 2014
For Council Meeting: February 18, 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 January 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: 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: [Signatures]
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.

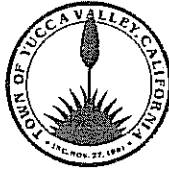
**Attachments:** AB1234 Reporting Requirement Schedule

# Town of Yucca Valley

## Councilmember AB1234 Meetings Schedule Month of January 2014

<b>Date of Travel</b>	<b>Organization</b>	<b>Description</b>	<b>Location</b>
<b>Mayor Lombardo</b>	League of California Cities	New Mayor Academy	Sacramento, CA
<b>Mayor Pro Tem Huntington</b>	No Reportable Meetings		
<b>Councilmember Abel</b>	No Reportable Meetings		
<b>Councilmember Rowe</b>	No Reportable Meetings		
<b>Councilmember Leone</b>	No Reportable Meetings		





**TOWN COUNCIL STAFF REPORT**

**To:** Honorable Mayor & Town Council  
**From:** Curtis Yakimow, Administrative Services Director  
**Date:** February 6, 2014  
**Council Meeting:** February 18, 2014

**Subject:** Warrant Register February 18, 2014

**Recommendation:**

Ratify the Payroll Registers total of \$ 135,644.95 dated January 17, 2014.  
Warrant Registers total of \$882,029.78 for checks dated January 30, 2014 thru February 6, 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. 28 dated January 17, 2014 total of \$135,644.95
- Warrant Register No. 33 dated January 30, 2014 total of \$362,871.63
- Warrant Register No. 35 dated February 6, 2014 total of \$519,158.15

Reviewed By:

  
Town Manager

\_\_\_\_\_  
Town Attorney

  
Admin. Services

  
Finance

\_\_\_\_ Department Report  
 Consent

\_\_\_\_ Ordinance Action  
 Minute Action

\_\_\_\_ Resolution Action  
\_\_\_\_ Receive and File

\_\_\_\_ Public Hearing  
\_\_\_\_ Study Item

TOWN OF YUCCA VALLEY  
PAYROLL REGISTER # 28  
CHECK DATE - January 17, 2014

Fund Distribution Breakdown

**Fund Distribution**

General Fund	\$125,149.05
Gas Tax Fund	10,495.90
Successor Agency	0.00 **
	<hr/>

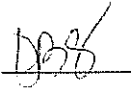
Grand Total Payroll	<u><u>\$135,644.95</u></u>
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\*\*This is not an obligation of the Town of Yucca Valley.


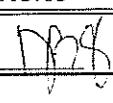
Prepared by P/R & Financial Specialist:



Reviewed by H/R & Risk Mgr.:



**Town of Yucca Valley**  
**Payroll Net Pay & Net Liability Breakdown**  
Pay Period 28 - Paid 01/17/2014  
(December 28, 2013 - January 10, 2014)  
Checks: 4809 - 4817



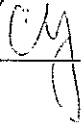
	Employee	Employer	Total
<b><u>Net Employee Pay</u></b>			
Payroll Checks	\$3,351.25		\$3,351.25
Direct Deposit	67,394.62	-	67,394.62
Sub-total	70,745.87		70,745.87
<b><u>Employee Tax Withholding</u></b>			
Federal	12,437.56		12,437.56
Medicare	1,371.62	1,371.64	2,743.26
SDI - EE	-	-	-
State	3,889.81		3,889.81
Sub-total	17,698.99	1,371.64	19,070.63
<b><u>Employee Benefit &amp; Other Withholding</u></b>			
Misc. Payroll Adjustment Credit's	-	151.89	151.89
Deferred Compensation	3,118.38	2,891.28	6,009.66
PERS Survivor Benefit	46.00		46.00
Health Caf� Plan	1,422.24	10,965.66	12,387.90
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%	969.81		969.81
PERS EE - Contribution 8%	4,678.31		4,678.31
PERS Retirement - Employer 6.25 %	-	160.97	160.97
PERS Retirement - Employer 7.846 %	-	1,115.15	1,115.15
PERS Retirement - Employer 18.586 %	-	11,409.09	11,409.09
Wage Garnishment - Employee	10.00		10.00
Life & Disability Insurance		876.65	876.65
Other Post Employee Benefit's		2,308.45	2,308.45
Unemployment Insurance		1,454.99	1,454.99
Workers' Compensation		3,325.55	3,325.55
Sub-total	11,168.77	34,659.68	45,828.45
<b>Gross Payroll</b>	<b>\$99,613.63</b>	<b>\$36,031.32</b>	<b>\$135,644.95</b>
Prepared by P/R & Financial Specialist: 	Reviewed by H/R & Risk Mgr.: 		

**WARRANT REGISTER # 33**  
**CHECK DATE JANUARY 30, 2014**

**FUND DISTRIBUTION BREAKDOWN**

Checks # 44064 to # 44162 are valid:

GENERAL FUND # 001	\$176,396.09
CENTRAL SUPPLIES FUND # 100	\$1,528.03
CUP DEPOSITS FUND # 200	\$37.16
ASSET SEIZURE FUND # 508	\$1,467.22
COPS-ELEAS FUND # 511	\$64.99
AB2928-TCRP FUND # 513	\$171,156.57
STREET MAINTENANCE FUND # 515	\$11,058.37
PUBLIC LANDS FEDERAL GRANT FUND # 527	\$17.55
TOWN HOUSING FUND # 632	\$1,145.65
<b>GRAND TOTAL</b>	<u><u>\$362,871.63</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 30, 2014

Fund	Check #	Vendor	Description	Amount
001	GENERAL FUND			
	44064	Action Pumping, Inc.	Annual Septic Maintenance	\$ 1,345.00
	44066	Aleshire & Wynder, LLC	12/13 Professional Services	16,710.28
	44067	Alsco/American Linen, Inc.	Facilities Operating Supplies	314.12
	44068	Janet Anderson	02/14 Medical Insurance	844.62
	44069	Animal Action League	Spay & Neuter Services	855.00
	44070	APCO Plumbing	Facilities Maintenance	265.50
	44071	Arrowhead Mountain Water	Office Supplies	249.60
	44072	ASCAP	2014 Membership Renewal	330.00
	44073	AT & T Mobility	Cell Phone Service	312.87
	44074	Blue Shield of California	02/14 Medical Insurance	1,246.21
	44075	Jeff Brady	Sports Referee	128.00
	44076	Brian's Lockshop	Key Service	105.00
	44077	Builders Supply-Yucca Valley	Maintenance Supplies	74.44
	44078	C & S Electric	Electrical Maintenance	52.49
	44079	Vanessa Cantu	Professional Services	2,240.00
	44080	Dennis Cavins	Sports Referee	24.00
	44081	Dennis Cavins, Jr.	Sports Referee	24.00
	44082	CDW Government, Inc.	Computer Maintenance	65.85
	44083	CESA-SC	2014 Membership Dues	75.00
	44084	Charles Abbott & Assoc, Inc.	Plan Check Services	16,464.13
	44085	Janine Cleveland	02/14 Medical Insurance	104.90
	44086	Corelogics Information Solutions	Property Search Information	161.00
	44090	CSMFO	2014 Membership Dues	110.00
	44091	D & D Disposal, Inc.	Animal Disposal Service	4,272.00
	44092	Delta Mechanical	Building Permit Refund	60.80
	44093	Desert Arc	Park Maintenance Services	4,095.00
	44096	DFM Associates	Reference Materials	3.75
	44097	Dept of Justice	Livescan Services	229.00
	44098	Candy Drake	02/14 Medical Insurance	585.31
	44099	Desert Regional Tourism Agency	Partnership Agreement	6,000.00
	44100	Alec Earnest	Sports Referee	24.00
	44101	Ewing Irrigation, Inc.	Parks Irrigation Supplies	296.58
	44102	Farmer Bros. Co.	Office Supplies	267.90
	44103	Fulton Distributing Co.	Parks Maintenance Supplies	724.67
	44104	G & K Propane	Propane Supply	31.47
	44106	Jess Geeson	Sports Referee	60.00
	44107	Carol Giannini	Staff Education/Training	1,750.00
	44108	Hardesty Custom Floors	Shelter Window Treatments	348.00
	44109	Hi-Desert Water	Water Service	654.07
	44110	Hi-Desert Publishing	Notice Advertising	2,660.50
	44111	International Council Shopping Ctrs.	Membership Renewal	135.00

*Town of Yucca Valley*

**Warrant Register**

January 30, 2014

<b>Fund</b>	<b>Check #</b>	<b>Vendor</b>	<b>Description</b>	<b>Amount</b>
	44112	Institute for Local Government	AB 1234 Testing Service	50.00
	44113	Robert Kirschmann	02/14 Medical Insurance	1,589.05
	44115	Legacy Office Products	Office Supplies	443.60
	44117	Bill McClay	Sports Referee	120.00
	44118	Brent Murphy	Sports Referee	90.00
	44119	Karver Murphy	Sports Referee	24.00
	44120	Morongo Unified School District	Facility Rental	54.28
	44121	Michael Myers	Sports Referee	60.00
	44122	Navitas Lease Corp.	Shelter Phone Lease	527.19
	44123	Oasis Office Supply, Inc.	Office Supplies	1,139.27
	44124	OnTrac	Delivery Service	25.06
	44125	Pacific Telemanagement Svs.	Public Phone Service	82.64
	44126	Mirona D. Petrus, DVM Inc.	Veterinary Services	245.00
	44127	Phone Solutions	Replacement Voicemail Sys.	769.65
	44129	Pro Security	Annual Monitoring Update	438.98
	44131	Rainshadow Irrigation Consulting	Essig Park Irrigation Audit	1,500.00
	44132	Celeste Reyes	Sports Referee	84.00
	44133	Ron's Automotive	Vehicle Safety Inspection	95.00
	44134	SBCO-Office of the Assessor	Assessor Disk	429.43
	44135	SBCO - Information Services	Radio Access	2,058.11
	44136	SBCO Animal Care & Control	County License Pass-Through	2,991.65
	44137	Office of the County Recorder	Lien Filing Fee	105.00
	44138	SBCO-Registrar of Voters	Recall Petition Review Svs.	20,120.12
	44139	SCE	Electric Service	5,734.06
	44140	SESAC	2014 Membership Dues	343.00
	44141	Signs by Wanda	Museum Signage	118.80
	44142	Simplot Partners, Inc.	Parks Maintenance Supplies	1,026.00
	44143	So. Cal. Gas Co.	Natural Gas Vehicle Fuel	34.30
	44144	Bradley Soares	Sports Referee	90.00
	44145	Southwest Networks, Inc.	Computer Maintenance	2,892.24
	44146	The Sun Runner	Advertising	100.00
	44147	MarilynTarbutton	Professional Services	150.00
	44148	TFI Resources, Inc.	Temporary Employment Svs.	951.00
	44149	The Planning Center	General Plan Update	53,887.50
	44150	Selah Thuresson	Safety Equipment	102.55
	44152	Trophy Express	Engraving Service	22.95
	44153	Unisource Worldwide, Inc.	Facilities Maintenance	1,320.26
	44154	VCA Yucca Valley Animal Hospital	Veterinary Services	262.00
	44155	Verizon	Long Distance Phone Svs.	151.91
	44156	Victor Medical Company	Shelter Maintenance	43.92
	44157	Valley Independent	Printing Expense	1,046.30
	44158	Walmart Community	Shelter Supplies	993.37

*Town of Yucca Valley*

**Warrant Register**

January 30, 2014

Fund	Check #	Vendor	Description	Amount
	44159	Wild Mustang Feed	Shelter Supplies	389.68
	44160	Woods Auto Repair	Fleet Vehicle Maintenance	219.40
	44161	Yucca Valley Quick Lube, LLC	Fleet Vehicle Maintenance	209.80
	44162	Yucca Valley Auto Parts, Inc.	Vehicle Maintenance	54.95
	EFT	The Home Depot	Maintenance Supplies	1,774.57
	EFT	First Bankcard	Meetings & Supplies	7,135.44
<b>Total 001 GENERAL FUND</b>				<b>\$ 176,396.09</b>
100 INTERNAL SERVICE FUND				
	44094	Desert Images Office Equipment	Fax Machine Maintenance	\$ 266.25
	44105	GE Capital Corporation	Shelter Copier Lease	653.67
	44116	Mail Finance	Postage Meter Lease	543.33
	44123	Oasis Office Supply, Inc.	Copy Paper	64.78
<b>Total 100 INTERNAL SERVICE FUND</b>				<b>\$ 1,528.03</b>
200 DEPOSITS FUND				
	44115	Legacy Office Products	Office Supplies	\$ 37.16
<b>Total 200 DEPOSITS FUND</b>				<b>\$ 37.16</b>
508 ASSET SEIZURE FUND				
	44128	Positive Promotions, Inc.	Sheriff's Office Program	\$ 1,467.22
<b>Total 508 ASSET SEIZURE FUND</b>				<b>\$ 1,467.22</b>
511 COPS-ELEAS FUND				
	44151	Time Warner Cable	Sheriff's Office Cable Svs.	\$ 64.99
<b>Total 511 COPS-ELEAS FUND</b>				<b>\$ 64.99</b>
513 AB2928-TCRP FUND				
	44088	C.S. Legacy Construction, Inc.	TCRP Project	\$ 159,444.54
	44089	C.S. Legacy Construction, Inc.	TCRP Project Retention	7,972.23
	44114	LandMark	Soils Testing Service	3,739.80
<b>Total 513 AB2928-TCRP FUND</b>				<b>\$ 171,156.57</b>
515 GAS TAX FUND				
	44067	AlSCO/American Linen, Inc.	Streets Uniform Service	\$ 72.47
	44077	Builders Supply-Yucca Valley	Maintenance Supplies	10.79
	44087	Crafco, Inc.	Asphalt Supplies	2,773.44
	44109	Hi-Desert Water	Water Service	60.00
	44130	Quality Street Services, Inc.	Street Sweeping Service	8,010.00
	44133	Ron's Automotive	Vehicle Safety Inspection	95.00
	44162	Yucca Valley Auto Parts, Inc.	Vehicle Maintenance	36.67
<b>Total 515 GAS TAX FUND</b>				<b>\$ 11,058.37</b>

*Town of Yucca Valley*

Warrant Register

January 30, 2014

<u>Fund</u>	<u>Check #</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount</u>
527 PUBLIC LANDS FEDERAL GRANT FUND				
	44095	Desert Reprographics	PLHD Project	\$ 17.55
<b>Total 527 PUBLIC LANDS FEDERAL GRANT FUND</b>				<u>\$ 17.55</u>
632 TOWN HOUSING FUND				
	44065	Affordable Housing Group, Inc.	Annual Monitoring Fee	\$ 1,145.65
<b>Total 632 TOWN HOUSING FUND</b>				<u>\$ 1,145.65</u>
***		Report Total		<u>\$ 362,871.63</u>





**WARRANT REGISTER # 35  
CHECK DATE FEBRUARY 6, 2014**

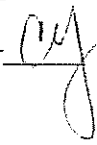
**FUND DISTRIBUTION BREAKDOWN**

Checks # 44163 - # 44221 are valid

GENERAL FUND # 001	\$340,147.52
CENTRAL SUPPLIES FUND # 100	\$421.06
CUP DEPOSITS FUND # 200	\$718.72
AB928-STATE CONSTRUCTION GRANT FUND # 513	\$173,254.78
STREET MAINTENANCE FUND # 515	\$969.58
MEASURE I 2010-2040 FUND # 524	\$284.29
PUBLIC LANDS FEDERAL GRANT FUND # 527	\$3,362.20
<b>GRAND TOTAL</b>	<b><u><u>\$519,158.15</u></u></b>

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**

February 6, 2014

Fund	Check #	Vendor	Description	Amount
001	GENERAL FUND			
	44163	Bickmore Risk	Staff Education Service	\$ 750.00
	44164	Ruth Alkire	Contract Instructor	54.60
	44165	Animal Health & Sanitary Supply	Shelter Start Up Costs	275.40
	44166	Avalon Urgent Care	Medical Services	510.00
	44167	Cheyenne Bonnell	Contract Instructor	64.40
	44168	Carol Boyer	Contract Instructor	61.60
	44169	Jeff Brady	Sports Referee	64.00
	44170	Vanessa Cantu	Professional Services	2,135.00
	44171	CDW Government, Inc.	Computer Maintenance	472.04
	44172	Robert Cox	Contract Instructor	46.20
	44175	Data Ticket	Citation Services	200.00
	44176	League of CA Cities-Desert Mtn.	2014 Membership Dues	500.00
	44177	Alec Earnest	Sports Referee	48.00
	44178	FedEx	Delivery Service	25.81
	44179	Catherine Fletcher	Contract Instructor	51.80
	44180	Jess Geeson	Sports Referee	30.00
	44181	Graphic Penguin	Web Site Maintenance	370.00
	44182	Joy Groves	Contract Instructor	271.53
	44183	Lori Herbel	Contract Instructor	1,039.50
	44184	Hi-Desert Water	Water Service	1,000.55
	44185	Hi-Desert Publishing	Ordinance Publishing	157.50
	44186	Honeywell Building Solutions	HVAC Maintenance Contract	10,391.00
	44187	Intervet, Inc.	Shelter Adoption Supplies	931.07
	44188	Susan Jordan	Contract Instructor	210.00
	44189	Heather Kaczmarczk	Contract Instructor	857.50
	44191	David Luse	Contract Instructor	29.40
	44192	Bill McClay	Sports Referee	75.00
	44193	Brent Murphy	Sports Referee	120.00
	44194	Karver Murphy	Sports Referee	150.00
	44195	Michael Myers	Sports Referee	60.00
	44196	National Notary Association	Errors & Omissions Insurance	33.00
	44198	Sierra Oakes	Contract Instructor	22.40
	44199	Oasis Office Supply, Inc.	Office Supplies	41.77
	44200	Pro Video	Town Council Taping	200.00
	44201	Celeste Reyes	Sports Referee	24.00
	44202	Linda Sande	Contract Instructor	65.80
	44203	SBCO Sheriff's Dept	02/14 Professional Svs.	293,590.00
	44204	Office of the County Recorder	Filing Fee	15.00
	44205	SCE	Electric Service	419.79
	44206	Beverly Schmuckle	Contract Instructor	56.00
	44208	So. Cal. Gas Co.	Natural Gas Service	3,698.89

*Town of Yucca Valley*

**Warrant Register**

February 6, 2014

Fund	Check #	Vendor	Description	Amount
	44209	Bradley Soares	Sports Referee	75.00
	44210	Southwest Networks, Inc.	Computer Maintenance	3,900.00
	44211	Division of the State Architect	10-12/13 SB 1186 Fee	204.00
	44212	Stater Bros	Museum Event Supplies	289.05
	44213	Steven Enterprises	Toners	582.16
	44214	That Shirt Place	Recreation Event Supplies	433.40
	44215	Time Warner Cable	Internet Service	464.62
	44216	VCA Y V Animal Hospital	Veterinary Services	384.57
	44217	Verizon	Phone Service	12,423.20
	44218	Valley Independent	Shelter Printing Expense	212.28
	44219	Walmart Community	Museum Supplies	277.69
	44220	Elizabeth (Betty) Wulf	Contract Instructor	63.00
	44221	Animal Action League	Veterinary Services	1,720.00
<b>Total 001</b>	<b>GENERAL FUND</b>			<b>\$ 340,147.52</b>
100 INTERNAL SERVICE FUND				
	44199	Oasis Office Supply, Inc.	Office Supplies	\$ 421.06
<b>Total 100</b>	<b>INTERNAL SERVICE FUND</b>			<b>\$ 421.06</b>
200 DEPOSITS FUND				
	44178	FedEx	Delivery Service	\$ 73.72
	44197	NRO Engineering	Engineering Services	645.00
<b>Total 200</b>	<b>DEPOSITS FUND</b>			<b>\$ 718.72</b>
513 AB2928-TCRP FUND				
	44173	C.S. Legacy Construction, Inc.	TRCP Project	\$ 165,004.55
	44174	C.S. Legacy Construction, Inc.	TCRP Project Retention	8,250.23
<b>Total 513</b>	<b>AB2928-TCRP FUND</b>			<b>\$ 173,254.78</b>
515 GAS TAX FUND				
	44197	NRO Engineering	Engineering Services	\$ 920.00
	44205	SCE	Electric Service	49.58
<b>Total 515</b>	<b>GAS TAX FUND</b>			<b>\$ 969.58</b>
524 MEASURE I - 2010-2040 FUND				
	44205	SCE	Electric Service	\$ 34.29
	44207	Siemens Industry, Inc.	Signal Maintenance	250.00
<b>Total 524</b>	<b>MEASURE I - 2010-2040 FUND</b>			<b>\$ 284.29</b>

*Town of Yucca Valley*

Warrant Register

February 6, 2014

<u>Fund</u>	<u>Check #</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount</u>
527		PUBLIC LANDS		
	44190	Legacy Office Products	Office Supplies	\$ 602.20
	44197	NRO Engineering	Engineering Services	2,760.00
<b>Total 527</b>		<b>PUBLIC LANDS FEDERAL GRANT FUND</b>		<b>\$ 3,362.20</b>
<b>***</b>		<b>Report Total</b>		<b><u>\$ 519,158.15</u></b>

## TOWN COUNCIL STAFF REPORT

**To:** Honorable Mayor & Town Council  
**From:** Curtis Yakimow, Director of Administrative Services  
**Date:** February 13, 2014  
**For** Council February 18, 2014  
**Meeting:**

**Subject:** Community Development Block Grant (CDBG) Prioritization Hearing

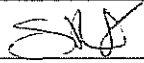
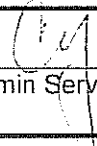
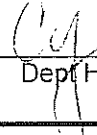
**Prior Council Review:** At the beginning of each cycle of CDBG funding, the Town Council is asked to review eligible project and program proposals and to make a funding recommendation based on local priorities to the County Board of Supervisors.

**Recommendation:** It is recommended that the Town Council:

1. Allocate the Town's FY 2014-15 CDBG allocation of \$119,995 to the following approved Town Projects;
  - Jacob's Park Playground Equipment Replacement \$50,000
  - Commercial Corridor/Paradise Valley Code Program \$69,995
2. Allocate \$20,000 of prior program CDBG contingency to the Town's Jacob's Park Playground Equipment Replacement Project.
3. Direct staff to include the outside CDBG applicants in the Town's FY 2014-15 & FY 2015-16 Partnerships and Programs outreach efforts.

**Summary:** As a participating city with San Bernardino County in the Community Development Block Grant program, the Town of Yucca Valley is required to prioritize eligible local proposals and forward a recommendation to the County Board of Supervisors for funding approval. Eight agencies, including the Town of Yucca Valley, submitted proposals for funding under the Town's allocation of the 2014-15 funding cycle to the County Community Development and Housing (CDH) department, where they were reviewed for eligibility under program guidelines. Although the Council has previously declared its intention to allocate CDBG funding to specific Town projects, the Public Hearing is required to allow applicants an opportunity to speak on behalf of their proposals. The Council's funding recommendation will be forwarded to the County Board of Supervisors.

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

**Order of Procedure:**

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

**Discussion:** Through a cooperation agreement with San Bernardino County, the Town of Yucca Valley participates with the County's Community Development and Housing (CDH) department in the administration of Community Development Block Grant funding. Through this agreement, the Town Council is asked each year to review and prioritize eligible projects and proposals, and to forward a funding recommendation to the Board of Supervisors.

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

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

The Town's current allocation for the 2014-15 funding cycle is \$119,995. Attached for the Council's review is a recent history of CDBG funding allocations. Although 15% (\$18,000) of the local allocation can be designated for Public Service *Programs*, the Council has opted in recent years to assist certain agencies from the General Fund's partnership budget instead.

The total amount requested from the Town's allocation for 2014-15 public service *programs* is \$118,224. The total requested for *projects* is \$425,000.

According to the U.S. Department of Housing and Urban Development, a minimum grant award amount is necessary to justify the cost of administering CDBG funded projects and programs. In order to efficiently manage programs and projects and reduce administrative costs, the minimum threshold amounts remain at \$10,000 for public service programs and \$75,000 for construction projects.

These limits will not apply to Yucca Valley in 2014-15 because of the relatively small amount of the Town's allocation, but the County will not permit the funding of more than four projects.

**Recommendation**

Park Improvements

With the Council's strategy in recent years of allocating multiple years of funding to various Town projects, the Town has been able to deliver much needed improvements to the Town's aging recreational facilities at the Community Center and Paradise Park playgrounds. The third and final such playground in need of replacement is at the Town's Jacob's Park facility. The recommended action would allocate \$70,000 in CDBG funding (\$50,000 from FY 2014-15 and \$20,000 from prior year reserves) to deliver the following improvements:

- New 2-5 year old playground equipment
- Safety Standard Upgrades to 5-12 year old playground equipment
- Replacement of previously removed of a non-compliant swing set
- Various other non-ADA compliant element updates

Targeted Code Enforcement

Over the past two years, the Town has utilized CDBG funding to target specific Code Enforcement activities along the Town's commercial corridor as well as in certain residential areas within the Town. While these activities have been effective over the past two years, town staff anticipates eliminating CDBG allocation toward this program over the next two years. After the FY 2015-16 CDBG cycle, it is anticipated that there will be no CDBG allocations toward the Town's code enforcement activities. For the FY 2014-15 CDBG cycle, staff is recommending an allocation of \$69,995.

**Alternatives:** None recommended

**Fiscal impact:** In the 2014-15 CDBG cycle, a total of \$119,995 will be available for local programs and projects. These funds become available to the Town after July 1, 2014 following federal and county approval and environmental review.

**Attachments:** CDBG Allocation letter  
Program request summary  
Project request summary  
County summary of proposals

Attachment 1

**Recent Town CDBG Allocation History**



**Town of Yucca Valley**  
 CDBG Allocations  
 Recent Project History

<b>Fiscal Year</b>	<b>Project</b>	<b>Allocation</b>	<b>Notes</b>
2009 - 2010	Community Center Playground	\$ 166,051	1
2010 - 2011	Community Center Playground	188,033	1
2011 - 2012	Targeted Code Enforcement	167,405	
2012 - 2013	Community Center Playground	104,603	1
2013 - 2014	Targeted Code Enforcement	116,443	2
2014 - 2015	<i>Jacobs Park Playground</i>	50,000	3
2014 - 2015	<i>Targeted Code Enforcement</i>	69,995	3

**Notes**

- 1). Community Center Playground project originally included a Splash Pad element as well as other significant Community Center Playground modifications. Due to budgetary limitations, the scope was reduced to align with resources available. Remaining resources were transitioned to similar improvements at the Town's Paradise Park Facility.  
 To accomplish this project, a three-year allocation of CDBG funding was necessary.
- 2). Anticipated last full year of targeted Code Enforcement Project.
- 3). Proposed FY 2014-15 projects with Jacob's park modifications and partial Targeted Code Enforcement.

Attachment 2

**FY 2014-15 CDBG Allocation Letter & Summary**

# ECONOMIC DEVELOPMENT AGENCY



# COUNTY OF SAN BERNARDINO

385 North Arrowhead Avenue • Third Floor  
San Bernardino, CA 92415-0043 • (909) 387-4700 • Fax (909) 387-4415

Kelly Reenders, Administrator

January 9, 2014

Mr. Curtis Yakimow, Administrative Services Director  
Town of Yucca Valley  
57090 Twentynine Palms Highway  
Yucca Valley, CA

**RE: 2014-15 CDBG PROJECT PRIORITIZATION PUBLIC HEARING**

Dear Mr. Yakimow:

Each year as part of our preparation of the Community Development Block Grant (CDBG) application, we ask those cities participating with the County in the CDBG program, to prioritize projects for funding. The County's CDBG allocation is anticipated to be \$6.5 million which includes the allocation of an additional city to the County's CDBG program for fiscal year 2014-15. Once the actual allocation amount is known, you will be notified immediately. Your City's allocation amount is anticipated to be **\$119,995** and was calculated using Census 2012 poverty and overcrowded housing counts in addition to 2012 population estimates.

This year, we are requesting that the cities complete their prioritization hearings and submit their lists of funding recommendations to our office by **March 7, 2014**. This will permit us to include all City recommendations received by this date, in the Proposed CDBG Action Plan (Plan). The Plan is scheduled to be presented at a public hearing before the County Board of Supervisors on April 22, 2014.

**CDBG Capital Improvement Projects/Public Service Programs**

To assist your efforts, we have enclosed a list of eligible CDBG project proposals identifying benefit to your City and a copy of each project proposal requesting CDBG funding for your reference. Further, we have enclosed instructions and a form for preparing and returning your funding recommendations.

**Grant Process and Funding Thresholds**

Your City Council will have an opportunity to consider proposals requesting funding from your City's CDBG allocation for Fiscal Year 2014-15. Your City may only fund up to a total of four (4) proposals/projects. There is no minimum allocation amount on a per proposal basis. The City may either fund public service programs and or construction projects but may only fund up to a total of four (4) proposals/projects.


GREGORY C. DEVEREAUX  
Chief Executive Officer

Board of Supervisors	
ROBERT A. LOVINGOOD . . . . . First District	JAMES RAMOS . . . . . Third District
JANICE RUTHERFORD . . . . . Second District	GARY C. GVITT . . . . . Fourth District
JCP.32 ONZALES . . . . . Fifth District	

Mr. Curtis Yakimow, Administrative Services Director  
January 9, 2014  
Page 2

Thank you for your past and continuing support in the CDBG program. I appreciate your assistance in returning your funding recommendations no later than **March 7, 2014**. Should you have any questions or need additional assistance, please feel free to call me at (909) 388-0961.

Sincerely,

  
BRYAN ANDERSON  
Supervising CD Analyst

BA/TR  
Enclosures

cc: Shane Stueckle, Deputy Town Manager  
Kelly Reenders, EDA Administrator  
Patricia M. Cole, EDA Assistant Administrator

County of San Bernardino  
Economic Development Agency

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM  
2014-2015 CDBG PLAN

**CITY PROCEDURES FOR NOTIFYING THE  
COUNTY OF CDBG FUNDING RECOMMENDATIONS**

For the 2014-2015 CDBG program the following materials are provided to assist you in your efforts to prioritize project proposals for CDBG funding:

- All proposals that are eligible for CDBG funding and request funds from your city are listed on the enclosure titled "Eligible Project Proposals." A copy of each eligible project proposal application is included for your use.
- Proposals not eligible for CDBG funding, if any, are found on the enclosure titled "Project Proposals Ineligible." This latter listing is provided as information only.

Under the Citizens Participation Plan approved for the County's CDBG program, cities review their eligible project proposals for funding consideration at an advertised public hearing. In order to meet HUD's CDBG application submittal due date, your hearing should be held no later than **March 7, 2014**. After that date, we may be unable to include your City Council recommendations in the list of projects for Board of Supervisors approval. Your City Council action must include the recommended CDBG funding amount for each selected project proposal. The total City recommended CDBG funding amount for the selected project proposals cannot exceed the City's allocation unless the City Council has reprogrammed prior-year CDBG funds as part of the advertised public hearing. List any prior-year funding recommendations separately.

The attached "Cooperating City Recommended Projects List" form needs to be completed and returned to EDA by **March 7, 2014**. **To avoid funding errors, each recommended project must be identified on the form according to the log number and proposal description found on the "Eligible Project Proposals" list. Use an asterisk to identify Public Service projects. Be sure to include the funding amount approved by the City Council.** Please list the recommended projects in descending order of priority, with the highest priority project listed first. For your convenience, the form also provides a space to calculate the difference between the recommended public service activities total and the 15% public service limit. If your recommended projects include the reprogramming of prior year CDBG funds, please list the affected projects and CDBG amounts on a separate page.

A follow-up copy of the City Council action is to be sent to EDA at your earliest convenience. All City CDBG funding recommendations received by **March 7, 2014**, will be presented to the Board of Supervisors for funding authorization under the County's 2014-2015 CDBG application to HUD. The public hearing for this presentation is scheduled for April 22, 2014.

County of San Bernardino  
 Economic Development Agency  
 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM  
 2014-2015 CDBG CONSOLIDATED PLAN  
COOPERATING CITY RECOMMENDED PROJECTS LIST

City: **Yucca Valley**

Hearing Date: \_\_\_\_\_

City's 2014-15 Allocation Amount: **\$119,995**

CDH Log Number	Project Description	Public Service Y/N	Applicant's Requested Amount	City's Recommended Amount	Public Service Amount
			\$	\$	\$
			\$	\$	\$
			\$	\$	\$
			\$	\$	\$
			<b>Total:</b> (not to exceed City's CDBG Allocation)	\$	\$

\*Public Service Activities Total                   \$ \_\_\_\_\_

Difference   \$ \_\_\_\_\_

\_\_\_\_\_ At Limit  
 \_\_\_\_\_ Over Limit  
 \_\_\_\_\_ Under Limit  
 (check one)

San Bernardino County  
Department of Community Development and Housing

ELIGIBLE PROPOSALS

Town of Yucca Valley 2014-2015 CDBG Proposals by Benefit Area

Log No.	Primary Benefit Area/ Description:	Applicant: Activity Eligibility Benefit Eligibility	M&O Commit	Project/ Request/		Request	Dist	Comments
				Community	Percent			
40021	Twentynine Palms Continuation of Transportation Services to Low/Mod Income Seniors and Disabled Persons - Reach Out Morongo Basin	Reach Out Morongo Basin, Inc. Robin Schlosser, Executive Director (760) 361-1410 P.O. Box 2225 Twentynine Palms, CA 92277 24 CFR 201(e) 24 CFR 208(a)(2)(i)(C)	N	\$69,500 \$30,000 43.0%	Twentynine Palms Town of Yucca Valley Total	\$15,000 \$15,000 \$30,000	1	Cont of Public Service #310- 29227/2429. Would require documentation of at least 51% low/mod income clientele served. Would serve/benefit disabled and senior persons. Funds requested from: \$15,000 29 Palms and \$15,000 Town of Yucca Valley
40042	Town of Yucca Valley New - Provision of Literacy Education at Yucca Valley Branch Library, Yucca Valley	Yucca Valley Branch Library Leonard Hernandez, County Librarian (909) 387-5721 104 West Fourth Street San Bernardino, CA 92415-0035 24 CFR 201(c) 24 CFR 208(a)(2)(i)(A)	N	\$37,500 \$10,000 26.0%	Town of Yucca Valley Total	\$10,000 \$10,000	3	Public Service. Would be limited to illiterate persons.
40072	Town of Yucca Valley Additional Funding to Renovations to Paradise Park to include ADA Improvements, Yucca Valley	Town of Yucca Valley Curtis Yakimow, Dir. of Admin Services (760) 369-7207 57090 29 Palms Hwy. Yucca Valley, CA 92284 24 CFR 201(c) 24 CFR 208(a)(1)	N	\$225,000 \$225,000 100.0%	Town of Yucca Valley Total	\$225,000 \$225,000	3	Request for additional funding for project #123-39102/3698. Davis-Bacon Wage Rate Requirements may increase costs. Park will serve selected census tracts as the Town has several parks that serve the remaining areas of the Town.
40073	Town of Yucca Valley Additional Funding for Code Enforcement Activities in CDBG Target Areas, Town of Yucca Valley	Town of Yucca Valley Curtis Yakimow, Dir. of Admin Services (760) 369-7207 57090 29 Palms Hwy. Yucca Valley, CA 92284 24 CFR 202(c) 24 CFR 208(a)(1)	N	\$100,000 \$100,000 100.0%	Town of Yucca Valley Total	\$100,000 \$100,000	3	Cont of #123-36117/3615 Enhanced code enforcement activities. Would be limited to target area. City must provide documentation defining blight, how area meets blight definition & provide statistics showing impact of code enforcement.

Town of Yucca Valley 2014-2015 CDBG Proposals by Benefit Area

Log No.	Primary Benefit Area/Description:	Applicant: Activity Eligibility Benefit Eligibility	M&O Commit	Project/ Request/ Percent	Community	Request	Dist	Comments
40074	Town of Yucca Valley New - Renovations to Jacobs Park - Playground Equipment, Benches and Picnic Tables, Yucca Valley	Town of Yucca Valley Curtis Yakimow, Dir. of Admin Services (760) 369-7207 57090 29 Palms Hwy. Yucca Valley, CA 92284 24 CFR 201(c) 24 CFR 208(a)(1)	N	\$100,000 \$100,000 100.0%	Town of Yucca Valley Total	\$100,000 \$100,000	3	Davis-Bacon Wage Rate Requirements may increase costs; Park is a neighborhood park that serves a low/mod neighborhood. Town has other parks within the Town that serve other neighborhoods.
40080	Colton New - Provision of Nutritious Meals for Seniors at Senior Centers and Delivery of Meals to Homebound Seniors - Family Service Assoc.	Family Service Association Veronica Dover, Chief Operating Officer (951) 686-1096 x228 21250 Box Springs Rd., Ste 212 Moreno Valley, CA 92557 24 CFR 201(e) 24 CFR 208(a)(2)(i)(A)	N	\$2,785,553 \$40,224 1.0%	Colton Town of Yucca Valley Yucaipa Redlands Grand Terrace Twentynine Palms Loma Linda Total	\$9,193 \$7,611 \$6,500 \$5,239 \$4,328 \$4,197 \$3,156 \$40,224	5	Public Service. Services limited to elderly persons. Funds requested from: \$9,193 Colton; \$4,328 Grand Terrace; \$3,156 Loma Linda; \$5,239 Redlands; \$4,197 29 Palms; \$6,500 Yucaipa; and, \$7,611 Town of Yucca Valley
40081	Twentynine Palms New - Transportation Services to Low/Mod Income Active Military and Veterans and their Families - Soldiers Organized Service (SOS)	Soldiers Organized Service (SOS) Erica Stone, Founder and Director (760) 799-5488 57539 Santa Rosa Trail La Quinta, CA 92253 24 CFR 201(e) 24 CFR 208(a)(2)(i)(C)	N	\$69,300 \$10,000 14.0%	Twentynine Palms Town of Yucca Valley Total	\$8,000 \$2,000 \$10,000	1	Public Service. Services could only be provided to low income military, veterans and their family members that reside in 29 Palms and Yucca Valley. Funds requested: \$8,000 29 Palms and \$2,000 Yucca Valley. Requires 51% low/mod income served
40082	Town of Yucca Valley New - Provision of Shelter Services to Victims of Domestic Violence, Morongo Basin Unity Home	Morongo Basin Unity Home, Inc. Mary Jo Thornton, Executive Director (760) 366-1247 P.O. Box 1662 Joshua Tree, CA 92252 24 CFR 201(e) 24 CFR 208(a)(2)(i)(A)	N	\$633,593 \$28,000 4.0%	Town of Yucca Valley Twentynine Palms Total	\$18,000 \$10,000 \$28,000	3	Public Service. Would require documentation of at least 51% low/mod income clientele served. Request is from two cities: \$18,000 from the Town of Yucca Valley and \$10,000 from the City of 29 Palms for a total request of \$28,000.

Totals for Town of Yucca Valley Count: 8 Amount: \$477,611 Proj Tot \$543,224



Attachment 3

**FY 2014-15 CDBG Request Applications**

COUNTY OF SAN BERNARDINO  
 COMMUNITY DEVELOPMENT AND HOUSING

PIN 10948

2014-2015 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

40021 - PUBLIC SERVICE AND ECONOMIC DEVELOPMENT PROGRAM APPLICATION -

Public service programs involve the use of CDBG funds to pay the non-construction costs of providing new or expanded services such as: graffiti removal, social services, transportation services (in support of qualified social services); employment, housing, legal, health and education services; blight abatement type activities. Please note that federal regulations limit the use of CDBG funds for all public services to 15 percent of the County's annual grant.

**Important:** According to the U.S. Department of Housing and Urban Development (HUD), a minimum grant award amount if necessary to justify the cost of administrating CDBG funded projects and programs. **Consequently, CDH requires CDBG awards of \$10,000 or more and will use this grant minimum in making its recommendations for approved applications.**

Carefully read through the instructions and application forms. Answer all questions as specifically and completely as possible. If more space is needed, attach separate sheets. Submit one (1) signed paper copy. **Use the tab button to go to the next form fillable field.**

TYPE OR PRINT

A. Applicant Information	
1	Name of Applicant Organization: REACH OUT MORONGO BASIN
2	Mailing Address: PO Box 2225  City: Twentynine Palms State: CA Zip: 92277
3	Contact Person: Robin Schlosser
4	Title: Executive Director
5	Phone: (760) 361-1410 ext. Fax: (760) 361-5206
6	E-mail Address: Director @reachout29.org

B. Project Description
Using 25 words or less, provide a concise description of the proposed program. <b>This 25-word description is required in order for this application to be considered complete.</b> Consider items addressed under the General Project Eligibility section of the Project Application Instructions - A detailed project description is also required to be provided on page 5.
To provide safe and reliable transportation to medical and social services appointments for low and moderate income senior and disabled persons.
RECEIVED SAN BERNARDINO CO EDA 2019 NOV 27 PM 4:30

2014-2015 PUBLIC SERVICE PROGRAM APPLICATION

D. Project Budget		
	CDBG Share	Other Source
Personnel	\$15,000	\$24,075
Equipment (Rental, Lease or Purchase)	\$	\$
Consultant Services (Auditing, Accounting or Payroll Services)	\$	\$
Space Rent	\$	\$
Insurance	\$8,500	\$6,925
Consumable Supplies	\$6,500	\$8,500
Other	\$	\$
Total Costs	\$ 30000	\$ 39500
Grand Total (CDBG & Other)	\$69500	
Estimator (name and title): Robin Schlosser - Executive Director		

E. Amount of CDBG Funds Requested		
1	Amount of CDBG funds requested in this application (must equal Section D CDBG Share)	\$30,000
2	Additional funds to be provided by <u>Other Source(s)</u> for this project. The date that the <u>Other Source(s)</u> of funds have been or will be awarded and available, must be stated below:	
	Source(s) Morongo Basin Transit Authority <input type="checkbox"/> Federal (Type of Funding): ____ <input type="checkbox"/> State (Type of Funding): ____ <input type="checkbox"/> County (Type of Funding): ____ <input checked="" type="checkbox"/> Other (Type of Funding): Private Award Date 12/12/2013      Date Available 12/15/2013	\$18,000
	Source(s) Diocese of San Bernardino <input type="checkbox"/> Federal (Type of Funding): ____ <input type="checkbox"/> State (Type of Funding): ____ <input type="checkbox"/> County (Type of Funding): ____ <input checked="" type="checkbox"/> Other (Type of Funding): Faith Based Award Date 10/18/2013      Date Available 10/25/2013	\$3,500
	Source(s) Individual Donations/Fundraising <input type="checkbox"/> Federal (Type of Funding): ____ <input type="checkbox"/> State (Type of Funding): ____ <input type="checkbox"/> County (Type of Funding): ____ <input checked="" type="checkbox"/> Other (Type of Funding): Private Award Date 06/01/2013      Date Available 06/01/2013	\$18,000
	Source(s) <input type="checkbox"/> Federal (Type of Funding): ____ <input type="checkbox"/> State (Type of Funding): ____ <input type="checkbox"/> County (Type of Funding): ____ <input type="checkbox"/> Other (Type of Funding): ____ Award Date / /      Date Available / /	\$
	Total of Other Sources (Should equal "Total costs, Other Sources" in section D above)	\$39500

**Please note:** If this project also benefits residents of non-participating jurisdictions, matching funds in proportion to the percentage of non-cooperating residents to be served must be provided by other funding sources.

DETAILED PROJECT DESCRIPTION

(Continuation of Section B, Project Description, Page 1)

Provide detailed information needed to fully describe the proposed public service, its purpose and its beneficiaries. Please attach applicable maps, plans and brochures.

Established in 1998, Reach Out Morongo Basin (formerly Reach Out 29) was formed in the City of Twentynine Palms as an Interfaith Caregiving Program designed to network with existing social services agencies to provide additional support, assistance, education and referral services to those with needs in the Morongo Basin. In 2006, Reach Out expanded its operations to include an office in the Town of Yucca Valley to accommodate the unmet needs of senior and disabled neighbors throughout the Morongo Basin.

As a volunteer caregiving program Reach Out recruits, trains and supervises volunteers to assist senior and disabled neighbors in their homes with tasks such as light housekeeping and personal business assistance, minor home repair and yard work, friendly visiting and reassuring phone calls and shopping assistance. Reach Out Morongo Basin also provides non emergency medical transportation to doctors and social services appointments within the Morongo Basin and to the San Bernardino and Coachella Valley areas. In 2012 Reach Out's staff supervised 185 volunteers who performed over 10,500 hours of service to 685 senior and disabled neighbors throughout the Morongo Basin. In addition, staff and volunteers drove 50,530 miles in our vans to help our clients access adequate healthcare to improve their quality of life.

The target populations of our transportation program are low income individuals, seniors and disabled persons, many of whom live in isolation physically and emotionally with little to no family support. Approximately ninety percent (90%) of our clients are low to extremely low income with many living below the 2013 HUD poverty guidelines. With all services provided at no cost to our clients the need is increasing for our services. Our current offices in the Twentynine Palms Senior Center and the Yucca Valley Senior Center provide Reach Out the unique ability to respond quickly to the unmet needs of our low income, senior and disabled clients over a large area. As the only program of its kind in the Morongo Basin, Reach Out services an area of over 540 square miles encompassing the communities of Wonder Valley, Twentynine Palms, Desert Heights, Joshua Tree, Yucca Mesa, Flamingo Heights, Pioneertown, Landers, Homestead Valley, parts of Johnson Valley, Yucca Valley and Morongo Valley (see attached map). Almost ninety percent (90%) of our service area is unincorporated and on unmaintained dirt roads with extremely limited or no public transportation services available.

Reach Out Morongo Basin collaborates with a coalition of local agencies such as the Department of Aging and Adult Services, San Bernardino County Adult Protective Services, The Center for Healthy Generations, Visiting Nurse Association of the Inland Counties, Hospice of Morongo Basin, Hi Desert Medical Center, Desert Oasis Healthcare, the 29 Palms Ministerial Association as well as local city and town governments to identify clients with unmet needs. As the services provided by Reach Out are unique in our community, there are no duplication of services between agencies as Reach Out fills in the gaps left in many other social service programs. It is through this collaborative effort that Reach Out is able to monitor trends and emerging needs in our communities.

The most critical demand in the Morongo Basin for low income, senior and disabled persons is transportation to medical appointments and help getting groceries and picking up vital prescription medications. Many of our clients are without transportation and if able to utilize public transportation, the limited scheduling available in outlying areas does not allow for enough flexibility to meet the demand. In addition, many of our clients are facing serious health issues and with limited access to specialists and county services within our region Reach Out provides transportation to the Loma Linda Medical Center, Arrowhead Regional Medical Center and others in the San Bernardino area as well as to Desert Regional Medical Center and Eisenhower Medical Center and others in the Coachella Valley on a weekly basis. Reach Out provides transportation on a daily basis within the Morongo Basin for those needing to see doctors within our communities. All services are provided by Reach Out at no cost to the clients we serve.

With a large proportion of our clients living in rural conditions, often on unmaintained dirt roads, the need for safe and reliable transportation to doctor's and specialists, as well as supportive services is critical to the

DETAILED PROJECT TIMELINE AND EXPENDITURE OF FUNDS

**TIME OF PERFORMANCE:** July 1, 2014 through June 30, 2015

**FINAL REIMBURSEMENT DEADLINE:** A final request for reimbursement shall be submitted for the program year no later than July 31, 2015. After July 31, 2015, any balance remaining in this project will be reprogrammed.

**EXPENDITURE OF FUNDS:** (Please provide projected dates for submission of reimbursement claims and the amount of each)

Beginning Allocation:	\$	_____	
Reimbursement Claim:	Date: <u>8/1/14</u>		\$ <u>2,500</u>
Reimbursement Claim:	Date: <u>9/1/14</u>		\$ <u>2,500</u>
Reimbursement Claim:	Date: <u>10/1/14</u>		\$ <u>2,500</u>
Reimbursement Claim:	Date: <u>11/1/14</u>		\$ <u>2,500</u>
Reimbursement Claim:	Date: <u>12/1/14</u>		\$ <u>2,500</u>
Reimbursement Claim:	Date: <u>1/1/15</u>		\$ <u>2,500</u>
Reimbursement Claim:	Date: <u>2/1/15</u>		\$ <u>2,500</u>
Reimbursement Claim:	Date: <u>3/1/15</u>		\$ <u>2,500</u>
Reimbursement Claim:	Date: <u>4/1/15</u>		\$ <u>2,500</u>
Reimbursement Claim:	Date: <u>5/1/15</u>		\$ <u>2,500</u>
Reimbursement Claim:	Date: <u>6/1/15</u>		\$ <u>2,500</u>
Reimbursement Claim:	Date: <u>7/1/15</u>		\$ <u>2,500</u>
Reimbursement Claim:	Date: _____		\$ _____

**Authorized Signature:** To the best of my knowledge, the information provided on this application is true and I am authorized to submit this application on behalf of the applicant agency. Also, I acknowledge that insurance coverage including, but not limited to, Comprehensive General Liability and Automobile Liability, and Professional Liability will be required before CDBG funds can be made available to approved projects.

Signature: Robin R. Schlosser Title: Executive Director

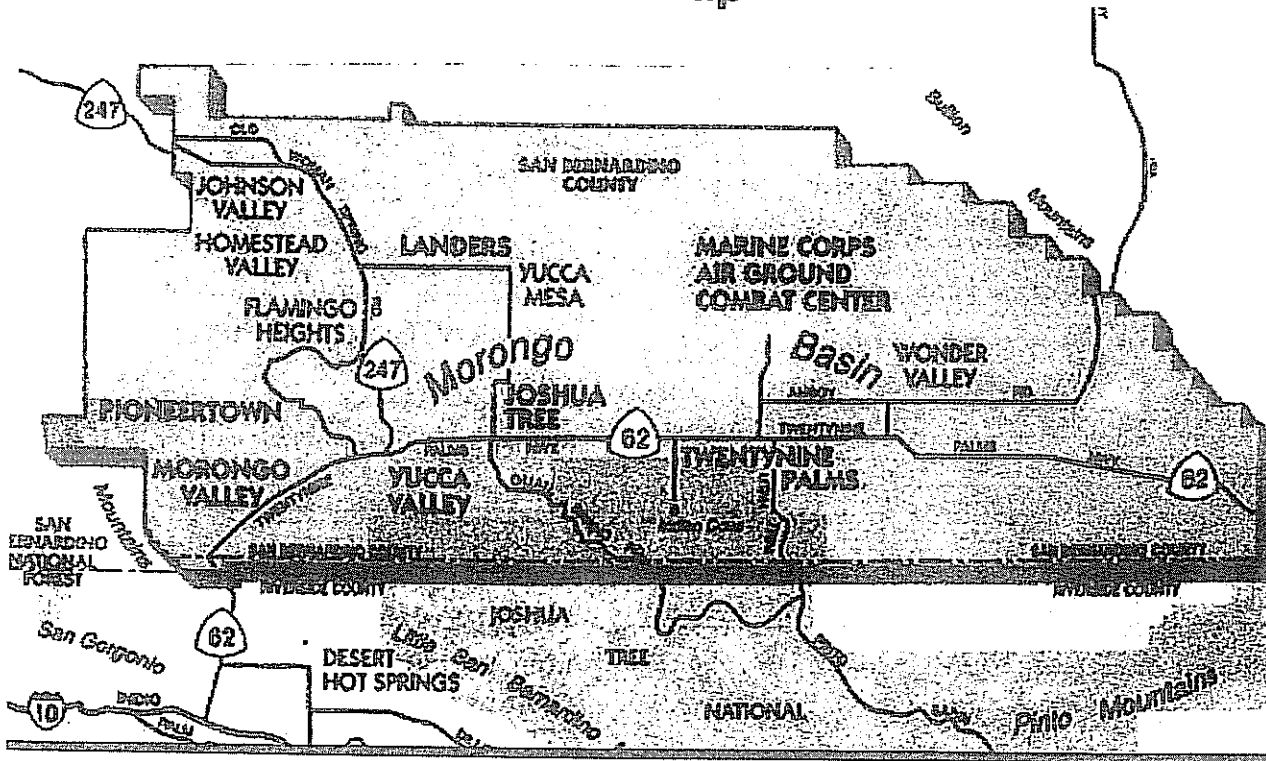
Print Name: Robin Schlosser Date: 11/26/2013

PLEASE SUBMIT ONE SIGNED PAPER COPY OF EACH COMPLETED AND SIGNED PROJECT APPLICATION TO: County of San Bernardino, Community Development and Housing, 385 North Arrowhead Avenue, Third Floor, San Bernardino, CA 92415-0043, Attention: Program and Compliance Section.

For assistance or information regarding the completion of this application, call (909) 387-4700 or FAX (909) 387-4415.

This application form can be accessed on the CDH Web Page at: <http://www.sbcountyadvantage.com/CDBG.aspx>.

# Reach Out Morongo Basin Service Area Map



COUNTY OF SAN BERNARDINO  
COMMUNITY DEVELOPMENT AND HOUSING

PIN 10523

2014-2015 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

40042 - PUBLIC SERVICE AND ECONOMIC DEVELOPMENT PROGRAM APPLICATION -

Public service programs involve the use of CDBG funds to pay the non-construction costs of providing new or expanded services such as: graffiti removal, social services, transportation services (in support of qualified social services); employment, housing, legal, health and education services; blight abatement type activities. Please note that federal regulations limit the use of CDBG funds for all public services to 15 percent of the County's annual grant.

**Important:** According to the U.S. Department of Housing and Urban Development (HUD), a minimum grant award amount is necessary to justify the cost of administering CDBG funded projects and programs. **Consequently, CDH requires CDBG awards of \$10,000 or more and will use this grant minimum in making its recommendations for approved applications.**

Carefully read through the instructions and application forms. Answer all questions as specifically and completely as possible. If more space is needed, attach separate sheets. Submit one (1) signed paper copy. Use the tab button to go to the next form fillable field.

TYPE OR PRINT

A. Applicant Information	
1	Name of Applicant Organization: San Bernardino County Library
2	Mailing Address: San Bernardino County Library 777 East Rialto Avenue City: San Bernardino State: CA Zip: 92415-0770
3	Contact Person: Leonard Hernandez
4	Title: County librarian
5	Phone: (909) 387-2258 ext. <span style="float: right;">Fax: (909) 387-2288</span>
6	E-mail Address: leonard.hernandez@lib.sbcounty.gov

B. Project Description	
Using 25 words or less, provide a concise description of the proposed program. <b>This 25 word description is required in order for this application to be considered complete.</b> Consider items addressed under the General Project Eligibility section of the Project Application Instructions. A detailed project description is also required to be provided on page 5.	
The San Bernardino County Library, Yucca Valley Branch will provide targeted Literacy services to low income illiterate adults and senior residents.	

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2014-2015 PUBLIC SERVICE PROGRAM APPLICATION

D. Project Budget		
	CDBG Share	Other Source
Personnel	\$10,000	\$27,500
Equipment (Rental, Lease or Purchase)	\$	\$
Consultant Services (Auditing, Accounting or Payroll Services)	\$	\$
Space Rent	\$	\$
Insurance	\$	\$
Consumable Supplies	\$	\$
Other	\$	\$
Total Costs	\$ 10000	\$ 27500
Grand Total (CDBG & Other)	\$37500	
Estimator (name and title): Liz Smith, Librarian II		

E. Amount of CDBG Funds Requested		
1	Amount of CDBG funds requested in this application (must equal Section D CDBG Share)	\$10,000
2	Additional funds to be provided by <u>Other Source(s)</u> for this project. The date that the <u>Other Source(s)</u> of funds have been or will be awarded and available, must be stated below:	
	Source(s) <input type="checkbox"/> Federal (Type of Funding): ____ <input checked="" type="checkbox"/> State (Type of Funding): California State Library Literacy Services (CLLS) <input type="checkbox"/> County (Type of Funding): ____ <input type="checkbox"/> Other (Type of Funding): ____ Award Date / /                      Date Available 8/1/2014	\$5,000
	Source(s) <input type="checkbox"/> Federal (Type of Funding): ____ <input type="checkbox"/> State (Type of Funding): ____ <input checked="" type="checkbox"/> County (Type of Funding): ____ <input type="checkbox"/> Other (Type of Funding): ____ Award Date / /                      Date Available 7/1/2014	\$22,500
	Source(s) <input type="checkbox"/> Federal (Type of Funding): ____ <input type="checkbox"/> State (Type of Funding): ____ <input type="checkbox"/> County (Type of Funding): ____ <input type="checkbox"/> Other (Type of Funding): ____ Award Date / /                      Date Available / /	\$
	Source(s) <input type="checkbox"/> Federal (Type of Funding): ____ <input type="checkbox"/> State (Type of Funding): ____ <input type="checkbox"/> County (Type of Funding): ____ <input type="checkbox"/> Other (Type of Funding): ____ Award Date / /                      Date Available / /	\$
Total of Other Sources (Should equal "Total costs, Other Sources" in section D above)		\$27500

**Please note:** If this project also benefits residents of non-participating jurisdictions, matching funds in proportion to the percentage of non-cooperating residents to be served must be provided by other funding sources.



DETAILED PROJECT DESCRIPTION

(Continuation of Section B, Project Description, Page 1)

Provide detailed information needed to fully describe the proposed public service, its purpose and its beneficiaries. Please attach applicable maps, plans and brochures.

The San Bernardino County Library (SBCL), Yucca Valley Branch Adult Literacy Services Program will provide programming and instruction for low-to-moderate income illiterate adults and senior residents of Yucca Valley. Individualized tutoring and one-on-one Literacy instruction (reading, spelling, and basic computer skills) will be provided to a minimum of 24 qualifying adult participants during Fiscal Year 2014-15. Library Adult Literacy Services are provided free of charge to all learners participating in the program. Direct services and assistance are provided by Library staff as well as a team of trained Literacy Tutors.

Adult Literacy services include an on-site Library Assistant assigned to Literacy duties available for learner intake and assessment, to provide orientation and training to tutors, to assist participants with required Beneficiary Qualification Statements and CDBG documentation, to maintain program statistics/recordkeeping and report to state and local government agencies.

As mandated by the California State Library Literacy Services (CLLS), individual adult learners are required to establish one or more personal Literacy goals via the Roles & Goals Intake Form. Participant successes and achievements will be measured through standardized ABE testing, Monthly Tutor Progress Reports, tracking of individual learner Roles & Goals, periodic reassessment and through recognizable accomplishments such as: reading a book to a child for the first time, learning to send email, obtaining a driver license, passing all or part of the GED, completing an online job application, registering to vote, etc. 75% of total Yucca Valley Adult Literacy Program are anticipated to achieve one or more of their personal goals set during program year 2014-15.

Dedicated tutoring space and special Adult Literacy Program materials (leveled student readers, workbooks, dictionaries, GED Test Prep packets) are provided to participating learners at no charge. Learners are strongly encouraged to attend free Basic Computer Skills Classes taught in the library. Those with young children are encouraged to attend Early Learning and Preschool Storytime Activities to foster a love of reading and ensure school-age readiness.

DETAILED PROJECT TIMELINE AND EXPENDITURE OF FUNDS

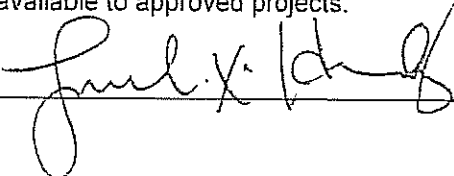
TIME OF PERFORMANCE: July 1, 2014 through June 30, 2015

FINAL REIMBURSEMENT DEADLINE: A final request for reimbursement shall be submitted for the program year no later than July 31, 2015. After July 31, 2015, any balance remaining in this project will be reprogrammed.

EXPENDITURE OF FUNDS: (Please provide projected dates for submission of reimbursement claims and the amount of each)

Beginning Allocation:	\$	<u>  10,000  </u>	
Reimbursement Claim:	Date:	<u>  10/1/2014  </u>	\$ <u>  2,500  </u>
Reimbursement Claim:	Date:	<u>  1/1/2014  </u>	\$ <u>  2,500  </u>
Reimbursement Claim:	Date:	<u>  4/1/2014  </u>	\$ <u>  2,500  </u>
Reimbursement Claim:	Date:	<u>  6/30/2014  </u>	\$ <u>  2,500  </u>
Reimbursement Claim:	Date:	<u>                  </u>	\$ <u>                  </u>
Reimbursement Claim:	Date:	<u>                  </u>	\$ <u>                  </u>
Reimbursement Claim:	Date:	<u>                  </u>	\$ <u>                  </u>
Reimbursement Claim:	Date:	<u>                  </u>	\$ <u>                  </u>
Reimbursement Claim:	Date:	<u>                  </u>	\$ <u>                  </u>
Reimbursement Claim:	Date:	<u>                  </u>	\$ <u>                  </u>
Reimbursement Claim:	Date:	<u>                  </u>	\$ <u>                  </u>
Reimbursement Claim:	Date:	<u>                  </u>	\$ <u>                  </u>
Reimbursement Claim:	Date:	<u>                  </u>	\$ <u>                  </u>

Authorized Signature: To the best of my knowledge, the information provided on this application is true and I am authorized to submit this application on behalf of the applicant agency. Also, I acknowledge that insurance coverage including, but not limited to, Comprehensive General Liability and Automobile Liability, and Professional Liability will be required before CDBG funds can be made available to approved projects.

Signature:  Title: County Librarian

Print Name: Leonard X. Hernandez Date: 11/22/2013

PLEASE SUBMIT ONE SIGNED PAPER COPY OF EACH COMPLETED AND SIGNED PROJECT APPLICATION TO: County of San Bernardino, Community Development and Housing, 385 North Arrowhead Avenue, Third Floor, San Bernardino, CA 92415-0043, Attention: Program and Compliance Section.

For assistance or information regarding the completion of this application, call (909) 387-4700 or FAX (909) 387-4415.

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40072

Log Number  
(Office Use Only)

COUNTY OF SAN BERNARDINO  
COMMUNITY DEVELOPMENT AND HOUSING

PIN 11749

2014-2015 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

40072 - CONSTRUCTION IMPROVEMENTS PROJECT APPLICATION -

Construction and other community improvement projects include construction or rehabilitation of public facilities, parks, roads, water and sewer facilities; acquisition of real property for eligible public purposes; demolition and clearance of deteriorated buildings; code enforcement; and removal of architectural barriers. Please use the "Public Service Program Application" forms, rather than this set of forms, for any activities to provide services to clients not involving construction of buildings or facilities.

**Important:** According to The U.S. Department of Housing and Urban Development (HUD) a minimum grant award amount is necessary to justify the cost of administering CDBG funded projects and program. Consequently, CDH requires CDBG awards of \$75,000 or more and will use this grant minimum in making its recommendations for approved applications.

Carefully read through the instructions and application forms. Answer all questions as specifically and completely as possible. If more space is needed, attach separate sheets. Submit one (1) signed paper copy. Use the tab button to go to the next form fillable field.

TYPE OR PRINT

A. Applicant Information	
1	Name of Applicant Organization: Town of Yucca Valley
2	Mailing Address: 57090 29 Palms Hwy City: Yucca Valley State: CA Zip: 92284
3	Contact Person: Curtis Yakimow
4	Title: Dir of Admin Services
5	Phone: (760) 369-7207 ext.232 Fax: ( ) -
6	E-mail Address: cyakimow@yucca-valley.org

B. Project Description
Using 25 words or less, provide a concise description of the proposed project. <b>This 25 word description is required in order for this application to be considered complete.</b> Consider items addressed under the General Project Eligibility section of the Project Application Instructions. A detailed project description is also required to be provided on page 6.
Phase two of the renovation of Paradise Park to address ADA and safety issues, and allow for more use of the facility by families in this high-need area.

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2013 DEC -3 PM 3:16

2014-15 CONSTRUCTION IMPROVEMENTS PROJECT APPLICATION

C. Project Characteristics	
1	Street address and nearest cross streets of the site or office where the program will be carried out: 58938 Barron Drive, Yucca Valley Cross Street: Indio Ave
2	Legal property owner: Town of Yucca Valley
3	What is the current zoning? public park Is this use permitted in this zoning? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If no, explain why:
4	Is a conditional use permit required? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> (If yes, attach a copy of the permit.)
5	Complete applicable items for all construction projects (including rehabilitation, acquisition and demolition). Assessor's parcel number:  Square footage of proposed building or building addition:  Square footage of construction site parcel:  Length of improvements if street, water or sewer project:  Service capacity of existing facility:  Improved service capacity of the facility:  Age of structure: Is the structure registered as a historic landmark under: State <input type="checkbox"/> Federal <input type="checkbox"/> Local law <input type="checkbox"/> (If registered, attach a copy of the registration)
6	Check the community need that will be addressed by this application: <b>Public Facility Needs:</b> Senior Center Improvements <input type="checkbox"/> Community Center Improvements <input type="checkbox"/> Child Care Center Improvements <input type="checkbox"/> Youth Center Improvements <input type="checkbox"/> Park & Recreation Improvements <input checked="" type="checkbox"/> Fire Station Improvements <input type="checkbox"/> Social Care Facility Improvements <input type="checkbox"/>  <b>Code Enforcement Needs:</b> Code Enforcement <input type="checkbox"/> Demolition and Clearance <input type="checkbox"/> Blight Abatement <input type="checkbox"/>  <b>Other</b> <input type="checkbox"/> (Please describe)  <b>Infrastructure Needs:</b> Water and Sewer Improvements <input type="checkbox"/> Drainage Improvements <input type="checkbox"/> Street Improvements <input type="checkbox"/> Sidewalk Improvements <input type="checkbox"/> Commercial/Industrial Infrastructure Development <input type="checkbox"/>  <b>Accessibility Needs:</b> Removal of Architectural Barriers <input type="checkbox"/>  <b>Historic Preservation Needs:</b> Historic Preservation Improvements <input type="checkbox"/>
7	Describe the geographic boundaries of the neighborhood, community, or region to be served by this project. This description must include service area boundaries if land acquisition or structural improvements are proposed (attach a map): The primary users of this park facility are the residents of Paradise Valley, a lower income neighborhood in eastern Yucca Valley, although it will also serve those living in the incorporated and unincorporated areas adjacent to Paradise Valley.

**2014-15 CONSTRUCTION IMPROVEMENTS PROJECT APPLICATION**

**F Benefit Areas**

This section requires a break down of the requested CDBG funds according to the proposed project's benefit area. Only enter amounts for cities where the project will provide a primary benefit. Partial funding of a project application may occur and must be considered when calculating a requested amount for more than one area. *The total amount must be \$75,000 or greater and must be sufficient to complete the project for the identified city. The cities of Big Bear Lake, Grand Terrace, Loma Linda, Needles, Twentynine Palms and the Town of Yucca Valley which are receiving less than \$150,000, will have no limit, but may only fund four (4) projects.*

1) **Cooperating Cities:** The following cities participate as cooperating cities in the County's CDBG program. Please determine if the primary service area for your proposed project would include one or more of the following cities. If the project would provide predominant or partial benefit to city residents, the County will request a funding recommendation from the benefiting city or cities. Enter the requested amount of CDBG funds needed to provide the proposed project to each applicable city. Sub-total your entries below.

	Amount Requested		Amount Requested
Adelanto	\$	Montclair	\$
Barstow	\$	Needles	\$
Big Bear Lake	\$	Redlands*	\$
Colton	\$	Twentynine Palms	\$
Grand Terrace	\$	Yucaipa	\$
Highland	\$	Town of Yucca Valley	\$225,000
Loma Linda	\$		
<b>Sub-total of Funds Benefiting Cooperating Cities:</b>			<b>\$225,000</b>

It is anticipated the City of Redlands will become a Cooperating City in the County's CDBG program

2) **Total Funds:** This amount must equal the amount of CDBG funds requested in this application on Line 1, in Section E.

<b>Total Funds Requested</b>	<b>\$225,000</b>
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**G Maintenance and Operation**

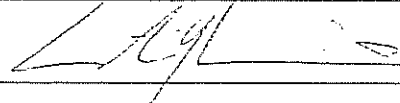
All capital improvements or facilities will require a Maintenance and Operation (M & O) contract between the County and an M & O Entity. The MAINTENANCE AND OPERATION COMMITMENT must be signed by a representative of the M & O entity with authority to obligate the organization.

1) **MAINTENANCE AND OPERATION COMMITMENT:** The governing body of the below named public, quasi-public, or non-profit entity has the financial capacity and is willing to assume the Maintenance and Operation (M & O) responsibility and costs associated with the indicated community development project. This body has reviewed the "Estimated Annual Maintenance and Operation Budget" part of this section. To the best of this body's ability, it has determined this budget to be a true and accurate estimate of the annual M & O costs for the proposed project.

It is understood that without a commitment for maintenance and operation, the indicated project may not be considered for funding under the Community Development Block Grant program. Should this project be funded, a formal M & O contract between the County and the M & O entity shall be written and signed before any funds can be released.

NOTE: The Maintenance and Operation cost for capital improvements and facilities are not eligible for CDBG funding.

Proposed Project:	Paradise Valley Park Improvements
Legal/Incorporated Name of Prospective M&O Entity:	Town of Yucca Valley
Address:	57090 29 Palms Hwy
Federal I.D. Number of M&O Entity:	33-0490145

Signature:  Title: Director of Admin Services

Assets/Liabilities

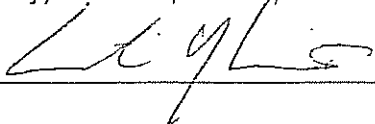
Budgeted Revenue minus M&O Expense \$ 0

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DETAILED PROJECT DESCRIPTION (Continued)



Authorized Signature: To the best of my knowledge, the information provided on this application is true and I am authorized to submit this application on behalf of the applicant organization. Also, I acknowledge that insurance coverage including, but not limited to, Comprehensive General Liability, Automobile Liability, and Professional Liability (or Errors and Omissions Liability) will be required before CDBG funds can be made available to approved projects.

Signature: 

Title: Dir of Admin Services

Print Name: Curtis Yakimow

Date: 12 /02/ 2013

PLEASE SUBMIT ONE SIGNED PAPER COPY OF EACH COMPLETED AND SIGNED PROJECT APPLICATION TO:  
County of San Bernardino, Community Development and Housing, 385 North Arrowhead Avenue, Third Floor, San Bernardino, CA 92415-0043, Attention: Program and Compliance Section.

For assistance or information regarding the completion of this application, call (909) 387-4705 or FAX (909) 387-4415.

This application form can be accessed on CDH's Web Page



40073  
Log Number

(Office Use Only)

PIN 11749

COUNTY OF SAN BERNARDINO  
COMMUNITY DEVELOPMENT AND HOUSING

2014-2015 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

40073 - CONSTRUCTION IMPROVEMENTS PROJECT APPLICATION -

Construction and other community improvement projects include construction or rehabilitation of public facilities, parks, roads, water and sewer facilities; acquisition of real property for eligible public purposes; demolition and clearance of deteriorated buildings; code enforcement; and removal of architectural barriers. Please use the "Public Service Program Application" forms, rather than this set of forms, for any activities to provide services to clients not involving construction of buildings or facilities.

**Important:** According to The U.S. Department of Housing and Urban Development (HUD) a minimum grant award amount is necessary to justify the cost of administering CDBG funded projects and program. Consequently, CDH requires CDBG awards of \$75,000 or more and will use this grant minimum in making its recommendations for approved applications.

Carefully read through the instructions and application forms. Answer all questions as specifically and completely as possible. If more space is needed, attach separate sheets. Submit one (1) signed paper copy. Use the tab button to go to the next form fillable field.

TYPE OR PRINT

A. Applicant Information	
1	Name of Applicant Organization: Town of Yucca Valley
2	Mailing Address: 57090 29 Palms Hwy City: Yucca Valley State: CA Zip: 92284
3	Contact Person: Curtis Yakimow
4	Title: Dir of Administrative Services
5	Phone: (760) 369-7207 ext.232 Fax: (760) 369-0626
6	E-mail Address: cyakimow@yucca-valley.org

B. Project Description	
Using 25 words or less, provide a concise description of the proposed project. <b>This 25 word description is required in order for this application to be considered complete.</b> Consider items addressed under the General Project Eligibility section of the Project Application Instructions. A detailed project description is also required to be provided on page 6.	
This is a supplemental SR 62 / SR 247, Paradise Valley neighborhood enhancement program designed to address property maintenance and blight elimination along the Town's commercial corridor and in the eligible residential areas.	

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2014-15 CONSTRUCTION IMPROVEMENTS PROJECT APPLICATION

C. Project Characteristics	
1	Street address and nearest cross streets of the site or office where the program will be carried out: Commercial corridor along SR 62 and in the Paradise Valley neighborhood bordered by Baron/Indio
2	Legal property owner: Town of Yucca Valley
3	What is the current zoning? Commercial/Residential Is this use permitted in this zoning? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If no, explain why:
4	Is a conditional use permit required? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> (If yes, attach a copy of the permit.)
5	Complete applicable items for all construction projects (including rehabilitation, acquisition and demolition). Assessor's parcel number: N/A  Square footage of proposed building or building addition: N/A  Square footage of construction site parcel: N/A  Length of improvements if street, water or sewer project: N/A  Service capacity of existing facility: N/A  Improved service capacity of the facility: N/A  Age of structure: N/A Is the structure registered as a historic landmark under: State <input type="checkbox"/> Federal <input type="checkbox"/> Local law <input type="checkbox"/> (If registered, attach a copy of the registration)
6	Check the community need that will be addressed by this application: <b>Public Facility Needs:</b> Senior Center Improvements <input type="checkbox"/> Community Center Improvements <input type="checkbox"/> Child Care Center Improvements <input type="checkbox"/> Youth Center Improvements <input type="checkbox"/> Park & Recreation Improvements <input type="checkbox"/> Fire Station Improvements <input type="checkbox"/> Social Care Facility Improvements <input type="checkbox"/>  <b>Code Enforcement Needs:</b> Code Enforcement <input checked="" type="checkbox"/> Demolition and Clearance <input checked="" type="checkbox"/> Blight Abatement <input checked="" type="checkbox"/>  <b>Other</b> <input type="checkbox"/> (Please describe)  <b>Infrastructure Needs:</b> Water and Sewer Improvements <input type="checkbox"/> Drainage Improvements <input type="checkbox"/> Street Improvements <input type="checkbox"/> Sidewalk Improvements <input type="checkbox"/> Commercial/Industrial Infrastructure Development <input type="checkbox"/>  <b>Accessibility Needs:</b> Removal of Architectural Barriers <input type="checkbox"/>  <b>Historic Preservation Needs:</b> Historic Preservation Improvements <input type="checkbox"/>
7	Describe the geographic boundaries of the neighborhood, community, or region to be served by this project. This description must include service area boundaries if land acquisition or structural improvements are proposed (attach a map): Eligible segments of the Town of Yucca Valley's commercial corridor along SR 62 and the Paradise Valley area of the Town bordered generally by Baron Drive and Indio Drive

2014-15 CONSTRUCTION IMPROVEMENTS PROJECT APPLICATION

**F. Benefit Areas**

This section requires a break down of the requested CDBG funds according to the proposed project's benefit area. Only enter amounts for cities where the project will provide a primary benefit. Partial funding of a project application may occur and must be considered when calculating a requested amount for more than one area. *The total amount must be \$75,000 or greater and must be sufficient to complete the project for the identified city. The cities of Big Bear Lake, Grand Terrace, Loma Linda, Needles, Twentynine Palms and the Town of Yucca Valley which are receiving less than \$150,000, will have no limit, but may only fund four (4) projects.*

1) **Cooperating Cities:** The following cities participate as cooperating cities in the County's CDBG program. Please determine if the primary service area for your proposed project would include one or more of the following cities. If the project would provide predominant or partial benefit to city residents, the County will request a funding recommendation from the benefiting city or cities. Enter the requested amount of CDBG funds needed to provide the proposed project to each applicable city. Sub-total your entries below.

	Amount Requested		Amount Requested
Adelanto	\$	Montclair	\$
Barstow	\$	Needles	\$
Big Bear Lake	\$	Redlands*	\$
Colton	\$	Twentynine Palms	\$
Grand Terrace	\$	Yucaipa	\$
Highland	\$	Town of Yucca Valley	\$100,000
Loma Linda	\$		
<b>Sub-total of Funds Benefiting Cooperating Cities:</b>			\$100,000

\*It is anticipated the City of Redlands will become a Cooperating City in the County's CDBG program

2) **Total Funds:** This amount must equal the amount of CDBG funds requested in this application on Line 1, in Section E.

<b>Total Funds Requested</b>	\$100,000
------------------------------	-----------

**G. Maintenance and Operation**

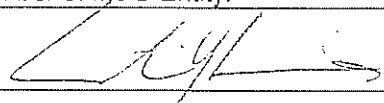
All capital improvements or facilities will require a Maintenance and Operation (M & O) contract between the County and an M & O Entity. The MAINTENANCE AND OPERATION COMMITMENT must be signed by a representative of the M & O entity with authority to obligate the organization.

1) **MAINTENANCE AND OPERATION COMMITMENT:** The governing body of the below named public, quasi-public, or non-profit entity has the financial capacity and is willing to assume the Maintenance and Operation (M & O) responsibility and costs associated with the indicated community development project. This body has reviewed the "Estimated Annual Maintenance and Operation Budget" part of this section. To the best of this body's ability, it has determined this budget to be a true and accurate estimate of the annual M & O costs for the proposed project.

It is understood that without a commitment for maintenance and operation, the indicated project may not be considered for funding under the Community Development Block Grant program. Should this project be funded, a formal M & O contract between the County and the M & O entity shall be written and signed before any funds can be released.

NOTE: The Maintenance and Operation cost for capital improvements and facilities are not eligible for CDBG funding.

Proposed Project:	Code Enforcement Yucca Valley
Legal/Incorporated Name of Prospective M&O Entity:	Town of Yucca Valley
Address:	57090 Twentynine Palms Highway Yucca Valley, CA
Federal I.D. Number of M&O Entity:	33 0490145

Signature:  P.56 Title: Dir of Admin Services

Assets/Liabilities

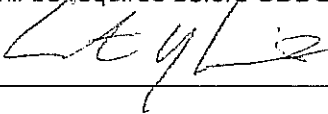
Budgeted Revenue minus M&O Expense \$ -127,000

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DETAILED PROJECT DESCRIPTION (Continued)

A large, empty rectangular box with a thin black border, occupying most of the page. It is intended for the detailed project description, but it is currently blank.

Authorized Signature: To the best of my knowledge, the information provided on this application is true and I am authorized to submit this application on behalf of the applicant organization. Also, I acknowledge that insurance coverage including, but not limited to, Comprehensive General Liability, Automobile Liability, and Professional Liability (or Errors and Omissions Liability) will be required before CDBG funds can be made available to approved projects.

Signature: 

Title: Director of Admin Services

Print Name: Curtis Yakimow

Date: 12 /02/ 2013

PLEASE SUBMIT ONE SIGNED PAPER COPY OF EACH COMPLETED AND SIGNED PROJECT APPLICATION TO:  
County of San Bernardino, Community Development and Housing, 385 North Arrowhead Avenue, Third Floor, San Bernardino, CA 92415-0043, Attention: Program and Compliance Section.

For assistance or information regarding the completion of this application, call (909) 387-4705 or FAX (909) 387-4415.

This application form can be accessed on CDH's Web Paget

40074

Log Number  
(Office Use Only)

COUNTY OF SAN BERNARDINO  
COMMUNITY DEVELOPMENT AND HOUSING

PIN 11749

2014-2015 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

40074 - CONSTRUCTION IMPROVEMENTS PROJECT APPLICATION -

Construction and other community improvement projects include construction or rehabilitation of public facilities, parks, roads, water and sewer facilities; acquisition of real property for eligible public purposes; demolition and clearance of deteriorated buildings; code enforcement; and removal of architectural barriers. Please use the "Public Service Program Application" forms, rather than this set of forms, for any activities to provide services to clients not involving construction of buildings or facilities.

**Important:** According to The U.S. Department of Housing and Urban Development (HUD) a minimum grant award amount is necessary to justify the cost of administering CDBG funded projects and program. **Consequently, CDH requires CDBG awards of \$75,000 or more and will use this grant minimum in making its recommendations for approved applications.**

Carefully read through the instructions and application forms. Answer all questions as specifically and completely as possible. If more space is needed, attach separate sheets. Submit one (1) signed paper copy. **Use the tab button to go to the next form fillable field.**

TYPE OR PRINT

A. Applicant Information	
1	Name of Applicant Organization: Town of Yucca Valley
2	Mailing Address: 57090 29 Palms Hwy City: Yucca Valley State: CA Zip: 92284
3	Contact Person: Curtis Yakimow
4	Title: Dir of Admin Services
5	Phone: (760) 369-7207 ext.232 Fax: ( ) -
6	E-mail Address: cyakimow@yucca-valley.org

**B. Project Description**

Using 25 words or less, provide a concise description of the proposed project. **This 25 word description is required in order for this application to be considered complete.** Consider items addressed under the General Project Eligibility section of the Project Application Instructions. A detailed project description is also required to be provided on page 6.

Phase one of the replacement of park playground equipment and elements at Jacobs Park to address ADA and safety issues, and allow for more use of the facility by families in this area.

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**2014-15 CONSTRUCTION IMPROVEMENTS PROJECT APPLICATION**

**C. Project Characteristics**

1 Street address and nearest cross streets of the site or office where the program will be carried out:  
 55680 Onaga Trail, Yucca Valley  
 Cross Street: Hopi Trail

2 Legal property owner: Town of Yucca Valley

3 What is the current zoning? public park  
 Is this use permitted in this zoning? Yes  No   
 If no, explain why:

4 Is a conditional use permit required? Yes  No  (If yes, attach a copy of the permit.)

5 Complete applicable items for all construction projects (including rehabilitation, acquisition and demolition).  
 Assessor's parcel number:  
  
 Square footage of proposed building or building addition:  
  
 Square footage of construction site parcel:  
  
 Length of improvements if street, water or sewer project:  
  
 Service capacity of existing facility:  
  
 Improved service capacity of the facility:  
  
 Age of structure:  
 Is the structure registered as a historic landmark under: State  Federal  Local law   
 (If registered, attach a copy of the registration)

6 Check the community need that will be addressed by this application:

<p><b>Public Facility Needs:</b>                  Senior Center Improvements <input type="checkbox"/>                  Community Center Improvements <input type="checkbox"/>                  Child Care Center Improvements <input type="checkbox"/>                  Youth Center Improvements <input type="checkbox"/>                  Park &amp; Recreation Improvements <input checked="" type="checkbox"/>                  Fire Station Improvements <input type="checkbox"/>                  Social Care Facility Improvements <input type="checkbox"/></p> <p><b>Code Enforcement Needs:</b>                  Code Enforcement <input type="checkbox"/>                  Demolition and Clearance <input type="checkbox"/>                  Blight Abatement <input type="checkbox"/></p> <p><b>Other</b> <input type="checkbox"/>                  (Please describe)</p>	<p><b>Infrastructure Needs:</b>                  Water and Sewer Improvements <input type="checkbox"/>                  Drainage Improvements <input type="checkbox"/>                  Street Improvements <input type="checkbox"/>                  Sidewalk Improvements <input type="checkbox"/>                  Commercial/Industrial Infrastructure Development <input type="checkbox"/></p> <p><b>Accessibility Needs:</b>                  Removal of Architectural Barriers <input type="checkbox"/></p> <p><b>Historic Preservation Needs:</b>                  Historic Preservation Improvements <input type="checkbox"/></p>
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7 Describe the geographic boundaries of the neighborhood, community, or region to be served by this project. This description must include service area boundaries if land acquisition or structural improvements are proposed (attach a map):  
 The primary users of this park facility are the residents of central Yucca Valley, a lower income neighborhood in the southwestern area of Yucca Valley, although it is also serves all areas of the Town as the Town's primary tennis facility.



**2014-15 CONSTRUCTION IMPROVEMENTS PROJECT APPLICATION**

**F. Benefit Areas**

This section requires a break down of the requested CDBG funds according to the proposed project's benefit area. Only enter amounts for cities where the project will provide a primary benefit. Partial funding of a project application may occur and must be considered when calculating a requested amount for more than one area. *The total amount must be \$75,000 or greater and must be sufficient to complete the project for the identified city. The cities of Big Bear Lake, Grand Terrace, Loma Linda, Needles, Twentynine Palms and the Town of Yucca Valley which are receiving less than \$150,000, will have no limit, but may only fund four (4) projects.*

1) **Cooperating Cities:** The following cities participate as cooperating cities in the County's CDBG program. Please determine if the primary service area for your proposed project would include one or more of the following cities. If the project would provide predominant or partial benefit to city residents, the County will request a funding recommendation from the benefiting city or cities. Enter the requested amount of CDBG funds needed to provide the proposed project to each applicable city. Sub-total your entries below.

	Amount Requested		Amount Requested
Adelanto	\$	Montclair	\$
Barstow	\$	Needles	\$
Big Bear Lake	\$	<b>Redlands*</b>	\$
Colton	\$	Twentynine Palms	\$
Grand Terrace	\$	Yucaipa	\$
Highland	\$	Town of Yucca Valley	\$100,000
Loma Linda	\$		
<b>Sub-total of Funds Benefiting Cooperating Cities:</b>			<b>\$100,000</b>

It is anticipated the City of Redlands will become a Cooperating City in the County's CDBG program

2) **Total Funds:** This amount must equal the amount of CDBG funds requested in this application on Line 1, in Section E.

<b>Total Funds Requested</b>	<b>\$100,000</b>
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**G. Maintenance and Operation**

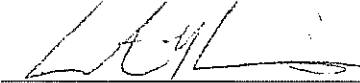
All capital improvements or facilities will require a Maintenance and Operation (M & O) contract between the County and an M & O Entity. The MAINTENANCE AND OPERATION COMMITMENT must be signed by a representative of the M & O entity with authority to obligate the organization.

1) **MAINTENANCE AND OPERATION COMMITMENT:** The governing body of the below named public, quasi-public, or non-profit entity has the financial capacity and is willing to assume the Maintenance and Operation (M & O) responsibility and costs associated with the indicated community development project. This body has reviewed the "Estimated Annual Maintenance and Operation Budget" part of this section. To the best of this body's ability, it has determined this budget to be a true and accurate estimate of the annual M & O costs for the proposed project.

It is understood that without a commitment for maintenance and operation, the indicated project may not be considered for funding under the Community Development Block Grant program. Should this project be funded, a formal M & O contract between the County and the M & O entity shall be written and signed before any funds can be released.

NOTE: The Maintenance and Operation cost for capital improvements and facilities are not eligible for CDBG funding.

Proposed Project:	Paradise Valley Park Improvments
Legal/Incorporated Name of Prospective M&O Entity:	Town of Yucca Valley
Address:	57090 29 Palms Hwy
Federal I.D. Number of M&O Entity:	33-0490145

Signature:  P.62 Title: Director of Admin Services

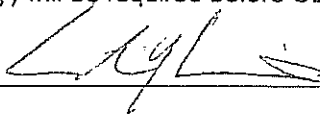
Assets/Liabilities

Budgeted Revenue minus M&O Expense \$ 0 \_\_\_\_\_

DETAILED PROJECT DESCRIPTION (Continued)

A large, empty rectangular box with a thin black border, occupying most of the page. It is intended for the detailed project description, but it is currently blank.

Authorized Signature: To the best of my knowledge, the information provided on this application is true and I am authorized to submit this application on behalf of the applicant organization. Also, I acknowledge that insurance coverage including, but not limited to, Comprehensive General Liability, Automobile Liability, and Professional Liability (or Errors and Omissions Liability) will be required before CDBG funds can be made available to approved projects.

**Signature:**  **Title:** Dir of Admin Services

**Print Name:** Curtis Yakimow **Date:** 12 /02/ 2013

PLEASE SUBMIT ONE SIGNED PAPER COPY OF EACH COMPLETED AND SIGNED PROJECT APPLICATION TO:  
County of San Bernardino, Community Development and Housing, 385 North Arrowhead Avenue, Third Floor, San Bernardino, CA 92415-0043, Attention: Program and Compliance Section.

For assistance or information regarding the completion of this application, call (909) 387-4705 or FAX (909) 387-4415.

This application form can be accessed on CDH's Web Paget

Quinn Kelly

40080

Log Number  
(Office Use Only)

COUNTY OF SAN BERNARDINO  
COMMUNITY DEVELOPMENT AND HOUSING

PIN 11711

2014-2015 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

40080 - PUBLIC SERVICE AND ECONOMIC DEVELOPMENT PROGRAM APPLICATION -

Public service programs involve the use of CDBG funds to pay the non-construction costs of providing new or expanded services such as: graffiti removal, social services, transportation services (in support of qualified social services); employment, housing, legal, health and education services; blight abatement type activities. Please note that federal regulations limit the use of CDBG funds for all public services to 15 percent of the County's annual grant.

**Important:** According to the U.S. Department of Housing and Urban Development (HUD), a minimum grant award amount is necessary to justify the cost of administrating CDBG funded projects and programs. **Consequently, CDH requires CDBG awards of \$10,000 or more and will use this grant minimum in making its recommendations for approved applications.**

Carefully read through the instructions and application forms. Answer all questions as specifically and completely as possible. If more space is needed, attach separate sheets. Submit one (1) signed paper copy. Use the tab button to go to the next form fillable field.

TYPE OR PRINT

A. Applicant Information	
1	Name of Applicant Organization: FAMILY SERVICE ASSOCIATION
2	Mailing Address: 21250 Box Springs Road Suite 212 City: Moreno Valley State: CA Zip: 92557
3	Contact Person: Veronica Dover
4	Title: Chief Operating Officer
5	Phone: (951) 686-1096 ext.228 Fax: (951) 276-9542
6	E-mail Address: vdover@fsaca.org

**B. Project Description**

Using 25 words or less, provide a concise description of the proposed program. **This 25-word description is required in order for this application to be considered complete.** Consider items addressed under the General Project Eligibility section of the Project Application Instructions. A detailed project description is also required to be provided on page 5.

FSA provides meals to the Senior population in San Bernardino County in (18) communities and delivers meals to home bound seniors throughout the County

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**2014-2015 PUBLIC SERVICE PROGRAM APPLICATION**

<b>D. Project Budget</b>		
	<b>CDBG Share</b>	<b>Other Source</b>
Personnel	\$	\$1,144,619
Equipment (Rental, Lease or Purchase)	\$	\$
Consultant Services (Auditing, Accounting or Payroll Services)	\$	\$127,884
Space Rent	\$	\$167,642
Insurance	\$	\$25,728
Consumable Supplies	\$40,224	\$1,051,646
Other	\$	\$227,810
<b>Total Costs</b>	<b>\$ 40224</b>	<b>\$ 2745329</b>
<b>Grand Total (CDBG &amp; Other)</b>	<b>\$2785553</b>	
Estimator (name and title):		

<b>E. Amount of CDBG Funds Requested</b>		
1	Amount of CDBG funds requested in this application (must equal Section D CDBG Share)	\$40,224
2	Additional funds to be provided by <u>Other Source(s)</u> for this project. The date that the <u>Other Source(s)</u> of funds have been or will be awarded and available, must be stated below:	
	Source(s) San Bernardino DAAS <input type="checkbox"/> Federal (Type of Funding): ____ <input type="checkbox"/> State (Type of Funding): ____ <input checked="" type="checkbox"/> County (Type of Funding): C-1 Congregate program <input type="checkbox"/> Other (Type of Funding): ____ Award Date / /                      Date Available / /	\$1,050,608
	Source(s) San Bernardino DAAS <input type="checkbox"/> Federal (Type of Funding): ____ <input type="checkbox"/> State (Type of Funding): ____ <input checked="" type="checkbox"/> County (Type of Funding): C-2 Home Delivered Meals <input type="checkbox"/> Other (Type of Funding): ____ Award Date / /                      Date Available / /	\$1,453,721
	Source(s) Volunteer In-Kind Hours / Dollars <input type="checkbox"/> Federal (Type of Funding): ____ <input type="checkbox"/> State (Type of Funding): ____ <input type="checkbox"/> County (Type of Funding): ____ <input checked="" type="checkbox"/> Other (Type of Funding): ____ Award Date / /                      Date Available / /	\$278,224
	Source(s) <input type="checkbox"/> Federal (Type of Funding): ____ <input type="checkbox"/> State (Type of Funding): ____ <input type="checkbox"/> County (Type of Funding): ____ <input type="checkbox"/> Other (Type of Funding): ____ Award Date / /                      Date Available / /	\$
	<b>Total of Other Sources</b> (Should equal "Total costs, Other Sources" in section D above)	\$2782553

Please note: If this project also benefits residents of non-participating jurisdictions, matching funds in proportion to the percentage of non-cooperating residents to be served must be provided by other funding sources.

**2014-2015 PUBLIC SERVICE PROGRAM APPLICATION**

**F Benefit Areas**

This section requires a break down of the requested CDBG funds according to the geographic area to be covered by the proposed public service. Only enter amounts for communities where you intend to provide primary service. Partial funding of a project application may occur and must be considered when calculating a requested amount for more than one area. *Individual city funding for a public service project application must be a minimum of \$10,000 and must be sufficient to provide the service within the identified city. The cities of Big Bear Lake, Grand Terrace, Loma Linda, Needles, Twentynine Palms and the Town of Yucca Valley which are receiving less than \$150,000, will have no limit, but may only fund four (4) projects.*

- 1) **Cooperating Cities:** The following cities participate as cooperating cities in the County's CDBG program. Please determine if the primary service area for your proposed service would include one or more of the following cities. If the service would provide predominant or partial benefit to city residents, the County will request a funding recommendation from the benefiting city or cities. Enter the requested amount of CDBG funds needed to provide the proposed service to each applicable city. Sub-total your entries below.

	Amount Requested		Amount Requested
Adelanto	\$	Montclair	\$
Barstow	\$	Needles	\$
Big Bear Lake	\$	Redlands*	\$5,239
Colton	\$9,193	Twentynine Palms	\$4,197
Grand Terrace	\$4,328	Yucaipa	\$6,500
Highland	\$	Town of Yucca Valley	\$7,611
Loma Linda	\$3,156		
<b>Sub-total of Funds Benefiting Cooperating Cities:</b>			<b>\$40,224</b>

\*It is anticipated the City of Redlands will become a Cooperating City in the County's CDBG program.

- 3) **Total Funds:** This amount must equal the amount of CDBG funds requested in this application on Line 1, in Section E.

<b>Total Funds Requested</b>	<b>\$40,224</b>
------------------------------	-----------------

**G Organizational Information**

- 1) **Organizational History:** (This is applicable only if you are a non-profit organization).

- a. Date organization founded: 10/15/1953
- b. Date organization incorporated as a non-profit organization: 10/15/1953
- c. Federal Identification Number: 95-1803694                      State Identification Number: 0279273
- d. Number of paid staff: 415    Number of volunteers: 676
- e. DUNS Number: 791329071

- 2) Is this a "faith-based" organization? \*\*Yes       No

\*\*Generally, a faith-based organization was founded or is inspired by faith or religion. Such organizations often choose to demonstrate that faith by carrying out one or more activities that assist persons who are less fortunate.

2014-2015 PUBLIC SERVICE PROGRAM APPLICATION  
DETAILED PROJECT DESCRIPTION (Continued)

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2014-2015 PUBLIC SERVICE PROGRAM APPLICATION

CDBG Application Checklist

Community-based organizations are required to include one copy of the items listed below. If you are not submitting these items at this time, please notify Community Development and Housing at (909) 387-4700 to make other arrangements. The following information is required before any contract or reimbursement can be completed.

- Summary of agency's current year General Operating Budget
- List of agency's Board of Directors, including names and addresses
- Proof of existing non-profit/tax-exempt status (Letters from the Federal Internal Revenue Service and State Franchise Tax Board)
- Current certificate of insurance and amounts covered
- Organizational chart
- Minutes of last Board meeting

If your application is funded you will be required to provide a copy of you last audit and your Articles of Incorporation and Bylaws must be on file.

*John Valley*

40081

Log Number  
(Office Use Only)

PIN 11752

COUNTY OF SAN BERNARDINO  
COMMUNITY DEVELOPMENT AND HOUSING

2014-2015 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

40081 - PUBLIC SERVICE AND ECONOMIC DEVELOPMENT PROGRAM APPLICATION -

Public service programs involve the use of CDBG funds to pay the non-construction costs of providing new or expanded services such as: graffiti removal, social services, transportation services (in support of qualified social services); employment, housing, legal, health and education services; blight abatement type activities. Please note that federal regulations limit the use of CDBG funds for all public services to 15 percent of the County's annual grant.

**Important:** According to the U.S. Department of Housing and Urban Development (HUD), a minimum grant award amount is necessary to justify the cost of administering CDBG funded projects and programs. **Consequently, CDH requires CDBG awards of \$10,000 or more and will use this grant minimum in making its recommendations for approved applications.**

Carefully read through the instructions and application forms. Answer all questions as specifically and completely as possible. If more space is needed, attach separate sheets. Submit one (1) signed paper copy. Use the tab button to go to the next form fillable field.

TYPE OR PRINT

A. Applicant Information	
1	Name of Applicant Organization: (SOS) SOLDIERS ORGANIZED SERVICE
2	Mailing Address: 57539 Santa Rosa Trail  City: La Quinta      State: CA      Zip: 92253
3	Contact Person: Erica Stone
4	Title: Founder and Director
5	Phone: (760) 799-5488 ext.      Fax: ( ) -
6	E-mail Address: e.stone@sosride.org

B. Project Description
Using 25 words or less, provide a concise description of the proposed program. <b>This 25-word description is required in order for this application to be considered complete.</b> Consider items addressed under the General Project Eligibility section of the Project Application Instructions. A detailed project description is also required to be provided on page 5.
SOS mission is to provide free transportation utilizing volunteer drivers & vehicles for active-duty military personnel, veterans and their families from Twentynine Palms Marine Base to local airports, train and bus stations.

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**2014-2015 PUBLIC SERVICE PROGRAM APPLICATION**

<b>D. Project Budget</b>		
	<b>CDBG Share</b>	<b>Other Source</b>
Personnel	\$0	\$12000
Equipment (Rental, Lease or Purchase)	\$5,000	\$10,000
Consultant Services (Auditing, Accounting or Payroll Services)	\$0	\$300
Space Rent	\$0	\$12,000
Insurance	\$2500	\$10,000
Consumable Supplies	\$0	\$0
Other	\$2,500	\$15,000
<b>Total Costs</b>	<b>\$ 10000</b>	<b>\$ 59300</b>
<b>Grand Total (CDBG &amp; Other)</b>	<b>\$69300</b>	
Estimator (name and title): Cheryl Peterson, authorized SOS Consultant		

<b>E. Amount of CDBG Funds Requested</b>		
1	Amount of CDBG funds requested in this application (must equal Section D CDBG Share)	\$10,000
2	Additional funds to be provided by <u>Other Source(s)</u> for this project. The date that the <u>Other Source(s)</u> of funds have been or will be awarded and available, must be stated below:	
	Source(s) <input type="checkbox"/> Federal (Type of Funding): _____ <input type="checkbox"/> State (Type of Funding): _____ <input type="checkbox"/> County (Type of Funding): _____ <input checked="" type="checkbox"/> Other (Type of Funding): Grant-Berger Foundation Award Date 12/1/2013      Date Available 1/12/2014	\$25,000
	Source(s) <input type="checkbox"/> Federal (Type of Funding): _____ <input type="checkbox"/> State (Type of Funding): _____ <input type="checkbox"/> County (Type of Funding): _____ <input checked="" type="checkbox"/> Other (Type of Funding): Grant-Houston Foundation Award Date 12/1/2013      Date Available 1/1/2014	\$15,000
	Source(s) <input type="checkbox"/> Federal (Type of Funding): _____ <input type="checkbox"/> State (Type of Funding): _____ <input type="checkbox"/> County (Type of Funding): _____ <input checked="" type="checkbox"/> Other (Type of Funding): Fundraising-Golf Tournaments (5 a year) Award Date 12/15/2013      Date Available 6/1/2014	\$15,000
	Source(s) <input type="checkbox"/> Federal (Type of Funding): _____ <input type="checkbox"/> State (Type of Funding): _____ <input type="checkbox"/> County (Type of Funding): _____ <input checked="" type="checkbox"/> Other (Type of Funding): Private Donations Award Date 12/30/2013      Date Available 6/1/2014	\$5,000
	<b>Total of Other Sources</b> (Should equal "Total costs, Other Sources" in section D above)	<b>\$60000</b>

Please note: If this project also benefits residents of non-participating jurisdictions, matching funds in proportion to the percentage of non-cooperating residents to be served must be provided by other funding sources.

2014-2015 PUBLIC SERVICE PROGRAM APPLICATION

**F. Benefit Areas**

This section requires a break down of the requested CDBG funds according to the geographic area to be covered by the proposed public service. Only enter amounts for communities where you intend to provide primary service. Partial funding of a project application may occur and must be considered when calculating a requested amount for more than one area. **Individual city funding for a public service project application must be a minimum of \$10,000 and must be sufficient to provide the service within the identified city. The cities of Big Bear Lake, Grand Terrace, Loma Linda, Needles, Twentynine Palms and the Town of Yucca Valley which are receiving less than \$150,000, will have no limit, but may only fund four (4) projects.**

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Amount Requested		Amount Requested	
Adelanto	\$	Montclair	\$
Barstow	\$	Needles	\$
Big Bear Lake	\$	Redlands*	\$
Colton	\$	Twentynine Palms	\$8,000
Grand Terrace	\$	Yucaipa	\$
Highland	\$	Town of Yucca Valley	\$2,000
Loma Linda	\$		
<b>Sub-total of Funds Benefiting Cooperating Cities:</b>			<b>\$10,000</b>

It is anticipated the City of Redlands will become a Cooperating City in the County's CDBG program.

- 3) **Total Funds:** This amount must equal the amount of CDBG funds requested in this application on Line 1, in Section E.

<b>Total Funds Requested</b>	<b>\$10,000</b>
------------------------------	-----------------

**G. Organizational Information**

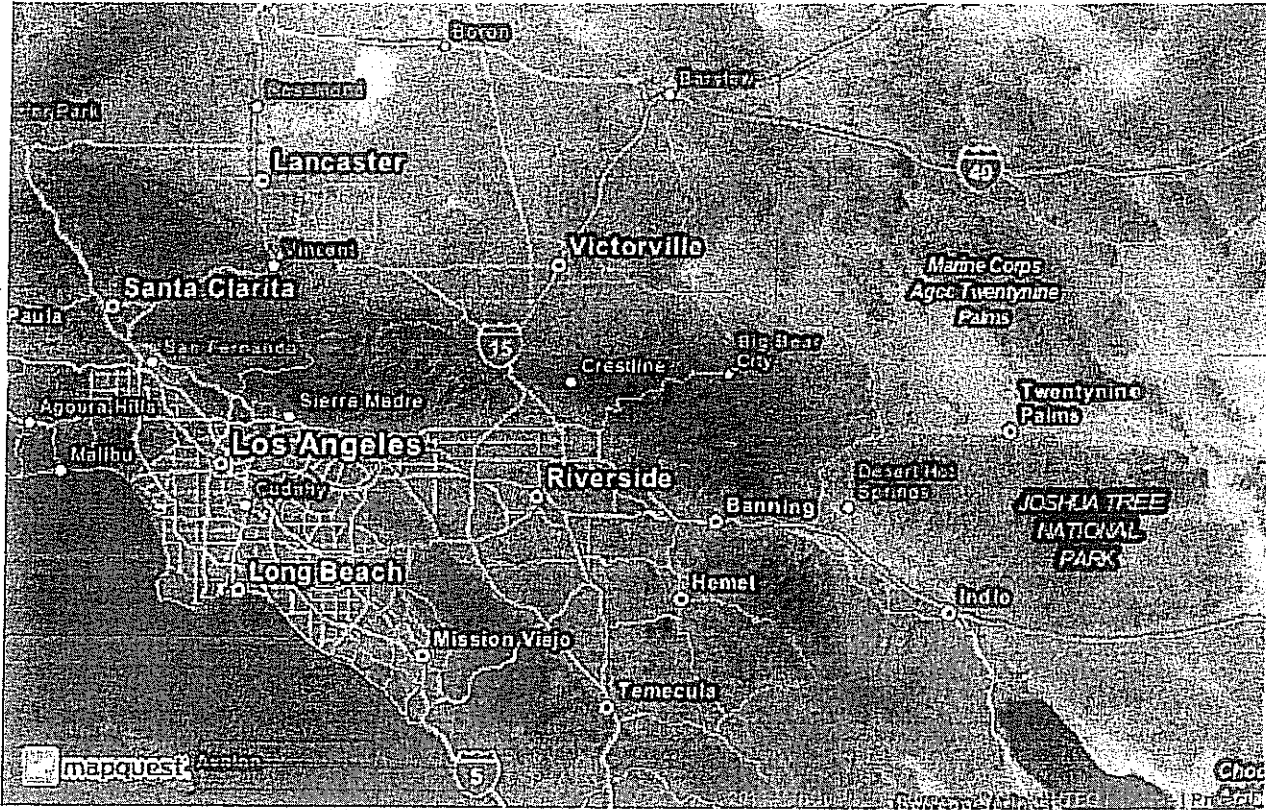
- 1) **Organizational History:** (This is applicable only if you are a non-profit organization).

- a. Date organization founded: 1/1/2007
- b. Date organization incorporated as a non-profit organization: 10/26/2007
- c. Federal Identification Number: EIN 74-3216955      State Identification Number:
- d. Number of paid staff: 1      Number of volunteers: 25
- e. DUNS Number: 607278015

- 2) Is this a "faith-based" organization? \*\*Yes  No

\*\*Generally, a faith-based organization was founded or is inspired by faith or religion. Such organizations often choose to demonstrate that faith by carrying out one or more activities that assist persons who are less fortunate.

2014-2015 PUBLIC SERVICE PROGRAM APPLICATION  
DETAILED PROJECT DESCRIPTION (Continued)



2014-2015 PUBLIC SERVICE PROGRAM APPLICATION

CDBG Application Checklist

Community-based organizations are required to include one copy of the items listed below. If you are not submitting these items at this time, please notify Community Development and Housing at (909) 387-4700 to make other arrangements. The following information is required before any contract or reimbursement can be completed.

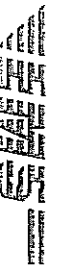
- Summary of agency's current year General Operating Budget
- List of agency's Board of Directors, including names and addresses
- Proof of existing non-profit/tax-exempt status (Letters from the Federal Internal Revenue Service and State Franchise Tax Board)
- Current certificate of insurance and amounts covered
- Organizational chart
- Minutes of last Board meeting

*(a week later)*  
*Declaration of INS.*  
*Cover Ltr from INS. Co.*  
*if needed, not needed, attached*

If your application is funded you will be required to provide a copy of you last audit and your Articles of Incorporation and Bylaws must be on file.

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**DELIVERY/ACCOUNT (if applicable)**

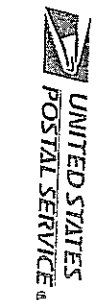
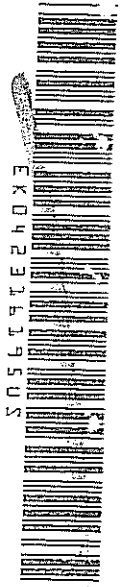
SIGNATURE REQUIRED

Note: The mailer must check the "Signature Required" box if the mailer: 1) Purchases the addressee's signature; 2) Purchases additional insurance; OR 3) Purchases COD service; OR 4) Purchases Return Receipt service; if the box is not checked, the Postal Service will leave the item in the addressee's mail receptacle or other secure location without attempting to obtain the addressee's signature on delivery.

Saturday Delivery (delivered next business day)  
 Sunday/Holiday Delivery Required (additional fee, where available)  
 Return to USPS.com\* or local F991 Office\*\* (for availability)

TO: (PLEASE PRINT) \_\_\_\_\_ PHONE: ( ) \_\_\_\_\_

Zip + 4\* (U.S. ADDRESSES ONLY)



**PRIORITY MAIL EXPRESS**

Post Office To Addressee

**ORIGINALS USE ONLY**

1-Day  2-Day

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Date Accepted (MM/DD/YYYY) \_\_\_\_\_ Scheduled Delivery Time \_\_\_\_\_  
 AM  PM

Time Accepted \_\_\_\_\_  
 AM  PM

Weight \_\_\_\_\_  Flat Rate  Live Shipment

INS. QTS.  Sunday/Holiday Premium

**ORIGINALS USE ONLY**

Delivery Attempt (MM/DD/YYYY) \_\_\_\_\_ Time \_\_\_\_\_  
 AM  PM

Employee Signature \_\_\_\_\_

Postage \_\_\_\_\_  Military  DPO

Insurance Fee \$ \_\_\_\_\_ COD Fee \$ \_\_\_\_\_

Future Receipt Fee \$ \_\_\_\_\_

Total Postage & Fees \$ \_\_\_\_\_

Acceptance Employee Initials \_\_\_\_\_

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12/14/07

\* For pickup or USPS Tracking™, visit USPS.com or call 800-222-1811.  
\*\* \$100.00 insurance included.

40082  
Log Number  
(Office Use Only)  
PIN 10042

COUNTY OF SAN BERNARDINO  
COMMUNITY DEVELOPMENT AND HOUSING

2014-2015 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

40082 - PUBLIC SERVICE AND ECONOMIC DEVELOPMENT PROGRAM APPLICATION -

Public service programs involve the use of CDBG funds to pay the non-construction costs of providing new or expanded services such as: graffiti removal, social services, transportation services (in support of qualified social services); employment, housing, legal, health and education services; blight abatement type activities. Please note that federal regulations limit the use of CDBG funds for all public services to 15 percent of the County's annual grant.

**Important:** According to the U.S. Department of Housing and Urban Development (HUD), a minimum grant award amount is necessary to justify the cost of administering CDBG funded projects and programs. **Consequently, CDH requires CDBG awards of \$10,000 or more and will use this grant minimum in making its recommendations for approved applications.**

Carefully read through the instructions and application forms. Answer all questions as specifically and completely as possible. If more space is needed, attach separate sheets. Submit one (1) signed paper copy. Use the tab button to go to the next form fillable field.

TYPE OR PRINT

A. Applicant Information	
1	Name of Applicant Organization: Morongo Basin Unity Home, Inc
2	Mailing Address: PO Box 1662 City: Joshua Tree State: CA Zip: 92252
3	Contact Person: Mary Jo Thornton,
4	Title: Executive Director
5	Phone: (760) 366-1247 ext. Fax: (760) 366-2643
6	E-mail Address: executive.director@unity-home.com

**B. Project Description**

Using 25 words or less, provide a concise description of the proposed program. **This 25-word description is required in order for this application to be considered complete.** Consider items addressed under the General Project Eligibility section of the Project Application Instructions. A detailed project description is also required to be provided on page 5.

Unity Home Domestic Violence Shelter, fed and provided 3962 bed nights, provides services to Morongo Basin and 30 % of those clients are from Yucca Valley.

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2014-2015 PUBLIC SERVICE PROGRAM APPLICATION

D. Project Budget		
	CDBG Share	Other Source
Personnel	\$20,000	\$557593
Equipment (Rental, Lease or Purchase)	\$	\$
Consultant Services (Auditing, Accounting or Payroll Services)	\$	\$
Space Rent	\$	\$
Insurance	\$8000	\$48000
Consumable Supplies	\$	\$
Other	\$	\$
<b>Total Costs</b>	<b>\$ 28000</b>	<b>\$ 605593</b>
<b>Grand Total (CDBG &amp; Other)</b>	<b>\$633593</b>	
Estimator (name and title): Mary Jo Thornton, Executive Director		

E. Amount of CDBG Funds Requested		
1	Amount of CDBG funds requested in this application (must equal Section D CDBG Share)	\$28,000
2	Additional funds to be provided by Other Source(s) for this project. The date that the Other Source(s) of funds have been or will be awarded and available, must be stated below:	
	Source(s) <input checked="" type="checkbox"/> Federal (Type of Funding): Cal OES <input type="checkbox"/> State (Type of Funding): _____ <input type="checkbox"/> County (Type of Funding): _____ <input type="checkbox"/> Other (Type of Funding): _____ Award Date 07/01/2013      Date Available 07/01/2013	\$175,000
	Source(s) <input type="checkbox"/> Federal (Type of Funding): _____ <input checked="" type="checkbox"/> State (Type of Funding): FVPS_ <input type="checkbox"/> County (Type of Funding): _____ <input type="checkbox"/> Other (Type of Funding): _____ Award Date 07/01/2013      Date Available 07/01/2013	\$209,593
	Source(s) <input type="checkbox"/> Federal (Type of Funding): _____ <input type="checkbox"/> State (Type of Funding): _____ <input checked="" type="checkbox"/> County (Type of Funding): CalWorks_ <input type="checkbox"/> Other (Type of Funding): _____ Award Date 07/01/2013      Date Available 07/1/2013	\$221,000
	Source(s) <input type="checkbox"/> Federal (Type of Funding): _____ <input type="checkbox"/> State (Type of Funding): _____ <input type="checkbox"/> County (Type of Funding): _____ <input type="checkbox"/> Other (Type of Funding): _____ Award Date / /      Date Available / /	\$
<b>Total of Other Sources</b> (Should equal "Total costs, Other Sources" in section D above)		\$605593

Please note: If this project also benefits residents of non-participating jurisdictions, matching funds in proportion to the percentage of non-cooperating residents to be served must be provided by other funding sources.

2014-2015 PUBLIC SERVICE PROGRAM APPLICATION

DETAILED PROJECT DESCRIPTION

(Continuation of Section B, Project Description, Page 1)

Provide detailed information needed to fully describe the proposed public service, its purpose and its beneficiaries. Please attach applicable maps, plans and brochures.

Unity Home is requesting \$18,000.00 in a grant from the Town of Yucca Valley, and \$10,00.00 from The City of Twentine Plams, from CDBG funds.

Unity Home is a non-profit Domestic Violence Shelter, and has been providing services to victims and their children in the Morongo Basin community for 28 years, incorporated since 1986. Unity Home provided 3962 shelter (bednights) and food for the last fiscal year of July 2012 through June 2013. Unity Home receives a Federal grant, EFSP (Emergency Food and Shelter Program) most years. The standard and allowable billing rate per bed night is \$12.50 per person, per bednight. At that rate, we billed \$44,162.00 but will only receive \$16,162.00 We have a shortfall for basic and shelter service of \$28,000.00 We are requesting that amount from the Town of Yucca Valley and The City of Twentynine Palms. Over 30% of our victims are from Yucca Valley, 16% from Twentynine Palms, over 68% from the Morongo Basin, and over 80% are from San Bernardino County. We partner with many non-profits in the local community and provide a host of other much needed services to a wide range of clients. We have needs in many areas but our greatest need is personnel expenses, or the cost of providing those much needed community services. If Unity Home did not provide these local Domestic Violence shelter services, victims and their children would have to travel in excess of 100 miles to receive similar services. We will have an even greater shortfall this next fiscal year, as Federal EFSP funds are shrinking. Please help us continue to provide these much needed services.

Unity Home

1662

92252-0860

P80

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JOSHUA TREE, CA  
92252  
DEC 03, '13  
AMOUNT  
**\$1.52**  
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92415

Co of Shu Bernardino  
 Community Development Corporation  
 385 N. Arrowhead Ave  
 3rd Floor  
 San Bernardino CA 92415

**TOWN COUNCIL STAFF REPORT**

**To:** Honorable Mayor & Town Council  
**From:** Lesley Copeland, Town Clerk  
**Date:** February 13, 2014  
**For Council Meeting:** February 18, 2014  
**Subject:** Draft Council Manual of Procedural Guidelines

**Recommendation:** That the Town Council:

- Receives and reviews the recommendation from the Rules and Procedures Ad Hoc Committee and directs staff as to any amendments to the Draft Council Manual of Procedural Guidelines.
- Directs staff to return the Final Council Manual of Procedural Guidelines to the Town Council for adoption.



**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)

**Discussion:** Since incorporation, the Town Council has implemented, added, removed and modified various provisions to the Town's Municipal Code establishing rules and procedures related to many aspects of Council protocol and procedure. In March 2011, the Council adopted Ordinance No. 223, repealing and reenacting Chapter 2.05, and directed staff and legal counsel to develop a comprehensive manual of procedural guidelines that can be reviewed and adopted by resolution. The Council appointed an ad hoc committee to provide initial review of the proposed manual and make recommendations to the Council as appropriate.

Staff and legal counsel completed the initial draft and provided Council an update at the November 19, 2013 meeting which included the recommendation to adopt the language of Section 9.1 (a) of Article IX - Officers. Town Council directed staff to include this language in the final version of the Guidelines. Over the past few months, staff and legal counsel worked with the ad hoc committee to review and amend the various topics in the manual.

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Reviewed By:	 Town Manager	_____ Town Attorney	 Admin Services	_____ Dept Head
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<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

The Draft Council Manual of Procedural Guidelines addresses many topics including but not limited to the following.

- Regular and Special Meetings
- Closed Sessions
- Resolutions
- Contracts and Agreements
- Town Representatives
- Public Comment and Presentations
- Officers
- Parliamentary Procedures
- Agenda Distribution and Notice
- Agenda Preparation
- Ordinances
- Order of Business at Council Meetings
- Advisory Bodies
- Public Hearing Procedures
- Decorum and Order
- Corrective Actions

While a significant portion of the Draft Manual is based upon law and reflects the Town's standard practices, Article IX, Officers, was addressed in order to clarify the Town's specific procedures in the selection of Officers. The Draft language proposes rotation based upon the number of votes received in the most recent election. The Ad Hoc Committee discussed this issue and recommended language which clarified how the rotation system remains in place. "Later election cycles or special elections do not supersede the seniority rotation in place prior to such election". Therefore once in a rotation position, subsequent elections do not displace the rotation positions established in prior elections. As noted in Section 9.1, appointed members will be junior in seniority to all other members seated at the time of appointment. Finally, The Town Council retains the authority to choose through majority vote any member of the Council for Mayor and Mayor Pro Tem based upon qualifications, need, or other criteria.

Section 6.4, Town Representatives and Advisory Bodes (ii) amends the current practice for appointment of other committee, boards and commissions (ie: Parks, Recreation and Cultural Commission, Planning Commission, etc). The recommended language transitions the appointment process from four (4) year terms to three (3) year terms. This change would therefore eliminate the link between individual Council Member terms and the appointed commissioner. In their most recent review, The Ad Hoc Committee discussed the possibility of additional language which identifies that the entire Council will make the selection(s) based upon the necessary qualifications to best serve the interests of the community. Based upon Council direction, this language would be added to Section 6.4 (ii). The Ad Hoc Committee also recommended that the Council consider establishing a two member Council ad hoc committee that would review all applications and bring forward a recommendation to the full Council for all committee and commission appointments. This process again would eliminate the tie of committee/commission appointments to individual Council members and move the appointment process toward a qualifications based system.

The final document will be adopted by Resolution of the Town Council, and future amendments will be adopted by Resolution as well. Based upon Council direction, it may be necessary for the Ad Hoc Committee to again meet with staff on directed modifications.

**Alternatives:** The Town Council may identify desired changes and provide direction as necessary.

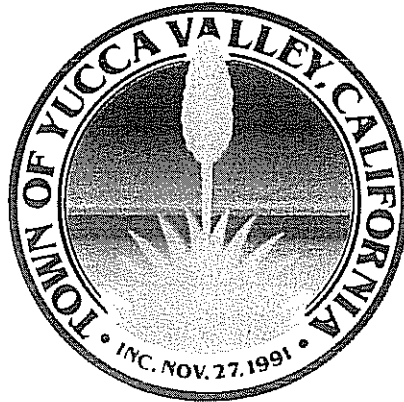
**Fiscal impact:** There is no fiscal impact associated with this item.

**Attachments:** Draft Council Manual of Procedural Guidelines  
Ordinance 223

MANUAL OF PROCEDURAL GUIDELINES  
FOR THE CONDUCT OF  
TOWN COUNCIL AND CONSTITUENT  
BODY/COMMISSION MEETINGS FOR

THE TOWN OF  
YUCCA VALLEY

ADOPTED ON -----



Lesley Copeland  
Town Clerk

Lona N. Laymon  
Town Attorney



## OUTLINE OF PROCEDURAL MANUAL PROVISIONS

### **Manual Applies to Council; Agency; Housing Authority; All Commissions**

#### **A. Agendas (3.1-3.6; 5.1-5.10, 6.1, 6.3)**

1. Town Manager (or "TM") generally has the authority to set the agenda. (5.1)
2. The Town Clerk or his/her designee shall prepare the agenda for each Council Meeting. Items of business may be placed on the agenda at the direction of the Town Manager or three affirmative votes of the Town Council during discussion of Future Agenda Items at a Town Council Meeting. (5.1)
3. Permits consent calendars and defines what isn't permitted on consent calendar: ordinances; matters involving split votes or public controversy; excluded consent calendar. (6.3)
4. List order of agenda. (6.1)
5. No action unless listed on agenda. (5.7)
6. Add items if arose subsequent agenda and 2/3 vote or unanimous of those present. (5.9)

#### **B. Minutes, Ordinances, Resolutions and Contracts (5.3 - 5.6, 5.10)**

1. Minutes are abbreviated record, revisions factual and not to change intent. (5.10)
2. Defines matter appropriate for ordinance vs. resolution; certain items require supermajority.
3. Defines vote requirements--resolutions require 3 votes.
4. Urgency circumstances defined where resolution can be prepared at a meeting.
5. Contracts may be put in final form by legal counsel. (5.6)
6. Approval of budget does not authorize expenditures. (6.5)

#### **C. Boards and Commissions (6.4)**

1. Defines legislative bodies and advisory bodies subject to the Brown Act. (1.2(a))
2. Committees established by official action, continuing jurisdiction more than 180 days, majority of officials from City or other bodies, is standing committee subject to Brown Act.
3. Permits creation of ad hoc council subcommittees (less than majority) not subject to the Brown Act.
4. Permits formation boards and commissions subject to the Brown Act.
5. Provides for appointments of Commission Members; removed by majority vote.
6. Commissions make reports to council; not permitted to create subcommittees.

#### **D. Study Sessions/Closed Sessions (2.5, 4.1 - 4.4)**

1. Study session informal but subject to Brown Act; no action taken.
2. Public comments permitted before; report on any action taken.
3. Those persons not relevant to the closed session matter are excluded.



4. Revealing any matter from closed session can subject the person to censure.

**E. Public Comments (7.0 – 7.4)**

1. Town Council meeting presentations are to be brief and efficient; this is to include all speakers for the group being recognized. Exhibit “B” has full policy.
2. Time limits are up to 3 minutes, but for public hearing applicant not limited. (7.2)
3. Public comment periods include initial comment period on non-agenda items; comment on agenda items. (7.1)
4. Speaker cards provided, but voluntary. (7.4)

**F. Hearings (8.1 – 8.4)**

1. Before the hearing, Councilmembers limited to factual questions of staff and speakers. Not to engage in debate.
2. Presiding Officer to make it clear when hearing is opened or closed. No questions of speakers or public comment after hearing closed.
3. Hearing must be fair and impartial with decision based on findings required by law.
4. No expression of opinion until hearing is closed.
5. Avoid extra meeting contact with interested persons. Encourage participation in hearing.
6. Presiding Officer can control conduct of hearing--representative speakers, etc. Set any rules at beginning and keep fair to each side.
7. Be attentive during hearings.

**G. Conduct of Members**

1. Don't represent position of Town or promise Town action. (9.3; 9.10)
2. Don't speak in derogatory fashion concerning colleagues, employees, citizens. (10.1(f))
3. Mayor speaks officially for Town rather than councilmembers. (9.3)
4. Councilmembers in correspondence represent their own position rather than Town unless authorized by Council. (9.3)
5. Commissioners don't speak for Town. (9.3)
6. No Conflicts. Can consult with Town Attorney but advice not binding and no attorney-client confidentiality. (9.7(b))
7. Use Town email account. Emails subject to the Brown Act--no development of collective action. Public Records Act, too. (9.4)
8. Formal process for censure for wrongful conduct involving hearing before Town Council. (10.5)
9. Town Attorney can file amicus briefs. (9.7(d))

**H. Procedures**

1. Selection of Mayor/Mayor Pro Tem (9.1)

2. Abstentions discouraged but permitted where appearance of impropriety exists, even if no financial conflict.
3. Motions to rescind clarified so that matter can be rescinded if later legislative session. (11.4)
4. Defines process to correct an earlier action in violation of Brown Act. (12.1 – 12.3)
5. Includes Table of Motions and Procedural Actions.

**MANUAL OF PROCEDURAL GUIDELINES FOR THE CONDUCT OF TOWN  
COUNCIL AND CONSTITUENT BODY/COMMISSION MEETINGS**

**ARTICLE I – SCOPE**

**1.1 Application of Rules**

This Manual (the “Manual”) shall establish the procedures for the conduct of all meetings of the Town of Yucca Valley Town Council, Successor Agency to the Yucca Valley Redevelopment Agency, Housing Authority (if established), and other constituent, governing bodies and commissions.

This Manual rescinds and supersedes all prior Town resolutions setting forth rules of procedure for the conduct of meetings by Town Legislative Bodies. Wherever there is a conflict between this Manual and any prior Town resolution, the terms and rules in this Manual shall govern. Additionally, the Town Council rescinds all conflicting provisions in the Municipal Code through Ordinance No. ----. Resolutions more specifically superseded by this Manual include, without limitation, the following:

- Town of Yucca Valley Resolution No. 98-13;
- Town of Yucca Valley Resolution No. 09-24

**1.2 Definitions**

The following definitions shall apply to these rules and procedures:

- a) “Legislative Body” means any quorum of any council, board, commission or standing committee (as defined in Government Code § 54952), or other governing body of the Town of Yucca Valley that is subject to the Brown Act (Government Code § 54950 *et seq.*). This includes the Yucca Valley Town Council, Yucca Valley Successor Agency to the former Redevelopment Agency, Yucca Valley Housing Authority Board, Planning Commission, Parks, Recreation and Cultural Commission, Sports Council, Youth Commission and any standing committee subject to the Brown Act. The term “Legislative Body” does not include Non-Governing Bodies, as defined below.
- b) “Presiding Officer” means the chairperson of the Legislative Body. For example, this refers to the Mayor when read in the context of the Town Council, the Board Chair in the cases of the Successor Agency to the Redevelopment Agency and/or the Housing Authority, and the Chair of any Commission or Council.
- c) “Vice Chair” means the vice chairperson to the Presiding Officer. For example, the Vice Chair means the Mayor Pro Tem in the case of the Town Council, the Vice Chairperson in the cases of the Successor Agency to the former Redevelopment Agency and/or Housing Authority, and the Vice Chairperson of any Commission or Council.
- d) “Clerk/Secretary” means the person responsible for taking and maintaining the record of proceedings for all meetings, preparation of agendas, calendar clerk and

custodian of rules, resolutions, ordinances and Legislative Body records. For example, the Clerk/Secretary refers to the Town Clerk in the case of the Town and the Agency Secretary in the cases of the Successor Agency to the former Redevelopment Agency and/or the Housing Authority.

- e) “General Counsel” means the legal advisor to the Legislative Body, such as the Town Attorney in the case of a Town Council meeting, or Agency Counsel in the cases of the Successor Agency to the former Redevelopment Agency and/or Housing Authority.
- f) “Town Manager” means the Chief Executive Officer of the Town, the Successor Agency to the former Redevelopment Agency and Housing Authority. The Town Manager may serve as the Secretary to the Successor Agency or Housing Authority, and the Town Manager can designate appropriate staff to serve as the clerk/secretary to any Commission of the Town.
- g) “Non-Governing Bodies” means wholly advisory committees and bodies that are not subject to the provisions of the Brown Act.
- h) “Sub-Legislative Bodies” means such advisory committees which are subject to the Brown Act but are not “governing” Legislative Bodies.

These rules and procedures are enacted pursuant to authority granted by Government Code §§ 36813 and 54954. The purpose of this Manual is to provide that the Legislative Bodies’ procedures will be consistent with the Brown Act and also to establish procedures which will be convenient for the public and contribute to the orderly conduct of any Legislative Bodies’ business. The procedures herein are in addition to, and not in place of, applicable ordinances and statutes and in the event of conflict between this Manual and applicable ordinances or statutes, the latter shall govern. In the event that any state statute referenced herein is renumbered, the reference herein shall be deemed to refer to the successor statute dealing with the same subject matter.

## ARTICLE II – MEETINGS

### 2.1 Regular Meetings

Unless otherwise specified by a resolution or ordinance applicable to specific Legislative Body, the regular meetings of all Legislative Bodies shall be held on the first and third Tuesday of each month at the time designated by the Legislative Body, in the Council Chambers at Town Hall, 57090 Twenty-nine Palms Highway, Yucca Valley, CA 92284, or at such other locations as the Legislative Body may from time to time designate by resolution, in the order of adjournment, or in the notice of call of any special meeting. In the event a day of meeting shall be a legal holiday, said meeting shall be held on the next business day, or such other time as designated by the Town Council.

## **2.2 Special Meetings**

The Presiding Officer may, when he or she deems it expedient, or upon the request of a majority of the Legislative Body, call a special meeting of the Legislative Body for the purpose of transacting the business designated in the call. The means and method for calling such special meeting shall be as set forth in the Brown Act as it now exists or may hereafter be amended. At such special meeting, no business shall be considered other than as designated in the call.

## **2.3 Emergency Meetings**

An emergency meeting may be called by the Presiding Officer or by a majority of the Legislative Body where an emergency exists:

(a) A work stoppage, terrorist act or threat, crippling disaster or other activity which severely impairs public health or safety as determined by the majority of the Legislative Body; or

(b) Such other circumstance specified by State law as authorizing the conduct of an emergency meeting. Any emergency meeting shall be called, noticed, and conducted only in accordance with the procedures set forth in State law.

## **2.4 Attendance**

A majority of members of the Legislative Body shall constitute a quorum. Less than a majority may adjourn from time to time, and may compel the attendance of absent members. Any member who fails to attend any of the meetings of the Legislative Body for 60 days, unless such absences are excused, shall surrender the office and be deemed to have surrendered the office.

## **2.5 Study Sessions**

The Legislative Body may meet informally in conference or "study" sessions regarding concerns of the Legislative Body to interchange information, provided that all discussions and conclusions shall be informal. Such meeting shall be called in the same manner as for special meetings or adjourned meetings, as applicable, and be subject to the Brown Act. Each notice shall indicate that an opportunity for public comment shall be provided before any matter shall be determined. When a meeting has been designated a Study Session, the Legislative Body shall not take any action with respect to the matter under study except with prior public notice, appearing on a properly posted agenda, of such intent to take action.

# **ARTICLE III-NOTICE AND AGENDA**

## **3.1 Notice and Agenda for Regular Meetings**

For every regular Legislative Body meeting, the Clerk/Secretary or his or her designee shall post a notice of the meeting, specifying the time and place at which the meeting will be held, and an agenda containing a brief description of all the items of business to be discussed at

the meeting as set forth in Article V. The notice and agenda may be combined in a single document.

The notice and agenda must be posted at least seventy-two (72) hours before the regular meeting in a location freely accessible to public twenty-four (24) hours a day during the seventy-two (72) hour period and where the notice and agenda is not likely to be removed or obscured by other postal material. Specifically, the notice and agenda shall be posted at the place indicated below, and/or at such other location(s) as the Clerk/Secretary may designate:

The board used for posting public notices outside of Yucca Valley Town Hall, located at 57090 Twenty-nine Palms Highway, Yucca Valley, CA 92284;  
Emailed to all members of the press and public who have requested such notice; and  
Posted on the Town's website (with the full agenda packet attached).

### **3.2 Notice and Agenda for Special Meetings**

For every special meeting, the Clerk/Secretary or his or her designee shall post a written notice specifying the time and place of the special meeting and the business to be transacted must be sent to each member of the Legislative Body (unless the member has filed a written waiver of notice with the Clerk/Secretary) and to each local newspaper of general circulation, and radio or television station that has requested such notice in writing. This notice must be delivered by personal delivery or any other means that ensures receipt, at least twenty-four (24) hours before the time of the meeting. The notice shall serve as the agenda for the special meeting and shall contain a brief description of all the items of business to be discussed at the meeting as set forth in Article V.

The notice for a special meeting shall be conspicuously posted at least twenty-four (24) hours prior to the special meeting in a location that is freely accessible to the public twenty-four (24) hours a day and where the notice are not likely to be removed or obscured by other posted material. Specifically, the notice shall be posted at the place indicated below, and/or at such other location(s) as the Clerk/Secretary may designate:

The board used for posting public notices outside of Yucca Valley Town Hall, located at 57090 Twenty-nine Palms Highway, Yucca Valley, CA 92284;  
Emailed to all members of the press and public who have requested such notice; and  
Posted on the Town's website (with the full agenda packet attached).

### **3.3 Notice of Emergency Meeting**

The special meeting notice provisions provided in Section 3.2 above apply to emergency meetings, except for the following:

In the case of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, the 24-hour notice requirement or the 24-hour posting requirement provided in Section 3.2 are not required. Nonetheless, every effort should be made to comply with the 24-hour notice and posting provisions.

Additionally, news media that have requested written notice of special meetings must be notified by telephone at least one hour in advance of an emergency meeting, and all telephone numbers provided in that written request must be tried. If telephones are not working, the notice requirements are deemed waived. However, the news media must be notified as soon as possible of the meeting and any action taken.

### **3.4 Notice and Agenda for Adjourned Meetings**

The Legislative Body may adjourn any regular, adjourned regular, special, or adjourned special meeting to a time and place specified in the order of adjournment. If a quorum is not present, less than a quorum may so adjourn. If all members are absent from any regular or adjourned regular meeting, the Clerk/Secretary may declare the meeting adjourned to a stated time and place and shall cause a written notice of the adjournment to be delivered to each member of the Legislative Body at least twenty-four (24) hours before the adjourned meeting. A copy of the order or notice of adjournment shall be conspicuously posted on or near the door of the place where the regular, adjourned regular, special, or adjourned special meeting was held, within twenty-four (24) hours after the time of adjournment. When a regular or adjourned regular meeting is adjourned as provided herein, the resulting adjourned regular meeting shall be a regular meeting for all purposes. When an order of adjournment of any meeting fails to state the hour at which the adjourned meeting is to be held, it shall be held at the hour specified for regular meetings. If the subsequent meeting is conducted within five (5) days of the original meeting, matters properly placed on the agenda for the original meeting may be considered at the subsequent meeting. If the subsequent meeting is more than five (5) days from the original meeting, a new agenda must be prepared and posted pursuant to Government Code Section 54954.2.

### **3.5 Mailed Agenda Upon Written Request**

The Clerk/Secretary, shall mail a copy of the agenda or, if requested, the entire agenda packet, to any person who has filed a written request for such materials. These copies shall be mailed at the time the agenda is posted. If requested, these materials shall be made available in appropriate alternative formats to persons with disabilities. A request for notice is valid for one calendar year and renewal requests must be filed January 1st of each year. Failure of the requesting person to receive the agenda does not constitute grounds for invalidation of actions taken at the Legislative Body meeting.

### **3.6 Affidavit of Posting**

Immediately following the posting of the notice and agenda, the Clerk/Secretary or his or her designee shall complete an Affidavit of Posting, in a form to be developed by the Clerk/Secretary. The Affidavit of Posting shall indicate the time of the posting, the location(s) of the posting, and shall be signed under penalty of perjury. The Clerk/Secretary shall retain all such affidavits, together with a copy of each notice and agenda so posted. The affidavit, notice, and agenda shall be retained at least two (2) years subsequent to the date of posting, and pursuant to Government Code § 34090, shall not be destroyed by the Clerk/Secretary thereafter except in accordance with the Town's record retention policies.

## ARTICLE IV- CLOSED SESSIONS

### **4.1 Generally**

The Legislative Body may hold closed sessions prior to, or during a regular or special meeting, or at any time otherwise authorized by law, to consider or hear any matter which it is authorized by State law to hear or consider in closed session. Generally, open session regular meetings begin at 6:00 p.m. Closed session meetings may begin at 5:30 p.m. Public comment shall be permitted on closed session matters prior to the closed session. If a closed session is included on the agenda, the description of the item shall meet the requirements of and shall identify the statutory basis for the closed session. During closed session, the Legislative Body shall exclude all persons which it is authorized by State law to exclude from a closed session. No minutes of the proceedings of the Legislative Body during a closed session are required. Closed session may not be held regarding a matter not listed on a properly posted agenda for closed session except upon the Legislative Body first taking action to place the item on the agenda as a closed session item as permitted by law.

### **4.2 Persons Authorized**

Persons present in the closed session shall be only members of the legislative body and support staff necessary to the discussion of the matter under consideration. As a general rule, closed sessions may involve only the members of the Legislative Body plus any additional support staff which may be required (e.g., Town counsel to provide legal advice; supervisor may be required in connection with disciplinary proceeding; labor negotiator required for consultation). Persons without an official role in the meeting should not be present.

### **4.3 Confidentiality**

No person attending a closed session shall publicly discuss or otherwise reveal the proceedings in the closed session unless such publication has been approved by the vote of the Legislative Body taken during the closed session or as otherwise required by law. Violation of this rule shall subject the violator to censure by the Legislative Body as provided in Section 10.5 herein.

### **4.4 Public Reports**

Before recessing into closed session, the Presiding Officer or General Counsel shall announce that the Body is recessing into closed session and shall name each closed session topic that will be discussed in closed session in at least as much detail as shown on the agenda.

Upon leaving closed session, the Presiding Officer or General Counsel shall report publicly any reportable actions taken on a closed session matter and, if any vote was taken, shall announce that the matter was put to a vote, the results of the vote, and how each Legislative Body member voted.



## ARTICLE V - AGENDA CONTENTS

### **5.1 Preparation of Agendas**

Barring insurmountable difficulties, the agenda shall ordinarily be delivered to the members of the Legislative Body on Thursday (as an informal deadline) preceding the meeting to which it pertains. The agenda shall also be available to the general public at the time it is delivered to the members of the Legislative Body, or in any case as required by the Brown Act.

The Clerk/Secretary or his/her designee shall prepare an agenda for each Legislative Body Meeting. Items of business may be placed on the agenda at the direction of the Town Manager, or by a majority of the Legislative Body during discussion of Future Agenda Items at a Legislative Body Meeting

Notwithstanding the foregoing, the Town Manager generally has responsibility for setting the agenda for the Legislative Body (except for any Commission where the responsibility may be assigned to the Town Manager's designee), and may place matters on the agenda in accordance with the Manager's evaluation of administrative priorities and resource capacities of Town.

### **5.2 Description of Matters**

All items of business to be transacted or discussed at a meeting of the Legislative Body, shall be briefly described on the agenda. The description may, but need not, set out the specific action or alternatives which will be considered by the Legislative Body, but should contain sufficient detail so that a person otherwise unaware could determine the general nature or subject matter of the item by reading the agenda. The description of closed session matters shall meet the requirements of Government Code Sections §54954.2 and, where applicable, §54954.5. Matters may be designated as "pending" and listed for the sole purpose of determining if they will be on a future agenda.

### **5.3 Action Items**

(a) Matters may formally be adopted by an ordinance, a resolution, minute order, or other motion (thereafter recorded by minute entry). Technically, all three are equally as legally effective and binding but vary in the formality of respective memorialization. While most actions will be presented to the Legislative Body in a written form prior to, or at, the meeting, the Legislative Body may amend any proposed action as written by carried motion of the Legislative Body at the time of its presentation for adoption. If an action as written is so amended by the Legislative Body, it shall be revised to reflect the Body's amendments for later execution by the Presiding Officer.

(b) Besides ordinances and resolutions, action can be taken by motion and recorded as a minute order. A "minute order" denotes a Legislative Body action which is recorded simply by an item entered in the minutes of the meeting at which it was accomplished, and no separate document is made to memorialize it.

(c) As a general rule, a recorded majority of the quorum for a Legislative Body may take an action. However, for the Town Council, resolutions, orders or the payment of

money, and all ordinances require a recorded majority vote of the total membership of the Town Council. Some actions, such as the passage of an urgency ordinance or adoption of a resolution of necessity to condemn property, require a super-majority vote. Under the Political Reform Act of 1974, a member with a financial conflict of interest regarding a matter before the member's board must leave the room while that matter is being discussed, heard, or acted on. In such a case, the member is counted as absent during the vote on that matter, and cannot be counted towards the quorum for the matter. If the member leaves the room for any other reason, the member's vote shall be recorded as an abstention, and the abstaining member shall be counted in determining whether a quorum of the Legislative Body is present.

#### **5.4 Resolutions**

(a) A "resolution" is a formal action with findings taken by the Legislative Body, generally pre-prepared in writing, designated by sequential number, and reference to which shall be inscribed in the minutes and an approved copy of each resolution filed in the official book of resolutions of the Legislative Body. Resolutions are used when specifically required by law, when needed as a separate evidentiary document to demonstrate findings or to be transmitted to another governmental agency, or where the frequency of future reference back to its contents warrants a separate document (with the additional "whereas" explanatory material it often recites) to facilitate such future reference and research.

(b) A resolution may be adopted at the same meeting it is presented. Where a resolution has been prepared in advance, the procedure shall be: motion, second, discussion, vote pursuant to methods prescribed in Article XI, and result declared. It shall not be necessary to read a resolution in full or by title except to identify it.

(c) Where a resolution cannot reasonably be prepared in advance of a meeting, the Legislative Body may instruct the Town Manager or the General Counsel to prepare a resolution for presentation at the next Legislative Body meeting. Where urgent, a resolution may be presented verbally in motion form together with instructions for written preparation for later execution. After the resolution has been verbally stated, the voting procedure in Article XI, shall be followed.

#### **5.5 Ordinances (Town Council Only)**

(a) The Town Council is the only Legislative Body empowered to legislate the Yucca Valley Municipal Code by adoption of ordinances.

(b) Ordinances, other than urgency ordinances, require at least two readings at different meetings held at least five days apart with the first reading considered to be introduction and the second adoption.

(c) A waiver of further readings requires a majority vote of the Council members present and voting. The waiver of further reading may be accomplished by one vote for all ordinances presented on the agenda of the present meeting. Government Code Section 36934.

(d) The Clerk/Secretary shall prepare copies of all proposed ordinances for distribution to all members of the Town Council at the meeting at which the ordinance is introduced, or at such earlier time as is expedient. Ordinances shall be numbered and kept by the clerk/secretary with the same formality as resolutions as described above in Section 5.4.

(e) An urgency ordinance is an ordinance adopted for the immediate preservation of the public peace, health and safety, containing a declaration of facts constituting the urgency. An urgency ordinance takes effect immediately and requires four-fifths vote of the Town Council for passage pursuant to Government Code § 36937.

## **5.6 Contracts and Agreements**

When any contract or agreement is to be considered by the Legislative Body, the complete contract and agreement, if complete in form for execution, shall be made a part of the agenda package presented to the Legislative Body and shall be made available for viewing by the public within the time frames required under the Brown Act and/or the California Public Records Act (Government Code §§ 6250 through 6276.48). The Legislative Body may choose to leave the final form of the contract to the discretion of General Counsel if the Legislative Body has determined the general conditions of the contract.

## **5.7 Limitation of Actions by Agenda**

No action or discussion shall be taken by the Legislative Body, on any item not appearing on a posted agenda, subject only to the exceptions listed in Section 5.9 below. "Action taken" as used herein shall mean a collective decision made by a majority of the Legislative Body, a collective commitment or promise by a majority of the Legislative Body to make a positive or a negative decision, or an actual vote by a majority of the Legislative Body upon a motion, proposal, resolution, order, or ordinance.

## **5.8 Public Comment Period**

Pursuant to Government Code § 54954.3, every agenda posted for any meeting shall contain an item entitled "Public Comment" in order to provide for an opportunity for the public to address the Legislative Body on items of interest to the public within the Legislative Body's subject matter jurisdiction. The public comment period should be conducted in accordance with Article VII.

## **5.9 Exceptions to Agenda Requirement for Action Taken**

The Legislative Body may take action at a meeting on an item not appearing on the agenda for that meeting only under one of the following circumstances:

(a) Upon a majority determination that an "emergency situation" that is either (i) a work stoppage, crippling activity, or other activity that severely impairs public health, safety, or both, or (ii) a dire crippling disaster, mass destruction, terrorist act, or threatened terrorist activity that poses peril so immediate and significant that requiring a Legislative Body to provide one-hour notice before holding an emergency meeting may endanger the public health, safety, or both. All discussion of such emergencies must be in open session.

(b) Upon a determination by a two-thirds (2/3) vote of the Legislative Body, or if less than two-thirds of the Legislative Body are present by a unanimous vote of those members present, that the need to take action arose subsequent to the agenda posting. For the purposes of this subsection, the term "need to take action" shall mean those circumstances whose occurrence creates a situation which is materially different from that which existed at the time the agenda was posted, and which requires the immediate attention of the Legislative Body. The mere failure of any person to notify the Legislative Body or staff of a pre-existing situation requiring Legislative Body attention until after the time for the posting of the agenda shall not be deemed to constitute a "need to take action" hereunder. If the Legislative Body makes a determination pursuant to this subsection, the minutes of the meeting at which the determination is made shall reflect what circumstances gave rise to the "need to take action" and why the item could not be placed on the agenda.

### **5.10 Minutes and Recordings**

(a) An account of all proceedings of Legislative Body in open meetings shall be kept by the Clerk/Secretary. The Clerk/Secretary shall prepare Summary or Action Minutes of the meetings proceedings for approval by the Legislative Body which when adopted by the Legislative Body shall be the official Minutes of the meeting. Amendment of the minutes may be made only as to factual accuracy and not as to a change of intent. The Minutes of the meeting need not be verbatim. Only the best and most complete available recording of the meeting shall constitute the official record of the Legislative Body, but the Minutes shall constitute the official record of the Legislative Body meeting where a verbatim record of the meeting is not available.

(b) Any recording of a meeting made by or at the direction of the Legislative Body is a public record that must be retained and made available to the public for at least 30 days. The Legislative Body must provide to the public, without charge, equipment to review the record.

## **ARTICLE VI – ORDER OF BUSINESS**

### **6.1 Order of Business**

The order of business of each meeting shall be as contained in the agenda prepared by the Clerk/Secretary unless the majority of the Legislative Body members consent to take items out of order. The order of business at meetings of the Legislative Body may be as follows, in accordance with the procedures specified below:

- (a) Roll Call.
- (b) Announcement of Closed Session Items, if applicable.\*
- (c) Public Business from the floor on closed session items.\*
- (d) Recess.
- (e) Reconvene Regular Meeting.
- (f) Pledge of Allegiance.
- (g) Invocation
- (h) Closed Session Report, if applicable.\*
- (i) Presentations, Introductions, Recognitions

- (j) Agency Reports.
- (k) Approval of Agenda
- (l) Consent Items. (See Section 6.3 below.)
- (m) Public Hearings.
- (n) Department Reports.
- (o) Future Agenda Items
- (p) Public Comments
- (q) Staff Reports and Comments
- (r) Mayor and Council Reports and Comments
- (s) Announcements
- (t) Announcement of Closed Session Items, if applicable\*\*
- (u) Public business from the floor on closed session items, if applicable\*\*
- (v) Closed Session Report, if applicable\*\*
- (w) Adjournment.

**\*if Closed Session is held at 5:30 p.m. prior to Regular Meeting.**

**\*\*if Closed Session is held at conclusion of Regular Legislative Body business.**

## **6.2 Call to Order**

The meeting of the Legislative Body shall be called to order by the Presiding Officer, or the Vice-Chair in the Presiding Officer's absence. In the absence of both the Presiding Officer and Vice Chair, the meeting shall be called to order by the Clerk/Secretary and the three Legislative Body members present shall elect by majority vote a Presiding Officer for that meeting.

## **6.3 Consent Items**

Matters of a routine or generally uncontested nature and non-controversial, shall be placed on the agenda as Consent Items and may be approved by the Legislative Body in a single motion by adoption of the Consent Calendar. The approval of the Consent Calendar shall signify the approval of each matter or recommendation included therein. All matters on the Consent Calendar shall be the subject to public comment procedures in Article VII. Upon the request of any member of the Legislative Body a matter may be removed from the Consent Calendar for separate discussion and/or action. Any such item shall be considered as part of the Excluded Consent Calendar. Each matter proposed for consideration as part of the Consent Items, including any recommended action, shall be described on the notice and agenda posted for the meeting. The following matters are not appropriate for the Consent Calendar:

(a) Ordinances shall not be placed on the Consent Calendar for approval unless the ordinance has first been read or the reading of the ordinance has been waived as required by law. Notwithstanding the foregoing, an ordinance adopting another code by reference shall be adopted in accordance with the procedure set forth in Government Code section 50022.1, *et seq.*

(b) Any matter where the Town Manager believes (i) it unlikely that there would be unanimous approval by the Legislative Body, or (ii) there is likely to be public comment on the matter, or (iii) a public presentation of the matter would be beneficial to the community.

#### **6.4 Town Representatives and Advisory Bodies (Town Council Only)**

(a) From time to time the Council may be required to assign a representative of the Town to non-Town boards, commissions or organizations (e.g., boards or commissions of another agency or joint powers authority). Except as otherwise required by law or by the policies of the non-Town organization, the Mayor shall nominate all such appointments of Town representatives on non-Town organizations, and the appointment shall be by a majority vote of the Council. Council appointments to non-Town organizations shall be considered and made with the goal of keeping the appointee in the organization for a long enough period of time that the appointee may gain seniority and/or a position of leadership within the organization. This goal shall be construed to mean that the same appointee should remain within a non-Town organization for at least two years where reasonably possible and convenient for said appointee. Nothing herein, however, shall be construed to limit or waive the Town Council's power to remove appointees pursuant to subsection (c) below.

(b) The Town Council shall have the power to establish advisory committees, commissions, other Legislative Bodies and Non-Governing Bodies. Any committee which is (i) established by ordinance, resolution or other formal action, or (ii) has a fixed regular meeting schedule, or (iii) has continuing subject matter jurisdiction over a non-temporary issue, or (iv) which continues to conduct business in excess of 180 days, or (v) has a majority membership of officials from other Legislative Bodies, shall be subject to the provisions of the Brown Act.

Advisory bodies and committees may take the following form:

i) The Council may, as the need arises, authorize the appointment of "ad hoc" Council committees composed of two members. Except where otherwise specifically provided by law, the Presiding Officer shall appoint the members of the Council committees, subject to the approval of the Council. Any committee so created shall cease to exist upon the accomplishment of the special purpose for which it was created or when abolished by a majority vote of the Council.

ii) The Council may, subject to the Brown Act, create other committees, boards, and commissions, whether Legislative Bodies or Non-Governing Bodies, to assist in the conduct and operation of the Town government with such jurisdiction and duties as the Council may specify. (a) All Town board and commission appointments, except for ex officio members where applicable, shall be made by majority vote of the Town Council: (b) Unless otherwise provided by law, or by ordinance or resolution, or unless by the very nature of the situation the provisions hereof may not be made applicable, all members of boards and commissions of the Town shall be appointed by the Council for three (3) year terms commencing on February 1 of the year of appointment, provided that interim vacancies shall be filled by appointment of the unexpired term of the member replaced. There is no maximum number of terms that may be served by any individual commissioner. The Town Council may, by a majority

vote of the Town Council, remove from office any commissioner at any time without cause. The procedure of filling vacancies and provision of notice thereof shall be subject to the provisions of the Maddy Act (Government Code §§ 54970-54974).

iii) Sub-Legislative Bodies, including Non-Governing Bodies, shall be responsible for reporting the Body's activities to the Town Council. The members of a Sub-Legislative Body or Non-Governing Body shall operate within the jurisdiction established by the Council and shall not have authority to make subcommittees unless specifically granted such authority by action of the full Town Council. Staff members may be assigned to assist any Council-created committee by the Town Manager; staff members so assigned shall not be members of the committee unless specifically appointed as such by action of the full Council.

(c) Absent any other provision to the contrary, any member of a board or commission of the Town may be removed from office at any time, with or without cause, by a majority vote of the Town Council, except in cases where the Mayor or Town Council is not the appointing authority, in which case such regular appointing authority may exercise the power of removal.

## **6.5 Budgets**

The Town Council shall have the power to approve the Town budget, and each Legislative Body shall have the power to approve the budget of funds specifically apportioned to control of that Legislative Body (e.g., the Successor Agency Board shall approve the budget of the Agency and the Housing Authority Board shall approve the budget of the Authority). Approval of the budget constitutes approval of a proposed plan of expenditures and revenues. With respect to any given expenditure the applicable procedure shall be followed. Further adoption of the budget does not constitute authorization for any specific employment class or position.

## **6.6 Items from Members**

(a) There is a specific item on the agenda entitled Mayor and Council Member Reports and Comments, for receiving general comments, announcements, and/or suggestions from members of the Legislative Body. This can be used to inform the public concerning upcoming events, report on members' attendance at conferences and seminars, for requests by members that staff look into specific matters or similar matters. These matters may not be discussed, opined upon or deliberated, and if they do not concern a matter on the agenda, shall be handled by the Presiding Officer according to the same procedures set out for Public Comment in Section 7.3. No action may be taken on such matters without being placed on a subsequent agenda.

(b) There is an agenda item referred to as Future Agenda Items, where members can request items to be placed on a subsequent agenda. Approval requires agreement of three council members

(c) There is an agenda item referred to as Staff Reports and Comments. This may be used by the Town Manager and Department Directors similarly to the item for members of the Legislative Body in Subsection (a) above to make announcements without separately

listing the matter on the agenda, and subject to the same restriction that there may be no discussion or action on such matter.

## **ARTICLE VII- PUBLIC COMMENT AND PRESENTATIONS**

### **7.0 Town Council Meeting Presentations**

Town Council presentations are for providing information to the Mayor and Council, Town management, and the community about activities of interest and value to include activities, events and infrastructure projects relating to the Town, honors and celebrations for organizations, corporations and residents which reflect their service to the Yucca Valley community, honors and recognitions for Town staff for outstanding service or commitment to the Town's mission and goals. Please Note: This is not the appropriate time to seek funds from the Town and/or endorsements from Town Council or discuss politics.

All presentations are to be a summary level presentation, usually lasting no more than five to ten minutes in length; this is to include all speakers for the group being recognized. Please see the attached "Exhibit B" for a complete copy of the Yucca Valley Town Council Meeting Presentation Policy contained and incorporated as an exhibit to the Manual of Procedural Guidelines for the Conduct of Town Council and Constituent Body/Commission Meetings for the Town of Yucca Valley.

### **7.1 Public Comment**

Every agenda for a Town Council Meeting shall provide a period for members of the public to address the Council on items of Town business that are not on the agenda but are within the subject matter jurisdiction of the Town Council. With regard to matters not on the agenda, the Legislative Body may ask questions of persons who raise new matters during the General Public Comment period or otherwise, and the Presiding Officer should handle such matters as provided in Section 7.3, below. However, all Legislative Body questions must be limited to facts-only informational inquiries, and the Legislative Body may not discuss the merits, express any opinions or ask questions that convey opinions or thought processes with respect to any non-agendized issue. The public shall also be afforded the right to comment on every numbered item appearing on the agenda prior to the Legislative Body's consideration of that item, as provided in Section 7.4 below.

### **7.2 Time Limitations**

The time limit to speak for public comments is up to three (3) minutes on each numbered item on the agenda. These limits do not apply to parties to agenda items (e.g., project applicants, condition use permit applicants, etc.). All such time limits shall be noticed on the agenda for the meeting. Notwithstanding these time limits, the Presiding Officer has the full prerogative to maintain meeting order and decorum as provided in Section 9.1 and Article X generally, and the Presiding Officer or a majority of the Legislative Body may extend time if they find such extension is reasonably necessary to allow the speaker to compete his/her message without repetition or unnecessary tangents.

The Consent Calendar is considered a single item, thus the three (3) minute rule applies. However, if an item is pulled from the Consent Calendar, a member of the public may speak on the agenda item at the time the item is considered by the Legislative Body.



### **7.3 Proclamations and Recognitions of the Town Council**

Organizations or individuals seeking a Proclamation or Special Recognition should forward any such request to the Town Clerk. Only the Town Council may authorize and issue Proclamations or Special Recognitions. Any such request received by the Town Clerk will be forwarded to the Mayor for consideration. Proclamations and Special Recognitions authorized by the Mayor are not Official Policy Statements or Positions of the Town Council, and are intended for the ceremonial support of civic achievements benefitting the community as a whole. Such requests should be non-controversial and non-political in nature.

### **7.4 Additional Procedures for Public Comment on Agenda Items**

(a) Members of the public shall have the opportunity to address the Legislative Body on each and every numbered item listed on the agenda. Public comment on agenda items must be heard prior to the Legislative Body's consideration/discussion of the item.

(b) In order to facilitate correct minutes of the Legislative Body meeting, the Town requests that members of the public wishing to address the Legislative Body complete a "Request to Speak" form, provided at the meeting room, and present it to the Clerk/Secretary prior to the Legislative Body's consideration of the item. A "Request to Speak" form should be completed for *each* item when an individual wishes to speak. When recognized by the Presiding Officer, speakers should be prepared to step forward and announce their name and address for the record. Notwithstanding the foregoing, a member of the public shall not be prohibited from speaking for failure to provide his or her name and/or address.

(c) The purpose of the public comment period is to receive input from the public, not to create a debate between the Members and the public. Members should generally refrain from debating members of the public during the period for public comment, but if Members desire to clarify comments by members of the public, they may ask factual questions, and if necessary, should do so during the public comment period.

(d) The Presiding Officer should clearly open and close the public comment period. After the close of the public comment period or after a motion has been made, no member of the public shall address the Legislative Body without first securing permission of the Presiding Officer.

## **ARTICLE VIII- NOTICED PUBLIC HEARINGS**

### **8.1 Public Hearings; Notice; Fairness**

(a) Matters noticed to be heard by the Legislative Body shall commence at the time specified in the notice of hearing, or as soon thereafter as is reasonably possible, and shall continue until the same has been completed or until other disposition of the matter has been made. The order of the Public Hearing may be as follows, in accordance with the procedures specified below:

- i) Announce item
- ii) Town Clerk report of correspondence received in favor/opposition
- iii) Staff Presentation

- iv) Open Public Hearing
- v) Presentation from applicant or appellant
- vi) Presentation of persons in favor/in opposition to action
- vii) Questions of speakers
- viii) Rebuttal comments by applicant or appellant
- ix) Closing Remarks by staff
- x) Close public hearing
- xi) Questions of Staff
- xii) Commission/Council Discussion
- xiii) Motion
- xiv) Second
- xv) Discussion
- xvi) Vote

(b) Legislative Body members shall not overtly or implicitly promise a particular action by Town staff or by any Legislative Body. Where a Legislative Body member is contacted about an issue that will be presented to any Legislative Body of the Town, it is appropriate to give a brief overview of Town policy, to refer to Town staff for further information, or to suggest that the concern be brought to the whole Council at the hearing or Council meeting, as appropriate.

(c) All public hearing notices shall be issued and published in compliance with any statutory notice requirements applicable to the particular hearing at issue and such notice shall inform interested persons of the Statute of Limitations to challenge the validity of any action taken by the Legislative Body on such matter.

(d) In all matters before a Legislative Body, whether public hearing or otherwise, the Legislative Body must judge the matter fairly and without personal bias. Although every Legislative Body member has a right to their own personal opinions, Legislative Body members should by their demeanor show an ability to listen to a variety of viewpoints and demonstrate a reasonable willingness to consider all sides of an issue before them. For quasi adjudicative matters involving public hearings, the members of the Legislative Body shall not prejudice the matter prior to the public hearing, shall be fair and impartial, and shall decide the matter based upon the evidence and the statutorily required findings.

(e) For such matters, Legislative Body members should avoid expressing an opinion or divulging their thought process until after the public hearing has been completed.

## **8.2 Continuance of Hearings**

(a) Any hearing being held or noticed or ordered to be held by the Legislative Body may, by order or, notice of continuance, be continued or re-continued to any subsequent meeting in the manner provided for adjourned meetings.

(b) When it is the decision of the Legislative Body to continue an item which appears on the agenda, prior to hearing any report, testimony or taking evidence on the item, the Legislative Body may make such intent known at the beginning of the meeting. At that time the

public shall be offered the opportunity to speak regarding the intent to continue the item. At the time regularly scheduled for the hearing of the item, the Legislative Body shall then take action to continue the item after again informing the public of the intent to continue the matter. No testimony or evidence shall be taken at that time unless the speaker will not be available at the continued hearing date.

(c) When the Legislative Body has continued the public hearing on an item after its commencement, persons testifying at the first public hearing shall be permitted to again address the Legislative Body on the item at the renewed hearing subject to the finding of the Presiding Officer that the testimony is not redundant. Upon such finding the time allotted for testimony by the individual may be summarily reduced.

(d) Continuances of a public hearing to a date certain need not be re-noticed unless (i) the hearing has not been continued to a date certain, or (ii) has been continued three or more times and the Presiding Officer believes confusion may be created as to the time of the hearing.

### **8.3 Conduct of Hearings**

(a) When a matter for public hearing comes before the Legislative Body, the Presiding Officer shall request that staff present the staff report and any other relevant evidence, but the presentation of the staff report prior to the formal opening of the public hearing shall not prevent its consideration as evidence. Any such evidence shall be made a part of the record of the public hearing. The Presiding Officer shall permit members of the Legislative Body to ask questions of staff, but should prevent expressions of opinion by members of the Legislative Body before the conduct of the hearing.

(b) The Presiding Officer shall thereafter open the public hearing and inquire if there are any persons present who desire to address the Legislative Body on the matter. Any person desiring to speak or present evidence upon being recognized, may speak or present evidence relevant to the matter being heard. Any testimony shall be truthful.

(c) Members of the Legislative Body who wish to ask questions of the speakers, during the public hearing portion, may do so but should be mindful that the purpose of the public hearing is to obtain testimony and evidence from the speakers, and not to debate the merits of the matter with speakers. Members should avoid debate and expressions of personal opinion until after the close of the public hearing. Unlike public comment periods, generally there should be no response to speaker comments until after the close of the hearing. The Presiding Officer shall conduct the hearing in such a manner as to afford due process to all affected persons.

(d) All persons interested in the matter being heard by the Legislative Body shall be entitled to submit written evidence or remarks, as well as other graphic evidence. All such evidence presented shall be retained by the Clerk/Secretary as part of the record. Each speaker may only speak once during the public hearing unless the Legislative Body requests additional clarification later in the process.

(e) Upon closing of the public hearing by the Presiding Officer, no additional public testimony shall be solicited or received by the Legislative Body without reopening the public hearing. If, however, the Legislative Body receives relevant new evidence after the close of the public hearing and such new evidence may impact the Legislative Body motion or vote, a majority of the Legislative Body may re-open the public hearing to obtain public comments upon such new evidence.

(f) The Presiding Officer has the prerogative to establish special rules, such as to require group spokesmen, to limit the number of speakers to limit the total time for testimony to allow speakers to give time to others, or otherwise control the hearing, provided that (i) speakers are treated fairly, and that (ii) any such special rules are announced in advance of their application. The Presiding Officer always retains the prerogative to cut off speakers who are unduly repetitious, and to permit the extension of time to speakers.

#### **8.4 Extra-Meeting Contacts on Matters Set for Public Hearing**

(a) Legislative Body members should minimize their contacts with developers, applicants, or other persons who will be the subject of a quasi-adjudicative public hearing matter to be heard before the Legislative Body. Legislative Body members should avoid extra-meeting contacts with persons who will be the subject of a public hearing before the Body or with advocacy groups or special interests.

(b) If a Legislative Body member is contacted directly by such person outside the meeting setting, the member shall refrain from expressing any viewpoints or thought processes to the person until after the public hearing. The Legislative Body member may explain that they are unable to express any viewpoint on the matter until all evidence has been heard in the course of a public hearing and should encourage any such person to present their position in writing or orally at the public hearing.

(c) At the commencement of the public hearing, the Legislative Body member must disclose publicly any extra-meeting contacts or discussions had which may be relevant to the decision.

(d) The limitations set forth in this Section shall not be read as preventing a Legislative Body member from inspecting a site that will be relevant to a public hearing, although such sight inspection should be disclosed on the record at the beginning of the public hearing.

### **ARTICLE IX - OFFICERS**

#### **9.1 Selection of Mayor/Mayor Pro Tem (For Town Council Only)**

(a) The Town Council reorganizes at the first meeting in December, or, in a councilmanic election year, at the meeting immediately following a certification by the County of San Bernardino Registrar of Voters, whichever is later. Traditionally the Mayor Pro Tem is nominated as Mayor and the next Mayor Pro Tem is nominated according to seniority. Seniority is based on the number of votes received in the member's election cycle, in the order in which the election cycle takes place, including any special election. Later election cycles or special

elections do not supersede the seniority rotation in place prior to such elections. Appointed members will be junior in seniority to all other members seated at the time of appointment. While considering Council tradition, the Town Council may choose to nominate and confirm through majority vote any member of the Council for Mayor and Mayor Pro Tem based upon qualifications, need, or other criteria as may be appropriate at any given time.

(b) Upon being properly agendized and upon an affirmative vote of four/fifths (4/5) of the members of the Town Council, the seated Mayor and/or Mayor Pro Tem may be removed prior to the expiration of their terms in office for actions or inactions which have caused detrimental harm to the Town of Yucca Valley. Said actions or inactions include, but are not limited to: (i) gross negligence in performance in his/her duties; (ii) conduct unbecoming the position held; (iii) actions outside his/her scope of authority. Upon removal, the Council shall consider appointment of a Mayor and/or Mayor Pro Tem in as stated above. The new Mayor and/or Mayor Pro Tem shall serve the remaining term of the replaced officer(s) and shall be eligible for reappointment.

## **9.2 Presiding Officer**

(a) The meeting shall be presided over and chaired by the Presiding Officer, or, in the Presiding Officer's absence, the Vice Chair. The Presiding Officer shall have the authority to rule any speaker out of order, including speakers during the public comment period if the subject raised is not within the subject matter jurisdiction of the Legislative Body, or during a public hearing if the speaker is not presenting testimony or evidence relevant to the matter which is the subject of the public hearing. The Presiding Officer shall have the responsibility for the conduct of meetings in an orderly manner and to prevent the obstruction of business, and in carrying out this responsibility shall have the authority to give the floor to any member of the Legislative Body or public by recognizing them, to prevent the misuse of legitimate forms of motions or privileges, to take matters up out of order, to caution speakers as to disruptive behavior, and to order any persons willfully interrupting the meeting to be removed from the room, including as provided in Article X.

(b) The Vice Chair shall generally take the place of the Presiding Officer in the absence of the Presiding Officer. In the absence of the Vice Chair, the Presiding Officer may call any other member to take his or her place as Presiding Officer; such substitution not to continue beyond adjournment.

(c) Any determination made by the Presiding Officer may be appealed by the making of a Motion to Appeal the Ruling by any other member of the Legislative Body. The Presiding Officer's determination will stand unless a majority of the Legislative Body members vote in favor of the Motion to Appeal the Ruling, in which case the ruling of the Presiding Officer will be overridden. The Motion to Appeal the Ruling is governed by the Chart of Motions attached as Exhibit A.

## **9.3 Representation of Legislative Body**

(a) The Mayor is the designated representative of the Town and the Town Council for purposes of presenting and expressing the official Town position on an issue. If

individual members of the Council or other Legislative Bodies are contacted by the media for a statement of official Town position, the member should refer such inquiries to the Town Manager. Otherwise public or media statements by a Legislative Body member should be clearly characterized as comments upon a personal viewpoint. Notwithstanding California Family Code section 400.1, allowing Mayors to officiate and perform marriages, it is the policy of the Town that neither the Mayor nor other public official shall be allowed to perform marriages of any form in his or her capacity as Mayor or as a member of the Town Council.

(b) Members of the Town Council may use official Town letterhead to correspond with other public officials and with consultants but any such correspondence shall state that the views expressed therein are personal and not the position of the Town unless the Town Council has officially adopted such position. No commission or Sub-Legislative Body may take a position officially representing the Town unless authorized to do so by the Town Council.

#### **9.4 Email Policy**

(a) Members of the Legislative Body are provided with Town email accounts which may be utilized for the conduct of Town business, including communications with constituents. Members should be aware that all such communications may be subject to the Public Records Act (Gov't Code Section 6200). Use of private email accounts for Town business may also make them subject to disclosure.

(b) Members of the Legislative Body are subject to the Brown Act in the use of email. Email communications may not be used to develop a collective consensus or decision on any matter. Email communications to the entire Body should be avoided but may be permitted to provide factual information, for example such as arranging an event, where no discussion or exchange of opinions on a matter within the jurisdiction of the Legislative Body is initiated or occurs.

#### **9.5 Clerk/Secretary**

The Clerk/Secretary or his/her deputy shall attend all meetings of the Legislative Body unless excused, and shall keep the official minutes and perform such other duties as may be requested by the Legislative Body.

#### **9.6 Town Manager**

The Town Manager, or designee, shall attend all meetings of the Legislative Body unless excused. The Town Manager may make recommendations to the Legislative Body and shall have the right to take part in all discussions of the Legislative Body, but shall have no vote. The Town Manager shall provide the Legislative Body with a staff report providing sufficient information to be the basis for any action by the Legislative Body at its meeting. Any officer or employee of the Town, when directed by the Town Manager, shall attend any meeting of the Legislative Body and may present information relating to matters before the Legislative Body. The Town Manager also serves as the primary point of contact for the Town Council. Town Council inquiries regarding Town matters should not be directed to Town staff, but rather toward the Town Manager for further delegation and response.

## 9.7 General Counsel

(a) The General Counsel, or deputy, shall attend all meetings of the Town Council unless excused and shall upon request of any member give an opinion, either written or oral, on questions of law. The General Counsel, or deputy, shall attend all meetings of such other Legislative Bodies as directed by the Town Council or Town Manager. The General Counsel serves as advisory parliamentarian for the Town and is available to answer questions or interpret situations according to parliamentary procedures. Final rulings on parliamentary procedure are made by the Presiding Officer, subject to the appeal of the full Legislative Body pursuant to Section 3 of Article XI, below. All ordinances and resolutions and all contracts, deeds, easements or other legal instruments shall be approved as to form and legality by the General Counsel. In any case of ambiguity or uncertainty in the interpretation or application of this Manual to any procedure, the Presiding Officer may direct such question to the General Counsel for a ruling.

(b) Any member of the Legislative Body may request from the General Counsel a legal opinion regarding any matter related to the interests of the Town. Where a legal opinion involves substantial cost, the request for the opinion must first be approved by the Town Manager or by a majority of the Legislative Body. The General Counsel is the legal representative of the Town acting through its Legislative Body. There is a continuing legal question as to whether the General Counsel may have an attorney-client relationship with any individual member of the Legislative Body or the Town staff. As a consequence any discussion with the General Counsel which leads to the conclusion that the interests of the Town are at risk must be revealed to all relevant members of the Legislative Body and the Town staff by the General Counsel. The General Counsel shall not have an attorney-client relationship with individual councilmembers. The General Counsel is required to maintain the confidentiality of such communications from persons outside the Town to the extent required or permitted by law and the code of ethics.

(c) The General Counsel has no statutory duty or authority under the Political Reform Act to provide Political Reform Act advice to any Legislative Body member but should provide advice to members when requested. However, a Legislative Body member may not rely on advice from the General Counsel to provide him or her with immunity from FPPC enforcement or prosecution. Such immunity may be obtained only through a written advice letter obtained from the FPPC, on the question in issue, by the Legislative Body member. A Legislative Body member enjoys no privilege of attorney/client confidentiality in reviewing these matters with the General Counsel. Any advice given to an individual member of a Legislative Body cannot be withheld from the rest of the Town or Legislative Body. If, after receipt of an opinion of the General Counsel, the Legislative Body member wishes to participate in the decision making process with immunity from prosecution or enforcement, the General Counsel shall assist the Legislative Body member in making direct contact with the FPPC for informal or formal advice upon which the Legislative Body member can rely.

(d) *[Town Council Only]*. It often happens that other jurisdictions or the League of California Cities or other regional or statewide association will ask the Town to participate in the filing of a letter or brief before a court in a matter deemed to be of concern to

all or a great many cities. These “friend of the court” or “amicus” briefs have the effect of informing the court how widespread will be its opinion and how that opinion will affect cities. Such participation is normally without direct cost to the Town. In considering whether to direct General Counsel to file an amicus brief, the Town Council shall consider whether such brief would represent or propose a position that conflicts with, or causes strife amongst, other Town-related interests such as, without limitation, the interests of employee organizations, law enforcement or public safety.

i) Upon receipt of the request, the General Counsel shall make the request available through the Town Manager to the Council. Upon a determination by any Council member that there is an interest in participating in the action in the manner proposed, the Council member shall inform the Town Manager or General Counsel who shall place the matter as an item for discussion in closed session on the agenda of the next Legislative Body meeting. The General Counsel may otherwise place an amicus request on the agenda on his or her initiative.

ii) In lieu of the foregoing process, where there is urgency to the matter, General Counsel is authorized to undertake the filing of the letter or brief where (a) the General Council has reviewed the legal issues presented by the case and has determined the participation in the friend of the court brief would protect or advance the Town’s legal interests; (b) joinder in the brief is consistent with existing Town ordinances, resolutions or policies; (c) The League of California Cities and/or its Legal Advocacy Committee is recommending this Town join the brief;

iii) Approval given to General Counsel to defend, or seek or refrain from seeking, appellate review or relief, or to enter as an amicus curiae (i.e. “friend of the court”) in any form of litigation as the result of a closed session consultation shall be reported in open session at the public meeting during which the closed session is held. The report shall identify, if known, the adverse party or parties and the substance of the litigation. In the case of approval given to initiate or intervene in an action, the announcement need not identify the action, the defendants, or other particulars, but shall specify that the direction to initiate or intervene in an action has been given and that the action, the defendants, and the other particulars shall, once formally commenced, be disclosed to any person upon inquiry, unless to do so would jeopardize the agency's ability to effectuate service of process on one or more unserved parties, or that to do so would jeopardize its ability to conclude existing settlement negotiations to its advantage.

## **9.8 Conflicts of Interest**

All Legislative Body members are subject to the provisions of California Law, such as Chapter 1, Title 9, of the California Government Code, relative to conflicts of interest, and to conflicts of interest codes adopted by the Legislative Body. Any Legislative Body member prevented from voting because of a conflict of interest shall refrain from in any way participating in the matter giving rise to the conflict. Where abstention from a matter is made on the basis of a conflict of interest arising from a financial interest in the decision, the Legislative Body member shall announce their abstention from the matter when it is first opened, and then shall set forth the reason for the abstention with the degree of specificity at least equal to the disclosure of the Legislative Body member’s financial interests on the Legislative Body member’s annual



statement of financial interests; immediately after such announcements, the Legislative Body member shall leave the room. The Legislative Body member shall not overhear the staff report, participate in the discussion or deliberations and shall not otherwise make or participate in making the decision or in any way attempt to use his or her official position to influence the decision. This shall not prevent the conflicted Legislative Body member from coming before the Legislative Body solely during the public comment period as an affected citizen to state his/her opinion on how the matter impacts their disqualifying interests.

**9.9 Reserved**

**9.10 No Financial Interest in Contracts**

A member of a Legislative Body shall not have a financial interest in a contract within the meaning of (Government Code §1090 *et seq.*) made in their official capacity and such contract shall be null and void whether the member participates in the making of the contract or not.

**9.11 Ethical Standards**

A member of a Legislative Body shall maintain the highest ethical standards and shall adhere to all laws and the ordinances and regulations of the Town in carrying out their duties.

**ARTICLE X- DECORUM AND ORDER**

**10.1 Decorum and Order – Legislative Body Members**

(a) Any member of the Legislative Body wishing to speak, or any member of the public wishing to address the Legislative Body must first obtain the floor by being recognized by the Presiding Officer. The Presiding Officer must recognize any member of the Legislative Body who seeks the floor when appropriately entitled to address the Legislative Body. The Legislative Body member shall confine himself or herself to the question or subject under debate.

(b) Any member of the Legislative Body, including the Presiding Officer, may bring a matter of business properly before the Legislative Body for decision by making a motion. Any Legislative Body member, including the Presiding Officer, except the Legislative Body member making the motion, may second a motion. Once a motion is seconded, it may be opened for discussion and debate.

(c) The Presiding Officer shall determine all points of order, subject to the right of any member to appeal to the majority Legislative Body.

(d) A Legislative Body member, once recognized, shall not be interrupted while speaking unless called to order by the Presiding Officer, unless a Point of Order is raised by another Legislative Body member, or unless the speaker chooses to yield to questions from another Legislative Body member.

(e) Any Legislative Body member called to order while speaking shall cease speaking immediately until the question of order is determined. If ruled to be in order, the member shall be permitted to proceed. If ruled to be not in order, the member shall comply with ruling of the Presiding Officer.

(f) Legislative Body members shall accord the utmost courtesy to each other, to Town or Legislative Body employees, and to the public appearing before the Legislative Body and shall refrain at all times from rude and derogatory remarks, reflections as to integrity, abusive comments and statements as to motives and personalities, which disrupt, disturb or otherwise impede the orderly conduct of the Legislative Body meeting.

(g) Any Legislative Body member may move to require the Presiding Officer to enforce the rules and the affirmative vote of a majority of the Legislative Body shall require the member to so act.

(h) The members of the Legislative Body shall not engage in communications between themselves during the Legislative Body meeting (including breaks) regarding matters being considered on the agenda unless and until the Legislative Body has opened that agenda item. In order to minimize exposure to a Brown Act violation, Legislative Body members are discouraged from discussing any Town business during breaks or before and after meetings; Town business may only be discussed by a quorum of Legislative Body members when it is opened as a duly-noticed agenda item.

(i) The members of the Legislative Body shall always be attentive and show respect to those addressing the Legislative Body provided that nothing shall prevent the enforcement of the rules of decorum herein.

(j) No Legislative Body member attending a meeting of another Town commission or committee shall make any statement or, give the appearance or indicate in any way that they are representing the Legislative Body unless they have been authorized to do so by the Legislative Body. When making a comment at such a meeting, the Legislative Body member should make it clear that they are speaking solely as an individual. Unless officially appointed to participate on a committee, Legislative Body members should make an effort not to insert themselves into or take positions on matters which will ultimately be decided upon by the Legislative Body.

(k) The Legislative Body may punish its own members for misconduct pursuant to Section 10.5.

## **10.2 Decorum and Order – Employees**

(a) Members of administrative staff and employees of the Legislative Body shall observe the same rules of procedure and decorum applicable to Legislative Body members. The Town Manager shall ensure that all staff and employees observe such decorum. Any staff members, including the Town Manager, desiring to address the Legislative Body or members of the public shall first be recognized by the Presiding Officer. All remarks shall be addressed to the Presiding Officer and not to anyone individual Legislative Body member or member of the public.

(b) Questions of Town staff and/or requests for follow-up or additional background information should be directed only to the Town Manager, General Counsel, Deputy Town Manager or Department Directors. The Office of the Town Manager should be copied on any request, except those to the General Counsel. When in doubt about what staff contact is appropriate, Legislative Body members should ask the Town Manager for direction. Materials supplied to a Legislative Body member in response to a request will be made available to all members of the Legislative Body so that all have equal access to information.

(c) Legislative Body members should not solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, etc.) from Town staff. Town staff may, as private citizens with constitutional rights, support political candidates but all such activities must be done away from the workplace.

### **10.3 Decorum and Order – Public**

(a) Members of the public attending Legislative Body meetings shall observe the same rules of order and decorum applicable to the Legislative Body. All remarks and questions should be addressed to the Presiding Officer and not to any individual Legislative Body member, staff member, the public, directly to the media, video or camera recordings or other person.

(b) Any person conducting their public remarks or behavior before the Legislative Body in such a way as to cause disruption to the conduct of the meeting may be removed from the room by the sergeant-at-arms as directed by the Presiding Officer. Unauthorized remarks from the audience, stamping of feet, whistles, yells and similar disruptive demonstrations shall not be permitted by the Presiding Officer, who may direct the sergeant-at-arms to remove such offenders from the room or call a recess of the meeting. Aggravated cases may be prosecuted on appropriate complaint signed by the Presiding Officer.

(c) Members of the public shall be allowed to video or audio record a public meeting from an area that is reasonably designated by the Town for such audio/video recording, unless such recording becomes an actual and unreasonable disruption to the Legislative Body's ability to carry-out the meeting.

### **10.4 Enforcement of Decorum**

(a) The San Bernardino Sheriff's Captain or designee shall be ex-officio sergeant-at-arms of the Legislative Body. He shall carry out all orders and instructions given him by the Presiding Officer for the purpose of maintaining order and decorum in the Legislative Body meeting. Upon instructions from the Presiding Officer, it shall be the duty of the sergeant-at-arms to eject any unruly person from the Legislative Body meeting chamber or place him or her under arrest or both for conduct actually disrupting to the Legislative Body proceedings. Such person may be barred from further participation in the meeting.

(b) Generally, if the Presiding Officer intends to eject a person for disruption of a meeting, a public warning should be issued. Examples of remarks or behavior that cause actual disruption of the Legislative Body proceedings include:

- Unauthorized remarks from the audience, stamping of feet , whistles, yells, outbursts, catcalls, cursing, applause, offensive or obscene gestures or similar demonstrations which disrupt, disturb or otherwise impede the Legislative Body proceedings
- Interrupting speakers or speaking when not recognized
- Calling members of the audience names or threatening them
- Extended discussion of matters beyond the jurisdiction of the Legislative Body
- Physical threats to any person
- Shouting into the microphone
- Dumping objects on the floor of the chamber where the proceeding is held for symbolic or other reasons
- Speaking beyond the time limits
- Being unduly repetitious

(c) Examples of non-disruptive conduct include:

- Silent gestures by members of the audience, such as a thumbs up or thumbs down that are not otherwise disruptive of the meeting
- Catcalls or booing during a time allowed for applause that does not otherwise disrupt the meeting
- Criticisms of public officials or staff during a time reserved for public comment that does not otherwise violate Council procedures and does not disrupt the meeting

(d) As set forth in Government Code § 54957.9, in the event that any meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the Legislative Body members may order the meeting room cleared and continue in session. Only matters appearing on the agenda may be considered in such a session. Duly accredited representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this Section. Nothing in this Section shall prohibit the Legislative Body from establishing a procedure for readmitting an individual or individuals not responsible for willfully disturbing the orderly conduct of the meeting.

### **10.5 Censure of Legislative Body Members**

(a) It shall be a violation of this section for any sitting member of a Legislative Body to violate any general law or regulation, and any, rule, law, ordinance or resolution of the Town of Yucca Valley. It shall also be a violation of this section for any sitting member of a Legislative Body to violate an administrative policy of the Town which has been adopted following a vote of the Legislative Body or the Town Council on the matter and which by its terms is expressly made applicable to the Legislative Body.

(b) Any violation of the foregoing paragraph by a Legislative Body member may be punished through the administration of a public censure of the member by the member's

Legislative Body. Such censure may be in addition to any other punishment applicable to the violation. For purposes of this section, "censure" shall mean the adoption of a motion setting forth a statement of disapproval of a Legislative Body member's conduct.

(c) When evaluating a request for defense made by the censured member in litigation arising from the censured conduct, the record of the censure shall be considered by the Legislative Body. Such record shall not be determinative. Failure of the Legislative Body to censure the conduct of a member does not constitute waiver of the Body's right to refuse to defend the member in an action.

(d) A Legislative Body member may not be made the subject of a motion for censure without first being given notice of the violation and an opportunity to correct the violation, if it can reasonably be corrected. Upon a continued violation or failure to correct, the charged member shall be given notice and an opportunity to be heard as follows:

- (i) Only a sitting member of the Legislative Body whose member commits the violation may initiate proceedings for the censure of one of its members.
- (ii) Proceedings shall be commenced by the presentation of a written statement of charges to the subject Legislative Body member with a copy delivered concurrently to the Clerk/Secretary by the member initiating the charge. Initiation shall not require the prior approval of the Legislative Body. The statement of charges shall be given at least ten days prior to the meeting at which the censure motion is proposed to be brought. The notice shall contain, at a minimum, the designation of the specific rule, law regulation, etc. which the member is claimed to have violated and a statement of the date, place and time at which the violation occurred. The statement shall further contain a description of the conduct of the member which is alleged to constitute the violation. The statement of charges shall be delivered to all other Legislative Body persons.
- (iii) Within seven (7) days after delivery of the statement of charges, the charged member should deliver a written response to the other members of the Legislative Body unless the charged member chooses to defer the response to the hearing.

(e) The motion for censure shall be agendaized and considered at the first regular meeting occurring 10 days following the delivery of the statement of charges to the member and Clerk/Secretary. The hearing may not be continued except upon the absence from the meeting of a member of the Legislative Body other than the member bringing the charge or the member who is the subject of the charge.

- (i) The hearing shall be conducted in an open session by the Presiding Officer unless the Presiding Officer is a party to the action, in

which case the Vice Chair or some other member shall conduct the proceedings.

- (ii) The hearing shall generally proceed by a reading of the charges by the charging member. The charging member may present witnesses; the charged member may answer in rebuttal; members of the public may speak in favor or opposed to the charge; and the remaining members may speak to the charges in that order.
- (iii) Passage of the motion for censure shall require a majority vote of the members of the Legislative Body. The voting members shall not go into closed session for deliberation.

(f) If the motion for censure does not pass, the proceedings shall be at an end. A new motion for censure on the same grounds of violation may not thereafter be commenced against the same Legislative Body member for a period of 1 calendar year from date of the vote. However, new proceedings may be commenced on the same charges within the 1 year period on the vote of 4 members of the Legislative Body.

(g) If the motion for censure does pass, such motion shall become a part of the public record, a copy of which shall be made available upon demand to any member of the public and notice of same shall be placed in the administrative file of the Legislative Body member.

#### **10.6 Persons Authorized To Be Within Platform/Dais**

No person except Legislative Body officials or authorized Legislative Body staff shall be permitted behind the Legislative Body dais without permission or consent of the Presiding Officer.

#### **10.7 Personal Privilege**

If a Legislative Body member is personally offended by the remarks of another member, the offended Legislative Body member should make notes of the actual words used and call for a "point of personal privilege" that challenges the other member to justify or apologize for the language used. The Presiding Officer will maintain control of this discussion. The right of a member to address the Legislative Body on a question of personal privilege shall be limited to cases in which his integrity, character, or motives are assailed, questioned or impugned.

### **ARTICLE XI – PARLIMENTARY PROCUEDRES**

#### **11.1 Procedures In Absence Of Rules**

(a) Unless otherwise specified in this Manual or by ordinance or resolution, meetings of the Legislative Body shall be conducted in accordance with the most recently revised edition of Robert's Rules of Order. In the event of any conflict between Robert's Rules and this Manual, the provisions of this Manual shall govern.

(b) Any provision of these rules not governed by the Government Code may be temporarily suspended by a two-thirds vote of all members of the Legislative Body. Such suspension may be moved at any time by a member. The vote on any such suspension shall be taken by yeas or nays and entered upon the record.

(c) Motions, motion procedures and precedence of motions shall be conducted in accordance with Exhibit "A" hereto.

## **11.2 Voting**

(a) After a full opportunity for debate if it appears that there is a consensus of opinion among the members of the Legislative Body on the matter to be voted upon, the Presiding Officer may state the consensus of the Legislative Body and ask if there is any objection. If there is no objection, the consensus as so stated shall become the order of the Legislative Body and shall be recorded as a vote for or against the question by each member of the Legislative Body. Any abstention shall also be recorded. The Presiding Officer may also determine that a consensus exists following a call for a vote by any member of the Legislative Body by a Motion to Call the Question. If it is unclear whether a consensus exists or whether the consensus is for or against the matter to be voted upon, the Clerk/Secretary or his or her designee may call for a roll call vote.

(b) Otherwise, all votes of the Legislative Body shall be by voice or roll call vote. The order of voting shall be alphabetical with the Presiding Officer voting last. The Clerk/Secretary shall call the names of all members seated when a roll call vote is ordered or required. Members shall respond 'aye', 'yes', 'no', or 'abstain.' After every vote the Legislative Body shall declare the result and shall note for the record the number of votes for or against the question, as well as any abstentions. The ayes and noes shall be taken upon the passage of all ordinances and resolutions and entered upon the official record of the Legislative Body.

## **11.3 Votes Needed**

(a) Usually, in the absence of a contrary statutory provision (such as urgency measures), a majority of a quorum which constitutes a simple majority of the Legislative Body may act for that body. However, resolutions, orders for the payment of money, and all ordinances require a recorded majority vote of the total membership of a Legislative Body.

(b) State law may dictate certain instances in which the number of votes required is greater than a majority of all Legislative Body members. As a matter of convenience, questions on which the voting requirement is varied by the State statutes and these rules, include, without limitation, the following:

- (i) Levying Taxes - Ordinances providing for the Assessment and collection of taxes require the approval of two-thirds of the members of the whole Council.
- (ii) Assessment - Assessments require a two-thirds vote of the whole Council.

- (iii) Bonds and Certificates of Participation - Authorizing these financial instruments the issuing requires a two-thirds vote of the total Council.
- (iv) Eminent Domain - The exercise of Eminent Domain requires a two-thirds vote of the total Council.
- (v) Certain Parliamentary Motions – Motions requiring a supermajority vote are noted in the Motions Chart attached hereto.

(c) Any official with a conflict of interest is not counted for purposes of establishing a quorum, and must not vote on, make, participate in any way in, or attempt to influence the decision. A Legislative Body member abstaining on any other grounds than a conflict under the Political Reform Act shall be counted as present for purposes of a quorum and such abstentions are counted with the majority. The Legislative Body member who leaves the dais solely to avoid participating in a specific item shall, in absence of a conflict, be counted as if they were present but abstaining and such abstentions are also counted with the majority.

#### **11.4 Reconsider**

Any Legislative Body member who voted with the majority may move to reconsider any action at the same meeting or, within the next two regularly scheduled meetings, request in writing to the Clerk/Secretary that it be agendized for consideration at the following meeting, provided that reconsideration shall not be permitted where a party other than the Town has acted in reliance on the Legislative Body's action and would be substantially prejudiced by such reconsideration. The Clerk shall apprise the Town Attorney of any facts constituting substantial prejudice and may rely upon the determination of the Town Attorney. In the event that the subject of the reconsideration is a motion that failed as the result of a tie vote, any Legislative Body member who voted against the earlier motion may move for reconsideration at the following meeting. The member seeking reconsideration must have the matter agendized unless the motion will be made at the same meeting where the original action was taken. If the motion to reconsider passes, then the original item may be reconsidered at that time or agendized for the next meeting which meets any applicable noticing requirements. After a motion for reconsideration has once been acted upon, no other motion for reconsideration thereof shall be made without unanimous consent of the Legislative Body.

#### **11.5 Tie Votes**

Tie Votes shall be lost motions unless an additional Motion is made which obtains a majority vote to break the tie. When all Legislative Body members are present, a tie vote on whether to grant an appeal from official action shall be considered a denial of such appeal. In such case the findings in support of the decision shall be those of the lower body. If a tie vote results at a time when less than all members of the Legislative Body are present, the matter shall automatically be continued to the agenda of the next regular meeting of the Legislative Body, unless otherwise ordered by the Legislative Body.



## **11.6 Abstentions**

Members of the Legislative Body are discouraged from abstaining from a vote for reasons other than legally-disqualifying, financial conflicts of interest. However, if a member chooses to abstain from voting as a result of what he/she perceives as a personal or non-financial conflict of interest, the member may do so after stating for the record the nature of the perceived conflict. In the event of such a perceived conflict (as opposed to a legally-disqualifying conflict), the member is not required to leave the dais.

(a) A Legislative Body member shall generally express their positions on all matters except those where they are required to abstain due to legally recognized conflict of interest.

(b) A Legislative Body member who has appealed the action of any person or body of the Town on a matter which does not constitute a conflict of interest for the member under any law, may participate in the hearing on the appeal, unless there is clear and convincing evidence that such member is not objective or the member feels that they are unable to remain neutral, or as may be otherwise advised by the General Counsel. Notwithstanding any contrary provisions herein, in bringing an appeal, the Legislative Body member need not give reasons for making the appeal.

(c) A Legislative Body member may abstain from action on a matter where in the member's opinion, there might be a public perception that participation in the discussion or decision would be inappropriate even though the member has no disqualifying financial interest within the meaning of FPPC rules and regulations.

## **11.7 Votes Of Members Previously Absent**

(a) A Legislative Body member who was not present at a meeting should generally not vote on the approval of minutes for that meeting, but the voting on such minutes shall have no effect on the validity of the minutes.

(b) A Legislative Body member may vote on a continued item after an absence from the earlier public hearing of the matter if, prior to the vote, the member affirms on the record that they have familiarized themselves with the record of the earlier meeting and are prepared to vote on the issue. If the member shall abstain from the vote, the member shall be counted towards the quorum on the issue and the abstention shall be counted with the vote of the majority of the quorum.

(c) The forgoing shall not apply to the matter of a vote on the minutes of a meeting at which the member was not in attendance. In that instance, the member abstaining on the grounds of non-attendance at the meeting to which the minutes pertain shall not be counted towards the quorum on the issue and the abstention shall not be counted with the votes of the majority of the quorum.

## **11.8 Appeals by Members of Legislative Body**

Except where otherwise provided, a member of the Legislative Body shall be deemed an interested person in any matter by a subordinate body and shall have standing to appeal to the Legislative Body any decision by a Sub-Legislative Body, or any determination made by any official of Town by filing a written appeal. The appeal shall not state any grounds for the appeal and the resulting hearing shall be *de novo* (new). The reviewing body shall not be bound by any determination of the lower body from which the matter was appealed. The appeal must be filed within 10 days of the making of the decision being appealed and shall be filed with the Clerk/Secretary who shall give written notice to the applicant, and provide written notice to other persons as required for the original action. The hearing shall be held at the first regular meeting of the Council for which notice can be legally given. No appeal fee shall be required to be paid for such appeals.

## **11.9 Findings and Decisions**

Decisions of a Legislative Body, when acting as a quasi adjudicative body (public hearings) should be framed in terms of “findings” of fact, potentially relevant conclusions of law, and ultimate decisions showing the basis for the decision and the nexus between the findings, the conclusions and the decision. The Legislative Body members must consider any legally-mandated findings applicable to a matter and consider the evidence presented to them in light of such findings in making their decisions.

## **ARTICLE XII- PROCEDURES FOR CONSIDERATION OF DEMANDS FOR CORRECTIVE ACTION**

### **12.1 Requirement of Written Demand**

Prior to any person commencing a judicial action for injunction or mandamus to declare any action taken by the Legislative Body void because of failure to observe Brown Act requirements, such person must first serve upon the Clerk/Secretary a written demand clearly describing the challenged action, the nature of the claimed violation, and the corrective action sought. Such demand must be served upon the Clerk/Secretary within ninety (90) days of the alleged violation or thirty (30) days if the action was taken in open session but in violation of § 54952.2 of the Government Code. Failure to serve any such demand within this thirty (30) day period shall result in the loss of any right to challenge any action alleged to have been taken in violation of §§ 54953, 54954.2, 54954.5, 54954.6, 54956, or 54956.5 of the Government Code.

If the written demand is timely served, the Legislative Body has up to thirty (30) days to cure and correct its action. If the Legislative Body does not act, any lawsuit must be filed within the next fifteen (15) days.

### **12.2 Consideration of Corrective Action**

Upon receipt of such a demand, consideration of the demand shall immediately be placed on the agenda for the next meeting of the Legislative Body. If the demand is received less than 72 hours prior to the time set for the next meeting, the Legislative Body may determine that the notice constitutes the initiation of litigation, and that the need to take action on the threatened

litigation arose subsequent to the posting of the agenda, and may consider it at that meeting pursuant to Article VI Section 9, above. A description of any item so placed on the agenda shall include both consideration of the demand, and the possibility of corrective action by the Legislative Body.

In considering such demands, the Legislative Body shall first determine by motion whether to reconsider the prior action. The motion to reconsider shall be in order as long as made by a party on the prevailing side. If no motion to reconsider is carried the Clerk/Secretary shall inform the demanding party in writing of the Legislative Body's decision not to cure or correct the challenged action. (See, § 11.4 hereof.)

### **12.3 Implementing Corrective Action**

If a motion to reconsider passes, the Presiding Officer may entertain a motion to take corrective action. Any motion taking corrective action shall address the concerns raised in the consideration of corrective action. The motion taking corrective action may include a motion to rescind prior action taken, as appropriate. Passage of a motion to rescind invalidates prior action only as of the time of the passage of the motion, and not from the date of the initial action. A motion implementing corrective action resulting from a written demand is out of order if the action complained of: (i) was in connection with the sale or issuance of notes, bonds, or other evidences of indebtedness, or any contract, agreement, or incident thereto; (ii) gave rise to a contractual obligation upon which a party has, in good faith, detrimentally relied; or (iii) was taken in connection with the collection of any tax.

In any event, the Legislative Body shall notify the party making the demand in writing of its decision to take corrective action, and shall describe any corrective action taken. This notice shall be given to the demanding party as soon as possible after the meeting, but in no event more than 30 days after receipt of the demand.

## **ARTICLE XIII – MISCELLANEOUS**

### **13.1 Interpretation**

This Manual shall be liberally construed to effectuate its purpose and no ordinance, resolution, proceeding or other action of the Legislative Body shall be invalidated or the legality thereof otherwise affected by the failure or omission of the Legislative Body to technically comply with, observe or follow the within rules. The Town Council may, by resolution, adopt further rules of interpretation or practice.

### **13.2 Amendments**

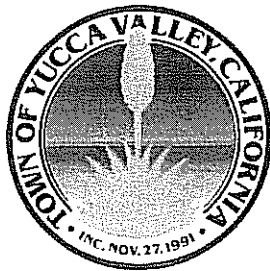
This Manual may be amended from time to time as necessary by resolution passed by a majority vote of the Town Council at any regular or special meeting, provided that no such amendment shall be adopted unless at least seven days' written notice thereof has been previously given to all Legislative Body members serving the Town. Such notice shall identify the section or sections of the Manual proposed to be amended.

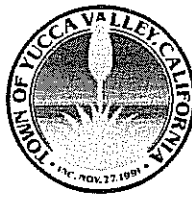
### **13.3 Power to Issue Subpoenas**

The Legislative Body may issue subpoenas requiring attendance of witnesses or production of books or other document for evidence or testimony any action or proceeding pending before it. (Gov't Code Section 37104.) Subpoenas shall be signed by the Presiding Officer and attested by the Clerk. They may be served as subpoenas are in civil actions.

# EXHIBIT "B"

## YUCCA VALLEY TOWN COUNCIL MEETING PRESENTATION POLICY





## YUCCA VALLEY TOWN COUNCIL MEETING PRESENTATION POLICY

### **Presentation Purpose**

Town Council presentations are for providing information to the Mayor and Council, Town management, and the community about activities of interest and value including:

- Activities, events and infrastructure projects relating to the Town
- Honors and celebrations for organizations, corporations and residents related to Yucca Valley
- Honors and celebrations for organizations, corporations and resident which reflect their service to the Yucca Valley community.
- Honors and recognitions for Town staff for outstanding service or commitment to the Town's mission and goals.
- Please note this is not the appropriate time to seek funds from the Town and/or endorsements from Town Council or discuss politics.

### **Presentation Length**

All presentations are to be as brief and concise as reasonable. Typical presentations should last no more than five to ten minutes in length; this is to include all speakers for the group being recognized. Depending on the matter being presented, the Presiding Officer may afford the speaker or group extended time.

### **Presentation Schedule**

Town Council begins at 6:00 p.m. with an invocation and pledge to the American flag followed by presentations. All honorees or groups are to arrive no later than 5:45 p.m.

### **Public Comment Period**

The public shall be afforded the right to comment on every numbered item appearing on the agenda prior to the Legislative Body's consideration of that item, including presentation periods, as provided in Section 7.4 above. The time limit to speak for public comments is up to three (3) minutes on each numbered item on the agenda. All such time limits shall be noticed on the agenda for the meeting. Notwithstanding these time limits, the Presiding Officer has the full prerogative to maintain meeting order and decorum as provided in Section 9.1 and Article X generally, and the Presiding Officer or a majority of the Legislative Body may extend time if they find such extension is reasonably necessary to allow the speaker to compete his/her message without repetition or unnecessary tangents.

### **Presentation Location**

Presentations take place in the Council Chambers inside Yucca Valley Town Hall located at 57090 Twenty-nine Palms Highway, Yucca Valley, CA 92284. Parking is available in the Community Center lot adjacent to the Council Chambers, or in the Town Hall parking lot.

### **Presentation Technical Support**

The Town has the capability to display PowerPoint during the presentation. If a PowerPoint is to be used during the presentation:

- The Power Point is to be submitted to the Town Clerk's Office no later than the Thursday prior to the scheduled Tuesday Town Council meeting (first and third Tuesdays of the month).
  - PowerPoints are subject to editing for appropriateness
  - PowerPoints which do not meet these standards will not be used

ORDINANCE NO. 223

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

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

**SECTION 1. MUNICIPAL CODE AMENDED**

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



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

“Chapter 2.05

MAYOR AND TOWN COUNCIL

Sections:

Part I. General Provisions

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

Part II. Elections

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

PART I. GENERAL PROVISIONS

2.05.010 SALARY OF COUNCIL MEMBERS:

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

2.05.020 ADMINISTRATIVE SERVICES OF THE TOWN:

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

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

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

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

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

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

PART II. ELECTIONS

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

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

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

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

“Chapter 4.02

BOARD AND COMMISSION MEMBERS

Sections:

- 4.02.010 Appointments
- 4.02.020 Residency Requirements
- 4.02.030 Officers

4.02.010 APPOINTMENTS:

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

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

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

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

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

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

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

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

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

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

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

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

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


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

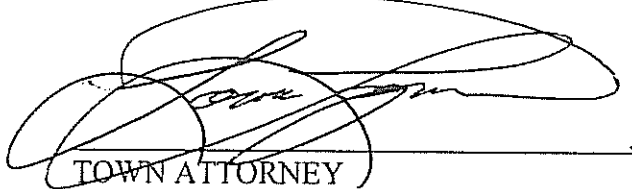
APPROVED AND ADOPTED by the Town Council, signed by the Mayor, and attested by the Town Clerk this 1st day of March, 2011.

  
MAYOR

ATTEST:

APPROVED AS TO FORM

  
TOWN CLERK

  
TOWN ATTORNEY

STATE OF CALIFORNIA  
COUNTY OF SAN BERNARDINO  
TOWN OF YUCCA VALLEY

I, Janet M. Anderson, Town Clerk of the Town of Yucca Valley, California hereby certify that the foregoing Ordinance No. 223 as duly and regularly introduced at a meeting of the Town Council on the 15<sup>th</sup> day of February, 2011, and that thereafter the said ordinance was duly and regularly adopted at a meeting of the Town Council on the 1<sup>st</sup> day of March, 2011, by the following vote, to wit:

Ayes: Council Members Hagerman, Mayes, Rowe, and Mayor Huntington

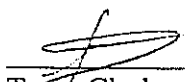
Noes: Council Member Luckino

Abstain: None

Absent: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Town of Yucca Valley, California, this 2<sup>nd</sup> day of March, 2011.

(SEAL)

  
\_\_\_\_\_  
Town Clerk of the Town of  
Yucca Valley

TOWN COUNCIL STAFF REPORT

To: Honorable Mayor & Town Council
From: Curtis Yakimow, Director of Administrative Services
Sharon Cisneros, Senior Accountant
Date: February 14, 2014
For Council Meeting: February 18, 2014
Subject: HUD Park Funds Special Revenue Fund 551 update

Prior Council Review: Last reviewed by Council on December 18, 2012, with the acceptance of the Essig Park project as substantially complete.

Recommendation: That the Council:

- Receives and files the HUD Park Funds Special Revenue Fund 551 update.
Amends the FY 2013-14 adopted budget for HUD Park Funds Special Revenue Fund 551 to accommodate final changes, and close the fund as appropriate.
Amends the FY2013-14 amended budget for Development Impact Fees Special Revenue Fund 350 to reflect increase in transfer for repayment to the General Fund.

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 December 18, 2012, the Essig Park project was accepted as substantially complete. Since that time, a number of specific activities occurred that impacted the final project accounting including the following:

- FY 2012-13 Fiscal Year Close
Final determinations from the federal Dept. of Housing and Urban Development
Approval of the Successor Agency's FY 2013-14B ROPS
Final accounting of the projects revenues, expenditures and credits.

Reviewed By: [Signatures]
Town Manager, Town Attorney, Admin Services, Finance

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

With these steps complete, staff is able to provide the final project accounting summary as follows:

Final Project Funding and Cost Summary

HUD Grants	434,160
County Discretionary Funds	200,000
Local Transportation Funds (LTF)	135,000
Development Impact Fees- Parks	22,000
Quimby Parks Funds	49,190
Beg Bal in fund	96,499
Miscellaneous Credit	1,328
Subtotal Funding	<u>938,177</u>
Loan from DIF (Advanced from General Fund)	<u>377,000</u>
Total Funding for project	1,315,177
Total Contract cost	1,149,620
Contingency used	21,619
Other costs	132,303
Total Project Cost	<u>1,303,542</u>
Excess Funding over Project Expenditure	11,635
HUD Grant Funding Not received	<u>(79,360)</u>
Fund Shortage	<u>(67,725)</u>
Bond Funds now available for project.	<u>300,000</u>
Funds Available for DIF repayment	<u><u>232,275</u></u>

The original funding structure for this project included use of RDA Bond Funds. Due to RDA dissolution and the uncertainty of availability of the bond funds, a short-term General Fund loan to the Development Impact Fee Fund was completed to assist with cash flow and allow the project to go forward. In December 2013, the Department of Finance approved the Successor Agency's FY 2013-14B Recognized Obligations Schedule (ROPS), providing final approval of the expenditure of related bond funds. Accordingly, this short-term General Fund loan can now be repaid. The difference between the funds available for repayment and the General Fund advance (\$144,725) will be accommodated by an interfund loan between the various development impact fee categories as authorized by the development impact fee resolution.

Another significant change that occurred since December 2012 is the denial of \$79,360 in the U.S. Department of Housing and Urban Development (HUD) grant funds. These funds were denied due to administrative discrepancies in banking information. While Town staff continues to seek recovery of those funds, there is no indication that HUD will alter its decision.



After the proposed actions are completed, there will be no outstanding General Fund advance to the Development Impact Fee Fund. The only remaining advance from the General Fund will be the \$343,138 loaned to the Housing Fund as part of the Senior Housing Project financing structure.

**Financial Impact:** The proposed amended budgets for the HUD Park Special Revenue Fund and the Development Impact Fees Fund are included for the Council's consideration.

**Alternatives:** None recommended.

**Attachments:**

1. Fund 551 – HUD Park Funds FY 2013-14 Amended Budget
2. Fund 350 Development Impact Fee FY2013-14 Amended Budget

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

Proposed Amended Budget	Amended Budget 2012-13	Actual 2012-13	Adopted 2013-14	Amended 2013-14
<b>551 - HUD Park Funds</b>				
<b>RECEIPTS</b>				
Grant 0136	\$ 138,077	\$ 138,077	\$ -	\$ -
Grant 0379	-	(79,360)	-	-
Grant 0409	156,800	156,800	-	-
Successor Agency	-	-	300,000	300,000
Miscellaneous Revenue	-	-	-	1,328
SB County 3rd Dist Contribution	200,000	200,000	-	-
<b>TOTAL RECEIPTS</b>	<b>494,877</b>	<b>415,517</b>	<b>300,000</b>	<b>301,328</b>
<b>EXPENDITURES</b>				
	-	-	-	-
<b>TOTAL EXPENDITURES</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>CAPITAL OUTLAY</b>				
Work in Progress	1,080,182	1,044,329	-	-
<b>TOTAL CAPITAL OUTLAY</b>	<b>1,080,182</b>	<b>1,044,329</b>	<b>-</b>	<b>-</b>
<b>OPERATING TRANSFERS IN (OUT)</b>				
Transfer IN (OUT) - Fund 300	-	-	(25,131)	(25,810)
Transfer IN (OUT) - Fund 350	-	-	(231,626)	(232,275)
<b>TOTAL OPERATING TRANSFERS IN (OUT)</b>	<b>-</b>	<b>-</b>	<b>(256,757)</b>	<b>(258,085)</b>
<b>INCREASE (DECREASE) IN FUND BALANCE</b>	<b>(664,665)</b>	<b>(628,812)</b>	<b>43,243</b>	<b>43,243</b>
<b>BEGINNING FUND BALANCE</b>	<b>585,569</b>	<b>585,569</b>	<b>(43,243)</b>	<b>(43,243)</b>
<b>ENDING FUND BALANCE</b>	<b>\$ (79,096)</b>	<b>\$ (43,243)</b>	<b>\$ -</b>	<b>\$ -</b>

**Work in Progress Detail**

Project	Account	Amended Budget 2012-13	Actual 2012-13	Adopted 2013-14	Amended 2013-14
SS Const Contract	551 55-58 8310 8518-000	560,701	560,701	-	-
SS Const Contingency	551 55-58 8310 8518-001	78,275	42,422	-	-
SS Const Other	551 55-58 8310 8518-002	271	271	-	-
SS Const Pre-Construction	551 55-58 8310 8518-003	6,775	6,775	-	-
SS Const Other-Grant 0136	551 55-58 8310 8518-136	198,000	198,000	-	-
SS Const Other-Grant 0379	551 55-58 8310 8518-379	79,360	79,360	-	-
SS Const Other-Grant 0409	551 55-58 8310 8518-409	156,800	156,800	-	-
		<b>1,080,182</b>	<b>1,044,329</b>	<b>-</b>	<b>-</b>

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

Proposed Amended Budget

**350 - Development Impact Fees**

**RECEIPTS**

	Actual 2011-12	Amended Budget 2012-13	Actual 2012-13	Adopted 2013-14	Amended 2013-14
Single Family Residential	\$ 41,600	\$ 85,640	\$ -	\$ 75,000	\$ 75,000
Multi-Family Residential	-	-	-	250,000	250,000
Commercial	-	886,000	47,095	50,000	990,000
Office	-	-	-	-	-
Interest	2,001	-	1,224	-	-
<b>TOTAL RECEIPTS</b>	<b>43,601</b>	<b>971,640</b>	<b>48,319</b>	<b>375,000</b>	<b>1,315,000</b>

**EXPENDITURES**

Operating Supplies					
Indirect Cost	872	1,000	966	2,500	2,500
<b>TOTAL EXPENDITURES</b>	<b>872</b>	<b>1,000</b>	<b>966</b>	<b>2,500</b>	<b>2,500</b>

**CAPITAL OUTLAY**

Work in Progress	-	300,000	-	-	-
<b>TOTAL CAPITAL OUTLAY</b>	<b>-</b>	<b>300,000</b>	<b>-</b>	<b>-</b>	<b>-</b>

**OPERATING TRANSFERS IN (OUT)**

Transfer OUT - Fund 001	-	-	-	(231,626)	(377,000)
Transfer IN - Fund 531	-	205,000	205,000	-	-
Transfer IN - Fund 551	(399,000)	-	-	231,626	232,275
Transfer IN - Fund 632	-	-	-	-	-
Transfer OUT - Fund 632	-	-	-	-	-
Transfer OUT - Fund 800-Animal Shelter	-	(90,000)	(90,000)	-	-
<b>TOTAL OPERATING TRANSFERS IN(OUT)</b>	<b>(399,000)</b>	<b>115,000</b>	<b>115,000</b>	<b>-</b>	<b>(144,725)</b>

**INCREASE (DECREASE) IN  
FUND BALANCE**

	(356,271)	785,640	162,353	372,500	1,167,775
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**BEGINNING FUND BALANCE**

	\$ 522,347	\$ 166,076	\$ 166,076	\$ 409,076	\$ 328,428
<b>ENDING FUND BALANCE</b>	<b>\$ 166,076</b>	<b>\$ 951,716</b>	<b>\$ 328,428</b>	<b>\$ 781,576</b>	<b>\$ 1,496,203</b>

**Work in Progress Detail**

Project	Account	Actual 2011-12	Amended Budget 2012-13	Projected 2012-13	Proposed 2013-14	Proposed 2013-14
Sr. Housing Project		-	300,000	-	-	-
Animal Shelter		-	-	-	-	-
		-	300,000	-	-	-

## TOWN COUNCIL STAFF REPORT

**To:** Honorable Mayor and Members of the Town Council  
**From:** Curtis Yakimow, Director of Administrative Services  
**Date:** February 12, 2014  
**For Council Meeting:** February 18, 2014

**Subject:** Naming Recommendations

**Prior Council Review:** None for this issue.

**Recommendation:** Review the naming recommendations from the Town's senior community and forward a limited list to the project developer for consideration.

**Order of Procedure:**

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

**Discussion:** In preparation for the opening of National Community Renaissance of California (NCRCA) senior housing development (Yucca Valley Senior Apartments), NCRCA has sought input from the Town for naming suggestions for the development. Final naming authority will remain at the discretion of the project developer.

To assist in this process, staff developed a number of naming recommendations and forwarded those to the Town's Senior Club, and solicited the Club and their extended participants for their input on the alternatives. Attached for the Council's review is a summary listing of the input received, as well as other names suggested.


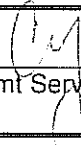
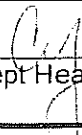
**Alternatives:** None recommended at this time

**Fiscal impact:** None at this time

**Attachments:**

1. List of names proposed during public input period and summary of the input received.

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

# *Town of Yucca Valley*

## Senior Housing Naming Ideas

<b>Suggested Names</b>	<b>Top 5</b>
Town Center Village	18
Dumosa Senior Village	15
Yucca Grand Villas	11
Mountain View Villas	9
Crossroads Apartments	9

### **Other Suggested Names**

Yucca Senior Gardens  
Desert Willow  
Sunrise Village  
Desert Breeze Villas  
Quail Run  
Desert Shadow Villas  
Desert Heights Manor  
Nolina Springs  
Sandalwood  
The Burrows

***Town of Yucca Valley***  
Senior Housing Naming Ideas

***Select Your Top Three Choices or add your suggestion!!***

<b>Suggested Names</b>	<b># of Votes</b>		
Dumosa Senior Village	15		
Antelope Trail Manor	2		
Doma Dumosa	1		
Crossroads Apartments	9		
Middletown Homes	3		
Adobe Apartments	3		
Yucca Grand Villas	11		
Desert Rose Apartments	3		
Desert Aire Villas	5		
Mountain View Villas	9		
Dumosa Adobes	4		
Willow Villas	3		
Town Center Village	18		
Antelope Crossing	3		
Coyote Gulch	1		

**TOWN COUNCIL STAFF REPORT**

**To:** Honorable Mayor and Town Council  
**From:** Lona N. Laymon, Town Attorney  
**Date:** February 12, 2014  
**For Council Meeting:** February 18, 2014

**Subject:** Ordinance Repealing Yucca Valley Municipal Code Sections 2.08.090 and 2.08.100 Pertaining to Town Manager Separation Issues

**Prior Council Review:** None for this specific item.

**Recommendation:** That the Town Council introduces the Ordinance repealing Yucca Valley Municipal Code Sections 2.08.090 and 2.08.100, the terms of which provide for certain notice and hearing procedures in the event of a Town Manager separation. The proposed ordinance is:

AN ORDINANCE OF THE TOWN COUNCIL OF THE  
TOWN OF YUCCA VALLEY REPEALING YUCCA VALLEY  
MUNICIPAL CODE SECTIONS 2.08.090 AND 2.08.100  
PERTAINING TO TOWN MANAGER REMOVAL

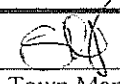

**Executive Summary:** Yucca Valley Municipal Code Sections 2.08.090 and 2.08.100 provide a Town Manager certain notice and hearing rights that reach beyond what is required by law. Further, these Code sections have historically been contractually waived in Town Manager contracts and thus have been inapplicable in practice. Rather than waive/void these Code provisions in each and every Town Manager contract, the Town Attorney recommends simply removing the provisions altogether.

**Order of Procedure:**

- Request Staff Report (Read Ordinance by Title)
- Request Public Comment
- Council Discussion/Questions of Staff Motion/Second
- Discussion on Motion
- Call the Question (Roll Call Vote)

**Discussion:** Yucca Valley Municipal Code Sections 2.08.090 and 2.08.100 provide certain privileges to any Town Manager facing separation from the Town. The provisions

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

include:

- A 30-day notice provision before the Town Manager can be removed,
- A right to hearing before the Council,
- A definition of wilful misconduct, and
- Another set of hearing procedures in the event of Town Manager misconduct (which provisions appear to be largely duplicative of those stated in 2.08.090).

These provisions are not required to be in the Town Code and they provide rights above-and-beyond what is required by law. More importantly, the Brown Act already sets forth a fairly detailed notice/meeting protocol for town employee removal. Arguably, the Brown Act's meeting procedures for employee removal "pre-empt" the Town's Code provisions and thus void them entirely. More importantly, Yucca Valley Municipal Code Sections 2.08.090 and 2.08.100 have historically been waived/voided in provisions contained in Town Manager contracts.

In short, while Yucca Valley Municipal Code Sections 2.08.090 and 2.08.100 remain on the books, these Code provisions are possibly legally void, and their effectiveness has been contractually waived in prior Town Manager contracts. As such, retaining these provisions in the Code serves no practical purpose and causes public confusion about the Town Manager's rights under his/her contract. By repealing this ordinance, issues relating to Town Manager removal shall be governed by the provisions of the Town Manager contract and the Government Code.

**Alternatives:** Keep Yucca Valley Municipal Code Sections 2.08.090 and 2.08.100 intact, and continue to waive them contractually in each Town Manager contract.

**Fiscal impact:** None.

**Attachments:** Ordinance No. - \_\_\_\_\_



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

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN  
OF YUCCA VALLEY REPEALING YUCCA VALLEY  
MUNICIPAL CODE SECTIONS 2.08.090 AND 2.08.100  
PERTAINING TO TOWN MANAGER REMOVAL

WHEREAS, Yucca Valley Municipal Code Sections 2.08.090 and 2.08.100 provide a Town Manager certain notice and hearing rights that reach beyond what is required by law. Further, these Code sections have historically been contractually waived in Town Manager contracts and thus have been inapplicable in practice; and

WHEREAS, The Brown Act already sets forth a fairly detailed notice/meeting protocol for town employee removal. Arguably, the Brown Act's meeting procedures for employee removal "pre-empt" the Town's Code provisions on the same topic and thus void them entirely; and

WHEREAS, While Yucca Valley Municipal Code Sections 2.08.090 and 2.08.100 remain on the books, these Code provisions are possibly legally void, and their effectiveness has been contractually waived in prior Town Manager contracts. As such, retaining these provisions in the Code serves no practical purpose and causes public confusion about the Town Manager's rights under his/her contract.

NOW THEREFORE, the Town Council of the Town of Yucca Valley, California does ordain as follows:

SECTION 1: The foregoing Recitals are found to be true and correct and incorporated herein by this reference.

SECTION 2: Yucca Valley Municipal Code Sections 2.08.090 and 2.08.100 are hereby repealed in their entirety. By repealing these provisions, issues relating to Town Manager removal shall be governed by the provisions of the Town Manager contract and the Government Code.

SECTION 3: Within fifteen (15) days after the adoption hereof, the Town Clerk shall certify to the adoption of this Ordinance and cause it to be published once in a newspaper of general circulation printed and published in the County and circulated in the Town pursuant to Section 36933 of the Government Code.

SECTION 4: The Ordinance shall become effective thirty (30) days from and after the date of its adoption

APPROVED AND ADOPTED by the Town Council and signed by the Mayor and attested by the Town Clerk this \_\_\_\_\_ day of \_\_\_\_\_ 2014.

\_\_\_\_\_  
MAYOR

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
TOWN CLERK

\_\_\_\_\_  
TOWN ATTORNEY