

**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, MARCH 4, 2014
YUCCA VALLEY COMMUNITY CENTER
YUCCA ROOM
57090 - 29 PALMS HIGHWAY
YUCCA VALLEY, CALIFORNIA 92284**

**CLOSED SESSION: 6:00 p.m.
(Immediately following the Regular Town Council Meeting)
TUESDAY, MARCH 4, 2014
TOWN HALL CONFERENCE ROOM
57090 - 29 PALMS HIGHWAY
YUCCA VALLEY, CALIFORNIA 92284**

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TOWN COUNCIL
*Robert Lombardo, Mayor
George Huntington, Mayor Pro Tem
Merl Abel, Council Member
Robert Leone, Council Member
Dawn Rowe, Council Member*

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**TOWN ADMINISTRATIVE OFFICE:
760-369-7207**

www.yucca-valley.org

**AGENDA
MEETING OF THE
TOWN OF YUCCA VALLEY COUNCIL
TUESDAY MARCH 4, 2014
6:00 P.M.**

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

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

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

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

OPENING CEREMONIES

CALL TO ORDER

ROLL CALL: Council Members Abel, Huntington, Leone, Rowe, and Mayor Lombardo

PLEDGE OF ALLEGIANCE

INVOCATION Pastor David DiFalco, Yucca Valley Church of the Nazarene

APPROVAL OF AGENDA

Action: Move _____ 2nd _____ Vote _____.

CONSENT AGENDA

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

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

- 1-13 2. Town Council Meeting Minutes of December 17, 2013, and the Special Joint Meeting of the Town Council and Planning Commission of January 7, 2014.

Recommendation: Approve the Town Council meeting minutes of December 17, 2013 and the Special Joint Meeting of the Town Council and Planning Commission of January 7, 2014 as presented

- 14-60 3. Amendment to the Agreement with San Bernardino County for Animal Shelter Services

Recommendation: Approve Amendment #6 to the contract between the County of San Bernardino and the Town of Yucca Valley for providing animal shelter services

- 61-70 4. Beverage Container Recycling City/County Payment Program

Recommendation: Authorize staff to send a letter to Assembly Member Brian Nestande and Senator Jean Fuller seeking support against the elimination of the existing Beverage Container Recycling City/County payments

- 71-95 5. Review and affirmation of the Long Range Property management Plan (LRPMP) for the Successor Agency to the Dissolved Yucca Valley Redevelopment Agency

Recommendation: Review and adopt the resolution affirming the Long Range Property Management Plan (LRPMP) of the Successor Agency to the Dissolved Town of Yucca Valley Redevelopment Agency

- 96-122 6. FY 2013-2014 Off-Highway Vehicle (OHC) Grant Application
Resolution No. 14-

Recommendation: Approve a governing body resolution for the FY 2013-2014 Off-Highway Vehicle grant application

- 123-133 7. Warrant Register

Recommendation: Ratify the Payroll Registers total of \$272,401.01 dated February 18, 2014. Ratify Warrant Registers total of \$78,247.92 for checks dated February 21, 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 1-7)

Action: Move _____ 2nd _____ Vote _____

DEPARTMENT REPORTS

- 134-142 8. State Route 62; Discussion of Alternative Access Routes
Pima Trail, East of Church Street to Palm
Alley Way, North Side of SR 62, Grand to Palm

Recommendation:

- **Directs staff to include funding in the 2014/2015 Fiscal Year Capital Projects Budget to evaluate rights of way and utility location for Pima Trail, east of Church Street to Palm Avenue, and for the alley between Palm and Grand Avenue on the north side of SR 62.**
- **Directs staff to include funding in the 2014/2015 Fiscal Year Capital Projects Budget to accept Pima Trail, east of Church Street to Palm Avenue, and for the alley between Palm and Grand Avenue on the north side of SR 62, into the Town's Maintained Road System until completion of wastewater collection systems by HDWD.**
- **Directs staff to plan funding for paved and maintained improvements for Pima Trail, east of Church Street to Palm Avenue, and for the alley between Palm and Grand Avenue on the north side of SR 62 following completion of the wastewater collection system by HDWD.**

Action: Move _____ 2nd _____ Vote _____

- 143-152 9. 2014-2015 & 2015/2016 Fiscal Year Budget Policy Direction
Program and Strategic Priority Direction

Recommendation: Approves the policy direction to staff for preparation of the Town's baseline budget for fiscal years 2014 through 2016

Action: Move _____ 2nd _____ Vote _____

- 153-154 10. Appointment of Voting Delegate to Represent the Town at the Southern California Association of Governments (SCAG) Annual General Assembly

Recommendation: Designate a Voting Delegate to the SCAG General Assembly on May 1-2, 2014 in Indian Wells

Action: Move _____ 2nd _____ Vote _____

FUTURE AGENDA ITEMS

PUBLIC COMMENTS

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

STAFF REPORTS AND COMMENTS

MAYOR AND COUNCIL MEMBER REPORTS AND COMMENTS

- 11. Council Member Abel
- 12. Council Member Leone
- 13. Council Member Rowe
- 14. Mayor Pro Tem Huntington
- 15. Mayor Lombardo

ANNOUNCEMENTS

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

6:00 p.m., Tuesday, March 18, 2014, Yucca Valley Community Center Yucca Room

CLOSED SESSION

(Public Comments will be taken before the Council adjourns to Closed Session)

1. Closed session pursuant to Government Code Section 54957 Public Employment
(Town Manager Recruitment)

REPORT OUT FROM CLOSED SESSION

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
IEEP	Inland Empire Economic Partnership
IIPP	Injury and Illness Prevention Plan
IRC	Internal Revenue Code
LAIF	Local Agency Investment Fund
LLEBG	Local Law Enforcement Block Grant
LTF	Local Transportation Fund
MBTA	Morongo Basin Transit Authority
MBYSA	Morongo Basin Youth Soccer Association
MDAQMD	Mojave Desert Air Quality Management District
MOU	Memorandum of Understanding
MUSD	Morongo Unified School District
PARSAC	Public Agency Risk Sharing Authority of California
PERS	California Public Employees Retirement System
PPA	Prior Period Adjustment
PVEA	Petroleum Violation Escrow Account
RDA	Redevelopment Agency
RSA	Regional Statistical Area
RTP	Regional Transportation Plan
SANBAG	San Bernardino Associated Governments
SCAG	Southern California Association of Governments
STIP	State Transportation Improvement Program
STP	Surface Transportation Program
TEA-21	Transportation Enhancement Act for the 21 st Century
TOT	Transient Occupancy Tax

COUNCIL COMMITTEE MEETING TIMES

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

AD HOC COMMITTEES

SENIOR HOUSING	HUNTINGTON ROWE
SEWER FINANCING	ROWE LEONE
COUNCIL RULES & PROCEDURES	HUNTINGTON LOMBARDO
MORONGO UNIFIED SCHOOL DISTRICT	ROWE
AUDIT	
BREHM PARK	ABEL LOMBARDO
COUNTY BUDGET COMMITTEE	ROWE HUNTINGTON
SUBDIVISION COMMITTEE	HUNTINGTON LEONE
RDA BOND COMMITTEE	ROWE LEONE

Valley.

Margo Sturges, Yucca Valley spoke in favor of medical marijuana use.

Brian Nicholson, CAMS Director, spoke of concern about the lack of facilities for local clients.

Jamie Anderson, Yucca Valley spoke on opposition of CAMS operation in Yucca Valley.

Susan Simmons, Yucca Valley spoke in favor of medical marijuana use.

Almut Fleck, Twentynine Palms spoke favorably of medical marijuana use.

Bonnie Brady, Yucca Valley asked the Town Council to reconsider letting CAMS operate in Yucca Valley.

Ramon Mendoza, Morongo Valley spoke favorably of cannabis use.

Terry Turner, Landers informed the Town Council of several clandestine marijuana operating in Yucca Valley since the CAMS closure.

Steve McQuire, Yucca Valley spoke in favor of medical marijuana use.

Red Toph, Twentynine Palms spoke of medical marijuana use for a recent health condition and asked the Town Council to reconsider the decision to close the local dispensary.

Mark Simmons, Yucca Valley asked the Town Council to reconsider the decision to close CAMS.

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

8. Conduit financing for the Caritas Affordable Housing, Inc.; Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA); Aztec Mobile Home Park

Mayor Lombardo opened the public hearing for Conduit financing for the Caritas Affordable Housing, Inc.; Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA); Aztec Mobile Home Park.

Deputy Town Manager Stueckle presented the staff report explaining the purpose for the public hearing. Caritas Affordable Housing Inc. is seeking tax-exempt bond funding. A TEFRA Hearing is required to allow the community to speak either for or against the use of tax-exempt bonds for financing of their project. Stueckle clarified that the bonds to be issued by the California Municipal Finance Authority (CMFA) for the project will be the sole responsibility of the borrower and the Town will have no financial, legal, moral obligation, liability or responsibility

for the project or the repayment of the bonds. There are no costs associated with membership in the CMFA and the Town will in no way become exposed to any financial liability by reason of its membership in the CMFA. In addition, participation by the Town will not impact the Town's appropriations limits and will not constitute any type of indebtedness by the Town.

Deputy Town Manager Stueckle continued to explain that Caritas Affordable Housing, Inc. has requested that the CMFA serve as the municipal issuer of the Bonds in an aggregate principal amount not to exceed \$70,000,000 of tax-exempt revenue bonds. The proceeds of the Bonds will be used to finance the acquisition and improvement of three mobile home parks, one of these being in Yucca Valley, known as Aztec Mobile Home Estates located at 7425 Church Street.

Ben Barker of California Municipal Finance Authority explained that this is part of a multi-jurisdictional project for several parks in California. Caritas is seeking tax-exempt funding and as part of the required process, a public hearing is required.

Mayor Lombardo opened public comment and noted that written communication was received prior to the hearing from Margaret Aston.

Margaret Aston, Yucca Valley spoke in opposition of the Caritas transaction and is concerned with the new park owner's intent and stated she does not want to see the rent increased.

Margo Sturges, Yucca Valley commented in opposition of the Caritas transaction.

Ramon Mendoza, Morongo Valley spoke in favor of the project as it is a private venture.

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

Ben Barker of California Municipal Finance Authority addressed some of the questions posed during public comment by restating that a public hearing is a tax law requirement and the Town's only involvement is to hold the public hearing in this jurisdiction. The Town does not have any liability or tax debt with the transaction.

Council Member Leone questioned the potential rent increases and Caritas' business plan.

Council Member Rowe inquired if the current owner or any other owner in the future could raise the rent.

Council Member Abel asked about the facility requirements for a non-profit operation.

Council Member Leone stated he does not want to see the Town's logo on anything that could be construed as support or advertisement.

Council Member Huntington moved to:

- 1) Conduct the public hearing under the requirements of TEFRA and the Internal

Revenue Code of 1986, as amended (the “Code”).

- 2) Adopt the resolution approving the issuance of the Bonds by the CMFA for the benefit of Caritas Affordable Housing, Inc., a California nonprofit or by another limited partnership or limited liability company to be formed by Caritas Affordable Housing, Inc., or a related entity (the “Borrower”), to provide for the financing of the Project, such adoption is solely for the purposes of satisfying the requirements of TEFRA, the Code and the California Government Code Section 6500 (and following). The resolution will also authorize the Mayor or any designee thereof to execute the Joint Exercise of Powers Agreement with the CMFA.

Council Member Rowe seconded. Motion carried 5-0 on a voice vote.

Mayor Lombardo recessed the regular Town Council meeting to convene the Joint Special Meeting of the Yucca Valley Town Council and the Yucca Valley Planning Commission at 7:15 p.m.

Mayor Lombardo reconvened the regular meeting of the Town Council at 9:35 p.m.

CONSENT AGENDA

Council Member Leone pulled Item 6 from the consent agenda

3. **Waive** further reading of all ordinances and read by title only.
4. **Amend** FY 2013-14 Adopted Budget
5. **Review and approve** the proposed Budget Calendar FY 2014-16.
6. Item pulled.
7. **Ratify** the Warrant Registers total of \$285,360.71 for checks dated November 27, 2013

Mayor Lombardo opened public comment for the Consent Agenda items.

Margo Sturges, Yucca Valley questioned items listed on the warrant register for expenses paid to Hi Desert Water District and Basin Wide Foundation.

Ramon Mendoza, Morongo Valley commented on the Town’s conflict of interest policy and also spoke of local water issues.

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

Council Member Rowe moved to approve items 3, 4, 5, 7, and 8 on the Consent Agenda. Council Member Leone 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

Item 6- Council Member Leone spoke of the San Bernardino County Vital Signs Symposium he attended as listed on the schedule

Council Member Huntington moved to receive and file the AB1234 Reporting Requirement Schedule for the month of November 2013. Council Member Rowe 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

DEPARTMENT REPORTS

9. Public Facilities Development Impact Fees; Annual Report; Set Public Hearing for January 21, 2014

Deputy Town Manager Stueckle presented the staff report for the annual review of the Public Facility Development Impact fee schedule, and setting a public hearing for January 21, 2014. The Public Facilities Development Impact Fee Study by MiniFinancial dated May 5, 2005 evaluated and established maximum legally defensible fee levels that could be imposed on new development, based upon the impact to the Town’s public infrastructure system.

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

Council Member Rowe moved to receive and file the report and schedule the public hearing for January 21, 2014. Council Member 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

10. Town Council Public Agency Board / Committee Liaison Assignments

Deputy Town Manager Stueckle presented the staff report explaining that an annual review is required for Council Member Assignments on various regional boards, Joint Power Authorities (JPA's) and Ad-Hoc committees with local agencies.

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

Mayor Lombardo commented on the benefits of keeping Mayor Pro Tem Huntington as the representative for the SANBAG.

Council Member Abel would like to relinquish his position on the Mojave Desert Air Quality Management District (MDAQMD) board.

Council Member Abel moved to select Council Member Leone for the MDAQMD representative. Mayor Lombardo seconded. Motion carried 5-0 on a voice vote.

Council Member Huntington stated he would like to relinquish his position on the Morongo Basin Transit Authority (MBTA) board. Council Member Leone stated he would be interested in taking this position.

Council Member Huntington moved to select Council Member Leone for the MBTA representative. Mayor Lombardo seconded. Motion carried 5-0 on a voice vote.

FUTURE AGENDA ITEMS

None Stated

PUBLIC COMMENTS

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

STAFF REPORTS AND COMMENTS

Administrative Services Director Yakimow announced that the Town will be participating in the Holiday Light Parade. The Youth Commission will be participating and a Town vehicle will be available for those wishing to either walk or ride in the parade.

MAYOR AND COUNCIL MEMBER REPORTS AND COMMENTS

None stated.

ANNOUNCEMENTS

The next meeting of the Yucca Valley Town Council will be held on Tuesday, January 7, 2014 at 6:00 pm, in the Yucca Room of the Yucca Valley Community Center.

ADJOURNMENT

With no further business, Mayor Lombardo adjourned to closed session at 9:37 p.m.

CLOSED SESSION

Mayor Lombardo opened public comment for closed session. With no members of the public wishing to speak, Mayor Abel closed public comment.

REPORT OUT FROM CLOSED SESSION

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

Meeting adjourned at 10:10 pm.

Respectfully Submitted,

Lesley Copeland, CMC
Town Clerk

**TOWN OF YUCCA VALLEY
SPECIAL JOINT MEETING OF THE
TOWN COUNCIL AND PLANNING COMMISSION MINUTES
JANUARY 7, 2014**

OPENING CEREMONIES

Mayor Lombardo called the Special Joint Meeting of the Town Council and Planning Commission to order at 6:00 p.m.

Council Members Present: Huntington, Leone, Lombardo, Rowe and Mayor Abel
Planning Commissioners Present: Drozd, Lavender and Whitten.
Bridenstine and Humphreville were not present (excused).

Staff Present: 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 Lombardo

APPROVAL OF AGENDA

Council Member Rowe moved to approve the amended agenda for the Special Joint Meeting of the Town Council and Planning Commission of January 7, 2014. Council Member Abel seconded. Motion carried 5-0 on a voice vote from Town Council, and a 3-2 vote from the Planning Commissioners.

PUBLIC COMMENT

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

Ramon Mendoza, Morongo Valley spoke on the laws of reviewing a General Plan.

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

1. Planning Commission Resolution No. PC-14-
Town Council Resolution No. 14-, Environmental Impact Report
Town Council Resolution No, 14-, Yucca Valley General Plan
Yucca Valley General Plan Update Project
Yucca Valley General Plan Environmental Impact Report
State Clearing House No. 20122111021

Deputy Town Manager Stueckle introduced the staff report, stating that this public hearing is a continuance of the December 17, 2013 discussion. Wendy Grant from the Planning Center reviewed previous recommendations and provided clarification on pending items from previous

review. Nicole Vermilion of the Planning Center continued the presentation and reviewed the process of establishing wildlife corridors. CEQA requires that the scientific information from recent studies be used to assess the environmental impacts of a project.

Council Member Abel questioned the boundaries that are included in the wildlife corridors.

Vermilion stated that the data given is general in nature. Large studies for the Morongo Basin have been conducted and are included in the EIR for CEQA requirements. The General Plan contains these findings as a comprehensive document.

Council Member Abel stated concern for potential complications for developers who wish to develop within these boundaries.

Planning Commission Drozd commented on the source of the wildlife corridor information.

Council Member Rowe stated concern for the information in Table 2 which provides a list of potential affected species.

Wendy Grant provided additional explanation on the purpose for wildlife corridors and the CEQA requirement of including the information from significant studies of the area.

Town Attorney Laymon clarified that by including the information in the document, it places the public on warning of what might be required for future development.

Planning Commissioner Whitten inquired about the Habitat Conservation Plan and how it assists with the development approval process.

Council Member Leone commented on the night sky ordinance.

Planning Commissioner Lavender suggested the inclusion of a statement explaining the State's requirements for including such information in the General Plan.

Wendy Grant explained that the priority of the Planning Center to find the delicate balance to include the necessary requirements, while giving the property owner the most flexibility.

Mayor Pro Tem Huntington commented on the generality of the studies included in the document.

Council Member Abel inquired about The Planning Center's experience with other cities on this issue.

Wendy Grant explained that the information in the General plan would provide a general area for potential wildlife, but individual studies would provide any detail for the specific parcel.

Council Member Leone commented on wildlife migration patterns.

Mayor Lombardo opened public comments.

Hilary Slotta, Yucca Valley spoke in opposition of the wildlife corridors and how they were determined.

Leonard Malin, Yucca Valley spoke in opposition of the wildlife corridors and the size of area they encompass.

Carlene Malin, Yucca Valley spoke of concern of including such vague maps within the General Plan and the inclusion may unnecessarily affect land values.

Art Miller, Jr., Yucca Valley thanked staff and consultants for their hard work in getting the document to this point. Miller also spoke of concern of the number of parcels included in the wildlife corridor designation and would like to see a Habitat Conservation Plan started soon, so that it can be included in the General Plan.

John Pavelak, Rialto, spoke in opposition of the wildlife corridor designation.

Robert Malin, Joshua Tree, spoke in opposition of the wildlife corridor designation.

Edward Chang, Tustin spoke in opposition to the wildlife corridor maps.

Ramon Mendoza, Morongo Valley inquired if discussions have been previously held regarding wildlife corridors in our area.

Bill Garvin, Yucca Valley spoke in opposition of the wildlife corridor through the business section of the community.

Joe Sullivan, Yucca Valley commented on the possible affect the wildlife corridors will have on property valuation and believes the corridor designation will create unfair restrictions to property owners.

Mark Miller, Yucca Valley spoke in opposition of the additional requirements needed to develop in a wildlife corridor designation area.

Sean Kilpatrick, Yucca Valley spoke in opposition of the wildlife corridor designation, specifically at the corner of State Hwy 247 and Skyline Ranch Road. Kilpatrick commented favorably of beginning the process of creating a Habitat Conservation Plan.

Bill Neeb, Indio Resident, Yucca Valley property owner commented on the State's requirements to include this information in the document, the Town's hands are tied.

Howard Parrett, Yucca Valley spoke on the process he experienced to develop property within a wildlife designated area.

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

Deputy Town Manager Stueckle explained how the corridors were established and the source of the information. Stueckle also explained that the corridor overlays do not change the zoning of the parcels. A wildlife corridor designation indicates further study may be required on a parcel by parcel basis.

Council Member Abel offered his agreement with many of the public comments and would like to see a Habitat Conservation Plan included in the General Plan. Abel inquired on the process to change the General Plan at a later date to include new information. Abel also suggested to include a disclosure statement with the maps questioning the validity of such wildlife corridor designations.

Council Member Leone inquired on the process to conduct our own local study.

Mayor Pro Tem Huntington commented favorably of keeping the wildlife corridor maps in the document for greater transparency.

Council Member Rowe commented in agreement with Council Member Abel's statement regarding a disclosure statement.

Wendy Grant explained that the General Plan process is not adding an additional layer. The Plan reflects a designation that is already there. Because the studies exist, CEQA requires the information from these studies to be included in the document.

Planning Commissioner Drozd commented on the vagueness of the corridor indication, but does see the need to include the corridor maps in the General Plan.

Council Member Leone commented that he is not in favor of including the maps in the General Plan, as it may discourage development.

After listening to the discussion on the item, Deputy Town Manager Stueckle suggested additional language be added on page 5-21, the Open Space and Conservation Element, at the end of the wildlife corridor paragraph, "At the adoption of this General Plan, significant concern of the accuracy of the Joshua Tree / Twentynine Palms connection and the San Bernardino / Little San Bernardino connection wildlife corridors was identified as a future policy issue to be addressed. Long-range, land use planning requires that these corridors be further refined and evaluated as new information becomes available, either through a Habitat Conservation Plan or through additional studies."

Town Council and Planning Commission consensus was made to include the suggested language in the document.

Town Clerk Copeland read a statement prepared by Planning Chair Humphreville to be included in the minutes.

Planning Commissioner Lavender moved to not include the wildlife corridor maps in the General Plan document and use additional language to reference the wildlife areas and the source of such information. Motion died for lack of a second.

Planning Commissioner Whitten moved that the Planning Commission recommend to the Town Council to adopt Resolution No. 14- , certifying the Environmental Impact Report, State Clearing Housing No. 2012111021, adopting statement of facts and overriding considerations and adopting a mitigation monitoring program. Planning Commissioner Drozd seconded. Motion carried 3-0-2 on a roll call vote of the Planning Commissioners.

Planning Commissioner Drozd moved to include additional language to page 5-21, the Open Space and Conservation Element, at the end of the wildlife corridor paragraph, “At the adoption of this General Plan, significant concern of the accuracy of the Joshua Tree / Twentynine Palms connection and the San Bernardino / Little San Bernardino connection wildlife corridors was identified as a future policy issue to be addressed. Long-range, land use planning requires that these corridors be further refined and evaluated as new information becomes available, either through a Habitat Conservation Plan or through additional studies.” Planning Commissioner Whitten seconded. Motion carried 3-0-2 on a roll call vote of the Planning Commission.

Town Attorney Laymon gave clarification, that in order for the Planning Commission to recommend the adoption of the General Plan to the Town Council, the three attending Planning Commissioners will need to vote affirmatively as a majority of the entire Planning Commission.

Planning Commissioner Whitten moved to include the wildlife corridor maps in the General Plan. Planning Commissioner Drozd seconded. Motion failed 2-1-2 with a roll call vote, Planning Commissioner Lavender voting no.

Council Member Abel moved to adopt Resolution No 14-01, certifying the Yucca Valley General Plan Environmental Impact Report, State Clearing Housing No. 2012111021, adopting statement of facts and overriding considerations and adopting a mitigation monitoring program. 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

Mayor Lombardo reopened the Public Hearing for continuance until Tuesday, February 4, 2014.

STAFF REPORTS AND COMMENTS

Town Project Engineer Alex Qishta presented a brief update on the senior housing project and the Hwy 62 construction projects.

FUTURE AGENDA ITEMS

None Stated

COUNCIL AND COMMISSIONER REPORTS AND REQUESTS

2. Council Member Abel thanked the public for staying through the long meeting.

ANNOUNCEMENTS

None Stated

ADJOURNMENT

Mayor Lombardo adjourned the meeting at 8:41 p.m.

Respectfully submitted,

Lesley Copeland, CMC
Town Clerk

TOWN COUNCIL STAFF REPORT

To: Honorable Mayor & Town Council
From: Melanie A. Crider, Animal Care & Control Manager
Date: February 25, 2014
For **Council** March 4, 2014
Meeting:

Subject: Amendment to the Agreement with San Bernardino County for Animal Shelter Services

Prior Council Review: The Town Council has reviewed and approved annual agreements with the County of San Bernardino for animal shelter services since 2006, the most recent of which was the 5th amendment to the agreement approved on November 12, 2012.

Recommendation: That the Town Council approves Amendment #6 to the Contract between the County of San Bernardino and the Town of Yucca Valley for providing animal shelter services.

Order of Procedure:

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

Discussion: The Town and the County have entered into animal shelter service agreements since August 2006, and the current contract continues this arrangement through June 30, 2014. In the course of normal operations, both Town and County staff have identified minor operational changes that will assist in the execution of the fiscal and operational provisions of the contract. In summary, the changes accomplish the following:

- Establish a revised method for annual billing reconciliation.
- Reflect the current staffing structure as incorporated by the Town in the FY 2013-14 Adopted Budget.

Town and County staff have begun work on a replacement contract for FY 2014-15 and will return to Council for consideration of that item during the annual budget process.

Reviewed By:


Town Manager

Town Attorney


Mgmt Services


Dept Head

Department Report
 Consent

Ordinance Action
 Minute Action

Resolution Action
 Receive and File

Public Hearing
 Study Session

Alternatives: Staff recommends no alternative action.

Fiscal Impact: None. The proposed Amendment continues the 50/50 cost-sharing agreement for shelter services between the Town and County and does not alter the currently adopted FY 2013-14 budget.

Attachments: Original Contract
Amendment #5
Amendment #6



County of San Bernardino
F A S
STANDARD CONTRACT

FOR COUNTY USE ONLY

<input type="checkbox"/> New	FAS Vendor Code	SC	Dept.	A	Contract Number			
<input checked="" type="checkbox"/> Change	TOWNOFY145		PHL		08-1152 A-6			
<input type="checkbox"/> Cancel	ePro Vendor Number				ePro Contract Number			
	N/A				N/A			
County Department			Dept.	Orgn.	Contractor's License No.			
Department of Public Health			PHL	PHL				
County Department Contract Representative			Telephone		Total Contract Amount			
John Greswit			(909) 388-0255		\$2,031,017			
Contract Type								
<input type="checkbox"/> Revenue <input type="checkbox"/> Encumbered <input checked="" type="checkbox"/> Unencumbered <input type="checkbox"/> Other:								
If not encumbered or revenue contract type, provide reason: Cost based on volume of services								
Commodity Code		Contract Start Date	Contract End Date	Original Amount	Amendment Amount			
		7/01/08	6/30/14	\$274,257	0			
Fund	Dept.	Organization	Appr.	Obj/Rev Source	GRC/PROJ/JOB No	Amount		
AAA	PHL	2600	200	2165		\$		
Fund	Dept.	Organization	Appr.	Obj/Rev Source	GRC/PROJ/JOB No.	Amount		
						\$		
Fund	Dept.	Organization	Appr.	Obj/Rev Source	GRC/PROJ/JOB No.	Amount		
						\$		
Project Name			Estimated Payment Total by Fiscal Year					
Animal Shelter Services			FY	Amount	I/D	FY	Amount	I/D

THIS CONTRACT is entered into in the State of California by and between the County of San Bernardino, Department of Public Health, hereinafter called the County, and

Name
 Town of Yucca Valley
 Address
 57090 Twentynine Palms Highway
 Yucca Valley, CA 92284
 Telephone (760) 369-7207
 Federal ID No. or Social Security No.

hereinafter called Town

IT IS HEREBY AGREED AS FOLLOWS:
AMENDMENT NO. 6

It is hereby agreed to amend Contract No. 08-1152 as follows:

SECTION V. FISCAL PROVISIONS

Paragraph C is amended to read as follows:

C. Payment Method and Reconciliation:

- Town shall submit quarterly invoices to County no later than thirty (30) days following the end of each quarter. Quarterly invoices shall be based on budgeted costs for the quarter, minus the revenue received for that quarter, as specified in Section V, Paragraph C, Item 2.

<i>Auditor-Controller/Treasurer Tax Collector Use Only</i>	
<input type="checkbox"/> Contract Database	<input type="checkbox"/> FAS
Input Date	Keyed By

Within sixty (60) days from the end of the fiscal year, Town shall submit a fifth (5th) invoice to County to request payment or remit payment, in order to reconcile actual costs and the total year to date payments made by County to Town for the fiscal year. Town agrees that the "unanticipated costs" budget line item, included in Attachment C, shall only be used by Town if necessary and at contract year-end, to cover County share of cost directly associated with services defined in this contract. Quarterly invoices must include all required reports as defined in Section II, Paragraph R of this contract.

2. One hundred percent (100%) of the applicable shelter/field revenues and related penalty fees received for animals of the Unincorporated Areas of the County shall be credited to the County, which shall in turn reduce the quarterly contract amount owed by the County to the Town.
3. All funds collected by Town for County in connection with the licensing of animals in the Unincorporated Areas of the County shall be paid to the County no later than 30 days after the end of each quarter in concurrence with the quarterly invoice.
4. County shall process Town's claim for payment within thirty (30) days following receipt of Town invoice.

ATTACHMENT C

Replace FY 2013-14 Estimated Budget with Revised FY 2013-14 Estimated Budget.

All other terms and conditions remain in full force and effect

COUNTY OF SAN BERNARDINO

Town of Yucca Valley

(Print or type name of corporation, company, contractor, etc.)

▶ _____
Janice Rutherford, Chair, Board of Supervisors

By ▶ _____
(Authorized signature - sign in blue ink)

Dated: _____

Name Robert Lombardo
(Print or type name of person signing contract)

SIGNED AND CERTIFIED THAT A COPY OF THIS DOCUMENT HAS BEEN DELIVERED TO THE CHAIRMAN OF THE BOARD

Laura H. Welch
Clerk of the Board of Supervisors
of the County of San Bernardino

Title Mayor
(Print or Type)

Dated: _____

By _____
Deputy

Address 57090 Twentynine Palms Highway
Yucca Valley, CA 92284

Approved as to Legal Form
▶ _____
Phebe W. Chu, County Counsel
Date _____

Reviewed by Contract Compliance
▶ _____
Regina Dalton, HS Contracts Unit
Date _____

Presented to BOS for Signature
▶ _____
Trudy Raymundo, Director
Date _____

REVISED FY 2013-14 ESTIMATED BUDGET

Cost Item	Total Shelter Expenses	Percent Charged to Contract	County Tentative Share TBD
A. Salaries and Benefits			
1. Position Title - Animal Care & Control Manager			
FTE - 0.75			
Salary & Benefits	\$96,100	50%	\$48,050
2. Position Title - Administrative Assistant II			
FTE - 0.5			
Salary & Benefits	\$35,600	50%	\$17,800
3. Position Title - Senior Animal Shelter Specialist			
FTE - 1.0			
Salary & Benefits	\$73,700	50%	\$36,850
4. Position Title - Animal Shelter Specialist/ACO II			
FTE - 0.0			
Salary & Benefits	\$0	50%	\$0
5. Position Title - Animal Shelter Specialist/ACO I			
FTE - 0.85			
Salary & Benefits	\$60,100	50%	\$30,050
6. Position Title - Animal Shelter Specialist/ACO I			
FTE - 0.85			
Salary - no benefits	\$56,000	50%	\$28,000
7. Position Title - Animal Shelter Specialist/ACO I			
FTE - 0.85			
Salary - no benefits	\$55,500	50%	\$27,750
8. Position Title - Kennel Tech (part-time)			
FTE - 0.5			
Salary & Benefits	\$18,200	50%	\$9,100
9. Position Title - Kennel Tech (part-time)			
FTE - 0.5			
Salary & Benefits	\$18,200	50%	\$9,100
10. Position Title - Facilities Maintenance Supervisor			
FTE - .05			
Salary & Benefits	\$4,800	50%	\$2,400
Subtotal A	\$418,200		\$209,100

B. Services and Supplies			
1. Office Supplies	\$1,800	50%	\$900
2. Operating Supplies	\$4,750	50%	\$2,375
3. Promotional Supplies	\$1,000		
4. Animal Food/Bedding	\$18,000	50%	\$9,000
5. Veterinary Supplies	\$22,450	50%	\$11,225
6. Clothing	\$2,600	50%	\$1,300
7. Custodial Supplies	\$4,000	50%	\$2,000
8. Reference Materials	\$500	50%	\$250
9. Tools & Equipment	\$2,000	50%	\$1,000
10. Professional Services	\$70,000	50%	\$35,000
11. Contract Legal Svcs	\$1,500	50%	\$750
12. Utilities	\$30,300	50%	\$15,150
13. Computer Maint.	\$5,000	50%	\$2,500
14. Maintenance - Equipment	\$1,000	50%	\$500
15. Printing	\$3,500	50%	\$1,750
16. Training/Education/Conferences/Travel	\$1,600	50%	\$800
17. Dues/Memberships	\$500	50%	\$250
18. Basic Phone	\$2,000	50%	\$1,000
19. Data Connection	\$6,000	50%	\$3,000
20. Vehicle Replacement	\$7,000	50%	\$3,500
Subtotal B	\$185,500	---	\$92,250
Subtotal A	\$418,200	---	\$209,100
Subtotal B	\$185,500	---	\$92,250
Administrative Overhead	\$59,573	50%	\$29,786
Program Cost Sub-Total	\$663,273	---	\$331,136
Unanticipated Costs (10%)	\$66,327	---	\$33,114
Subtotal Annual Operating Budget	\$729,600		\$364,250
Initial Capital Start-up Costs			
Chameleon Software	\$30,000	50%	\$15,000
IT Network Set-up	\$35,000	50%	\$17,500
Telephone System	\$30,000	50%	\$15,000
Capital/Facility Furnishing	\$172,500	50%	\$86,250
Subtotal Initial Start-up Costs	\$267,500		\$133,750
Total	\$997,100	---	\$498,000

Contract No. 08-1152 (5th Amendment)



County of San Bernardino

F A S

STANDARD CONTRACT

<input type="checkbox"/> New	Vendor Code	SC	Dept.	A	Contract Number
<input checked="" type="checkbox"/> Change	TOWNOFY145		PHL		08-1152 A-5
<input type="checkbox"/> Cancel					
County Department			Dept.	Orgn.	Contractor's License No.
Department of Public Health			PHL	PHL	
County Department Contract Representative			Telephone		Total Contract Amount
Lisa Ordaz			(909) 388-0222		\$ 2,031,017
Contract Type					
<input type="checkbox"/> Revenue <input type="checkbox"/> Encumbered <input checked="" type="checkbox"/> Unencumbered <input type="checkbox"/> Other:					
If not encumbered or revenue contract type, provide reason: Costs based on volume of services					
Commodity Code		Contract Start Date	Contract End Date	Original Amount	Amendment Amount
96206		07/01/08	06/30/14	\$274,257	\$ 498,000
Fund	Dept.	Organization	Appr.	Obj/Rev Source	GRC/PROJ/JOB No
AAA	PHL	2600	200	2165	
					Amount
					\$ 498,000
Fund	Dept.	Organization	Appr.	Obj/Rev Source	GRC/PROJ/JOB No.
					Amount
					\$
Fund	Dept.	Organization	Appr.	Obj/Rev Source	GRC/PROJ/JOB No.
					Amount
					\$
Project Name			Estimated Payment Total by Fiscal Year		
Animal Shelter Services			FY	Amount	I/D
			13-14	\$498,000	1

THIS CONTRACT is entered into in the State of California by and between the County of San Bernardino, Department of Public Health, hereinafter called the County, and

the Town of Yucca Valley hereinafter called Town

located at 7090 Twentynine Palms Highway

Yucca Valley, CA 92284

Telephone (60) 369 - 7207 Federal ID No. or Social Security No. _____

TOWN OF YUCCA VALLEY IS HEREBY AGREED AS FOLLOWS:

AMENDMENT NO. 5

Town of Yucca Valley is hereby agreed to amend Contract No. 08-1152 between the County and Town as follows:

SECTION V. FISCAL PROVISIONS

Paragraph B is amended to read as follows:

The maximum amount of payment made under this Contract shall not exceed \$2,031,017 and shall be subject to the availability of funds to the County. The consideration to be paid to Town, as provided herein, shall be full payment for all Town's services and expenses incurred in the performance hereof, including travel and per diem. County shall not be responsible for any costs incurred by Town, associated with Town's provision of animal shelter services to County, which exceed the maximum amounts identified in

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Input Date	Keyed By

this paragraph. The maximum amount is a total dollar amount; it includes the original contract amount and all subsequent amendments, and is broken down as follows:

Original Contract	\$274,257	July 1, 2008 through June 30, 2009
Amendment No.1	\$298,461	July 1, 2009 through June 30, 2010
Amendment No. 2	\$307,498	July 1, 2010 through June 30, 2011
Amendment No. 3	\$315,044	July 1, 2011 through June 30, 2012
Amendment No. 4	\$337,757	July 1, 2012 through June 30, 2013
Amendment No. 5	\$498,000	July 1, 2013 through June 30, 2014

SECTION VIII. TERM

Section VIII is amended to read as follows:

This Contract is effective as of July 1, 2008, and will expire June 30, 2014, but may be terminated earlier in accordance with provisions of Section IX of this Contract.

ATTACHMENT C

Attachment C – Town of Yucca Valley FY 2012-13 Estimated Budget will be replaced with FY 2013-14 Estimated Budget.

All other terms and conditions remain in full force and effect.

COUNTY OF SAN BERNARDINO

Rosie Gonzales, Chair, Board of Supervisors

Dated _____

SIGNED AND CERTIFIED THAT A COPY OF THIS DOCUMENT HAS BEEN DELIVERED TO THE CHAIRMAN OF THE BOARD

Laura H. Welch
Clerk of the Board of Supervisors
of the County of San Bernardino.

by _____
Deputy

Town of Yucca Valley
(Print or type name of corporation, company, contractor, etc.)

By _____
(Authorized signature - sign in blue ink)

Name _____
(Print or type name of person signing contract)

Title Mayor
(Print or Type)

Dated _____

Address 57090 Twentynine Palms Highway
Yucca Valley, CA 92284

Approved as to Legal Form

Steven J. Singley, Deputy County Counsel
Date _____

Reviewed by Contract Compliance

Lory Klopfer, HS Contracts Unit
Date _____

Presented to BOS for Signature

Trudy Raymundo, Director
Date _____

FY 2013-14 ESTIMATED BUDGET DRAFT

Cost Item	Total Shelter Expenses	Percent Charged to Contract	County Tentative Share TBD
A. Salaries and Benefits			
1. Position Title - Animal Care & Control Manager			
FTE - 0.75			
Salary & Benefits	\$90,700	50%	\$45,350
2. Position Title - Administrative Assistant II			
FTE - 0.5			
Salary & Benefits	\$37,625	50%	\$18,813
3. Position Title - Animal Shelter Specialist			
FTE - 1.0			
Salary & Benefits	\$66,000	50%	\$33,000
4. Position Title - Animal Shelter Specialist			
FTE - 1.0			
Salary & Benefits	\$66,000	50%	\$33,000
5. Position Title - Kennel Tech II			
FTE - 1.0			
Salary & Benefits	\$58,300	50%	\$29,150
6. Position Title - Kennel Tech (part-time)			
FTE - .5			
Salary - no benefits	\$14,000	50%	\$7,000
7. Position Title - Kennel Tech (part-time)			
FTE - .5			
Salary - no benefits	\$14,000	50%	\$7,000
8. Position Title - Animal Control Officer II			
FTE - .5			
Salary & Benefits	\$41,900	50%	\$20,950
9. Position Title - Animal Control Officer II			
FTE - .25			
Salary & Benefits	\$20,900	50%	\$10,450
10. Position Title - Facilities Maintenance Supervisor			
FTE - .05			
Salary & Benefits	\$4,650	50%	\$2,325
11. Overtime - Shelter Staff			
Salary	\$5,000	50%	\$2,500
Subtotal A	\$419,075		\$209,538

Cost Item	Total Shelter Expenses	Percent Charged to Contract	County Tentative Share TBD
B. Services and Supplies			
1. Office Supplies	\$1,800	50%	\$900
2. Operating Supplies	\$4,750	50%	\$2,375
3. Promotional Supplies	\$1,000		
4. Animal Food/Bedding	\$18,000	50%	\$9,000
5. Veterinary Supplies	\$22,450	50%	\$11,225
6. Clothing	\$2,600	50%	\$1,300
7. Custodial Supplies	\$4,000	50%	\$2,000
8. Reference Materials	\$500	50%	\$250
9. Tools & Equipment	\$2,000	50%	\$1,000
10. Professional Services	\$70,000	50%	\$35,000
11. Contract Legal Svcs	\$1,500	50%	\$750
12. Utilities	\$30,300	50%	\$15,150
13. Computer Maint.	\$5,000	50%	\$2,500
14. Maintenance - Equipment	\$1,000	50%	\$500
15. Printing	\$3,500	50%	\$1,750
16. Conferences/Travel	\$0	50%	\$0
17. Dues/Memberships	\$500	50%	\$250
18. Basic Phone	\$2,000	50%	\$1,000
19. Data Connection	\$6,000	50%	\$3,000
20. Vehicle Replacement	\$7,000	50%	\$3,500
Subtotal B	\$183,900	---	\$91,450
Subtotal A	\$419,075	---	\$209,538
Subtotal B	\$183,900	---	\$91,450
Administrative Overhead	\$60,298	50%	\$30,149
Program Cost Sub-Total	\$663,273	---	\$331,136
Unanticipated Costs (10%)	\$66,327	---	\$33,114
Subtotal Annual Operating Budget	\$729,600		\$364,250
Initial Capital Start-up Costs			
Chameleon Software	\$30,000	50%	\$15,000
IT Network Set-up	\$35,000	50%	\$17,500
Telephone System	\$30,000	50%	\$15,000
Capital/Facility Furnishing	\$172,500	50%	\$86,250
Subtotal Initial Start-up Costs	\$267,500		\$133,750
Total	\$997,100	---	\$498,000



County of San Bernardino

F A S

STANDARD CONTRACT

FOR COUNTY USE ONLY

<input checked="" type="checkbox"/> New	Vendor Code		S	Dept.	Contract Number			
<input type="checkbox"/> Change	TOWNOFY145		C	PHL	08-1152			
<input type="checkbox"/> Cancel				A				
County Department			Dept.	Orgn.	Contractor's License No.			
Public Health			PHL	PHL				
County Department Contract Representative			Telephone		Total Contract Amount			
Brian Cronin, Chief of ACC			(909) 387-9152		\$274,257			
Contract Type								
<input type="checkbox"/> Revenue <input type="checkbox"/> Encumbered <input checked="" type="checkbox"/> Unencumbered <input type="checkbox"/> Other:								
If not encumbered or revenue contract type, provide reason:								
Commodity Code		Contract Start Date	Contract End Date	Original Amount	Amendment Amount			
		07/01/2008	06/30/2009	\$274,257	\$0			
Fund	Dept.	Organization	Appr.	Obj/Rev Source	GRC/PROJ/JOB No	Amount		
AAA	PHL	2605	200	2165	93130	\$274,257		
Fund	Dept.	Organization	Appr.	Obj/Rev Source	GRC/PROJ/JOB No.	Amount		
						\$		
Fund	Dept.	Organization	Appr.	Obj/Rev Source	GRC/PROJ/JOB No.	Amount		
						\$		
Project Name			Estimated Payment Total by Fiscal Year					
			FY	Amount	I/D	FY	Amount	I/D
Animal Shelter Services			08-09	\$274,257	I			

THIS CONTRACT is entered into in the State of California by and between the County of San Bernardino, hereinafter called the County, and

Name
 Town of Yucca Valley
 Address
 57090 29 Palms Hwy
 Yucca Valley, CA 92284
 Telephone
 (760) 369-7207
 Federal ID No. or Social Security No.

hereinafter called Town

IT IS HEREBY AGREED AS FOLLOWS:

WHEREAS, the County desires to provide animal shelter services for animals in the unincorporated vicinity of Yucca Valley;

WHEREAS, the County finds the Town qualified to provide animal shelter services for animals in the unincorporated vicinity of Yucca Valley;

WHEREAS, the County desires that such services shall be provided by Town and Town agrees to perform these services as set forth below;

NOW THEREFORE, the County and Town mutually agree to the following terms and conditions:

Auditor/Controller-Recorder Use Only

<input type="checkbox"/> Contract Database	<input type="checkbox"/> FAS
Input Date	Keyed By

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ATTACHMENTS:

ATTACHMENT A – Health and Sanitation and Animal Regulations

ATTACHMENT B – Schedule of County Fees

ATTACHMENT C – Town of Yucca Valley FY 2008-2009 Estimated Budget

I. DEFINITIONS

- A. Department of Public Health Contracts/Special Projects Unit (CSPU) - The Public Health Contracts Special Projects Unit (CSPU) provides procurement, contracting, budget, invoicing and special project services for the Department of Public Health. The shared goal of the CSPU staff is to provide essential services while also ensuring the proper use of public resources by applying relevant contracting laws, state regulations and local policies.
- B. Contract Year - County's fiscal year (July 1st through the following June 30th) and each subsequent year thereafter for the duration of the agreement.
- C. Shelter Services – Town shall maintain and operate an animal shelter (public pound) in accordance with the minimum standards prescribed by the State of California and the governing Health Department. Services provided by Town for the County (for residents or animals within the service area described in Section I.K.) shall include: impounding stray and/or owner released animals; providing proper care and treatment; and quarantine biting animals. A copy of Title 3, Division 2, Chapters 1 and 2 of the County Code that governs animals is attached as "**Attachment A**".
- D. Licensing Services – Town shall collect, on behalf of County, all dog licenses and impounding fees. Town shall use the most current rates established in the County Code Section 16.0213A (b) – current rate schedule is attached and referenced as "**Attachment B**".
- E. Cost – The actual cost of salaries and benefits, supplies, and administrative overhead directly associated with the cost of Town's provision of animal shelter services to the County as listed in "**Attachment C**". Administrative overhead is defined as costs for Town's administrative services that are directly associated with Town's provision of services to County.
- F. Euthanasia – The act of causing the painless and easy death of animals. California Business and Professions Code 4827 (d) allows, "Administering sodium pentobarbital for euthanasia of sick, injured, homeless, or unwanted domestic pets or animals without the presence of a veterinarian when the person is an employee of an animal control shelter and its agencies or humane society and has received proper training in the administration of sodium pentobarbital for these purposes."
- G. Impoundment -- The taking into custody of any animal: (1) found in violation of State and/or County laws and codes; (2) for the protection of animal or human health and/or safety; (3) for any similar circumstances; and the animal is housed in a shelter facility or transported to a veterinarian.
- H. Neuter/Spay – The surgical sterilization of any animal resulting in the inability of that animal to produce offspring. Neuter may indicate either male or female, although usually thought of as male, and spay refers to female.
- I. Quarantine – The strict confinement, for a specific amount of time, of an animal, either on private property or in a shelter (or similar) setting, as a result of an incident in which the circumstances may have allowed the exposure/transmission of the virus which causes the disease known as rabies to another animal or human.
- J. Stray – Any animal that has not been in the care and custody of the person delivering and declaring such animal to be a stray for a period in excess of six (6) days.
- K. Unincorporated Areas – The unincorporated areas of the County in the vicinity of Yucca Valley, bounded by Interstate 40 to the North, the Colorado River (Arizona State Line) to the East, Riverside County Line to the South, and the eastern boundary line of Lucerne Valley to the West.
- L. Quarter or quarterly – The three- month period beginning with the contract effective date.

Auditor/Controller-Recorder Use Only

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II. TOWN SERVICE RESPONSIBILITIES

- A. Town shall accept for impoundment any and all animals, with the exception of horses, cattle, pigs, and other large livestock, from the Unincorporated Areas which are brought to the Town by County officers, Sherriff deputies, constable, authorized individuals, and residents of the Unincorporated Areas as defined in Section I.K., above, subject to availability of space at shelter.
- B. Town shall accept for impoundment any and all stray animals involved in bite cases with the exception of horses, cattle, pigs, and other large livestock which are delivered to the shelter by persons authorized in Section II.A., above, and shall quarantine said animals for the period described by County Code, Title 3 (**Attachment A**), subject to availability of space at shelter. Quarantined County animals shall not be released or destroyed without prior written or verbal approval of the County.
- C. Town shall require residents of the Unincorporated Areas delivering stray animals to sign an impound slip indicating that the animal is a stray, as described in Section I.J. The impound slip shall contain a description of the animal, address of person delivering the animal to the shelter, and location where the animal was picked up.
- D. Town shall provide proper care and treatment to any animal impounded in accordance with all provisions of the California Food and Agricultural Code, the Penal Code, and other applicable statutes and regulations pertaining to the operation of an animal shelter.
- E. Town shall accept dead animals with the exception of horses, cattle, pigs, and other large livestock, which are delivered to the shelter by residents of the Unincorporated Areas or persons authorized in Section II.A., above,.
- F. Town shall provide medical and/or veterinary services to any animal delivered to the shelter that is injured or sick.
- G. Town shall maintain and operate an adequate, suitable and sanitary animal shelter (public pound) in compliance with the standards prescribed by the State and the governing Health Department.
- H. Town shall receive animals from the public a minimum of 5 days a week, be open to the general public during established operating hours agreed upon between Town and County, and comply with all state law holding period mandates. Town shall issue keys to County personnel (Animal Control Officers and Supervisors) or provide other facility access to allow impoundment of animals after hours.
- I. Town shall ensure that animals will be displayed to public to allow owner identification. When animals are wearing identification, known owners will be contacted by telephone and by mail. Owned animal must be held for ten (10) business days. If animals are not redeemed by their owners and adoption holds have not been placed, some may be made available for adoption for an additional time period on a space available basis. Those which are neither redeemed nor adopted may be euthanized after the mandatory hold period, as mandated by provisions in the Food and Agricultural Code, has elapsed from the time said animal was apprehended.
- J. Town shall euthanize all stray animals brought to the shelter by persons authorized in Section II.A. provided that it is in compliance with State law and no animal so impounded shall be euthanized without notice to the owner of such animal, if that person is known. Animals impounded under the provisions of the County Code shall be euthanized only after the mandatory hold period, as mandated by provisions in the Food and Agricultural Code, has elapsed from the time said animal was apprehended, except when immediate euthanasia of the animal is authorized by State law.

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- K. Town shall provide a method of animal euthanasia acceptable to the State and County. All applicable Federal, State, and County guidelines shall be followed and the Town is responsible for employing trained and certified personnel who have been properly trained and certified in performing animal euthanasia.
- L. Town shall obtain prior written approval from County for euthanasia of any animal held at shelter due to a criminal or civil court case involving said animal.
- M. Town shall provide spay or neuter services for adopted animals.
- N. Town shall collect apprehension, shelter and related penalty fees, on behalf of and as directed by County, using established County fees prescribed in **Attachment B**. Town shall issue receipts for all fees collected and shall keep copies thereof for review and/or audit by County.
- O. Town shall sell and issue dog licenses on behalf of County to residents living in the Unincorporated Areas of the County described in Section I.K. using the established County fees prescribed in **Attachment B**. Town shall issue receipts for all license fees collected and shall keep copies thereof for review and/or audit by County.

Town shall attempt to collect the requisite sums for license fees, where applicable, for all dogs returned to owner or adopted if their dog is four months of age or older, using the established County fees prescribed in Attachment B. Town shall issue receipts for all such fees collected and shall keep copies thereof for review by County. In the event that a dog impounded by Town is returned to an owner who is a resident of the Unincorporated Areas, or is adopted by a resident of the Unincorporated Areas, and no license fee is collected by Town, Town shall report to County within fifteen days of adoption or redemption the description of the animal adopted or redeemed and the name(s) and address of the person(s) adopting or redeeming the dog..

- P. Town shall verify dog license status on all impounded dogs for the purpose of ascertaining the number of unlicensed dogs and to foster compliance with the County Code.
- Q. Town shall maintain records of all animals delivered to Town by parties authorized in Section II.A..
- R. Within thirty (30) days following the end of the quarter, Town shall provide to County on a quarterly basis the following information for all animals received by Town from the Unincorporated Areas:
 1. Number of animals (by species) surrendered by owners.
 2. Number of stray animals (by species) impounded.
 3. Number of dead animals (by species) delivered to the shelter.
 4. Number of injured animals (by species) impounded.
 5. Number of animals held for observation (by species) and the number of days each animal was held.
 6. Number of sick/injured animals (by species) received at the shelter.
 7. Number of animals adopted (by species) or redeemed.
 8. Number of animal intake (by species) at the shelter.
 9. Number of animals euthanized (by species), if applicable.
 10. Number of days an animal stayed (by species) in the shelter.
 11. Number of licenses sold showing the license number that was issued, description of the animal adopted or redeemed, name(s) and addresses(s) of all persons adopting or redeeming, specifying areas of residence whether in the unincorporated area of the County or within the boundaries of a city at the time of the transfer.
 12. Copy of signed impound slip as described in Section II.C.
 13. All information required by Food and Agricultural Code section 32003.

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- S. Town shall provide adequate parking for the public, exterior lighting for Animal Control Officer Safety, washout area for all animal control vehicles, and perimeter fencing for containment of escaped animals.
- T. Town shall submit quarterly invoices to County no later than thirty (30) days following the end of the quarter in which services were rendered. Invoices shall be accompanied by the quarterly or monthly reports described in Section II.R., above.
- U. All license revenues collected by Town on behalf of County in connection with this Contract shall be deposited in the Town's account and shall be remitted to the County on or before the fifteenth (15th) day of each month for the previous month's service. The Town shall fax a log of licenses sold (log provided by County) to County on a weekly basis.

II. TOWN GENERAL RESPONSIBILITIES

- A. In the performance of this Contract, Town, its agents and employees, shall act in an independent capacity and not as officers, employees, or agents of the County of San Bernardino. Town certifies that neither it nor its principals is presently disbarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency as required by Executive Order 12549 and implemented at 45 CFR, Part 76.
- B. Without the prior written consent of County, this Contract is not assignable by Town either in whole or in part.
- C. Town agrees to provide or has already provided information on former County of San Bernardino administrative officials (as defined below) who are employed by or represent Town. The information provided includes a list of former County administrative officials who terminated County employment within the last five years and who are now officers, principals, partners, associates or members of the business. The information also includes the employment with or representation of Town. For purposes of this provision, "County administrative official" is defined as a member of the Board of Supervisors or such officer's staff, County Administrative Officer or member of such officer's staff, County department or group head, assistant department or group head, or any employee in the Exempt Group, Management Unit or Safety Management Unit.
- D. If during the course of the administration of this Contract, County determines that the Town has made a material misstatement or misrepresentation or that materially inaccurate information has been provided to the County, this Contract may be immediately terminated. If this Contract is terminated according to this provision, the County is entitled to pursue any available legal remedies.
- E. Town agrees not to enter into any subcontracts for work contemplated under the Contract without first obtaining written approval from County's Public Health Director or appointed designee. Any subcontractor shall be subject to the same provisions as Town. Town shall be fully responsible for the performance of any subcontractor.
- F. Town shall maintain all records and books pertaining to the delivery of services under this Contract and demonstrate accountability for contract performance. Said records shall be kept and maintained within the County of San Bernardino. County shall have the right upon reasonable notice and at reasonable hours of business to examine and inspect such records and books.

Records should include, but are not limited to, monthly summary sheets, sign-in sheets, and other primary source documents. Fiscal records shall be kept in accordance with Generally Accepted Accounting Principles and must account for all funds, tangible assets, revenue and expenditures.

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Fiscal records must also comply with the appropriate Office of Management and Budget (OMB) Circulars, which state the administrative requirements, cost principles and other standards for accountancy.

All records shall be complete and current and comply with all Contract requirements. Failure to maintain acceptable records per the preceding requirements shall be considered grounds for withholding of payments for billings submitted and for termination of the Contract.

- G. Town shall notify County in writing of any change in mailing address and/or physical location within ten (10) days of the change, and shall immediately notify County of changes in telephone or fax numbers.
- H. Town shall notify County of any continuing employee vacancies and any positions that become vacant during the term of this Contract that will result in reduction of services to be provided under this Contract. Upon notice of vacancies, Town shall apprise County of the steps being taken to provide the services and to fill the position(s) as expeditiously as possible. Vacancies and associated problems shall be reported to County on each periodically required report as described in section II.T. for the duration of said vacancies and/or problems.
- I. Town shall designate an individual to serve as the primary point of contact for the Contract. Town shall notify the County Public Health Director or appointed designee when the primary contact will be unavailable/out of the office for one (1) or more workdays. Town or designee must respond to County inquiries within two (2) County business days.
- J. Town shall provide a system, approved by the County, through which recipients of services shall have the opportunity to express and to have considered their views and complaints regarding the delivery of services. The procedure must be in writing and posted in clear view, in public areas of the shelter.
- K. Town shall notify the CSPU of all upcoming meetings of the Town Council or other governing party and shall keep County apprised of any and all actions taken by its Town Council which may impact the Contract.
- L. Town shall not release any information/documents gained from performing services under this agreement without written authorization from the County's Animal Care & Control Division.
- M. Town shall make every reasonable effort to prevent the actual or apparent conflict of interest wherein its employees, consultants or members of its governing bodies use their positions for purposes that are or give the appearance of being motivated by a desire for private gain for themselves or others, such as those with whom they have family, business, or other ties. In the event County determines such a conflict of interest exists, any increase in costs associated with the conflict of interest may be disallowed by County and such conflict may constitute grounds for termination of the Contract. This provision shall not be construed to prohibit employment of persons with whom Town's officers, agents, or employees have family, business or other ties so long as the employment of such persons does not result in increased costs over those associated with the employment of any other equally qualified applicants and such persons have successfully competed for employment with other applicants on a merit basis.
- N. Except for actions resulting from the gross or sole negligence or willful misconduct of authorized County employees, agents, officers, or volunteers, Town agrees to indemnify, defend, and hold harmless the County and its authorized officers, employees, agents, and volunteers from any and all claims, actions, losses, damages, and/or liability arising out of this contract from any cause whatsoever, including the acts, errors, or omissions of any person and for any costs or expenses

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incurred by the County on account of any claim therefore, except where such indemnification is prohibited by law.

- O. Insurance – Without in anyway affecting the indemnity herein provided and in addition thereto, the Town shall secure and maintain throughout the Contract the following types of insurance with minimum limits as shown:

Town is self-insured by the Public Agency Risk sharing Authority of California (PARSAC).

- P. Town shall comply with all applicable laws, statutes, ordinances, administrative orders, rules or regulations relating to its duties, obligations and performance under the terms of the Contract and shall procure all licenses and pay all fees and other charges required thereby. Town shall maintain all required licenses during the term of this Contract. Failure to comply with the provisions of this section may result in immediate termination of this Contract.
- Q. Town shall comply with all applicable local health and safety clearances, including fire clearances, for each site where services are provided under the terms of this Contract.
- R. Equal Employment Opportunity Program and Civil Rights Compliance:
 - 1. Town warrants that it has an Equal Employment Opportunity Program (EEOP) in place, agrees to maintain the program, and assures they are in compliance with EEOP regulations.
 - 2. Town warrants that it has a Civil Rights Compliance Program in place, agrees to maintain the program and assures they are in compliance with civil rights regulations.
- S. Town agrees to comply with all applicable provisions of the Americans with Disabilities Act (ADA).
- T. Town shall use recycled and recyclable products, whenever practicable, in fulfilling the terms of this Contract. Recycled printed products shall include a symbol identifying the recycled material.
- U. Town understands and agrees that any and all legal fees or costs associated with lawsuits concerning this Contract shall be the Town's sole expense and shall not be charged as a cost under this Contract. In the event of any Contract dispute hereunder, each Party to this Contract shall bear its own attorneys' fees and costs regardless of who prevails in the outcome of the dispute.

IV. COUNTY RESPONSIBILITIES

- A. County may make sanitation inspections of the Town's facilities for the purpose of ascertaining conformance to the County's standards, regulations, and terms of the Contract.
- B. County shall provide impound slips, license application forms, license tags for animals, current tag list, and official receipt books for Town's use.
- C. County shall present animals for impoundment as described in Section II.A. except for large livestock (horses, cattle, pigs), which shall be impounded at the Devore Animal Shelter.
- D. County will monitor and evaluate the performance of the Town in meeting terms of the Contract and the quality and effectiveness of services provided based on criteria determined by the County.
- E. County shall compensate Town as specified in Section V., Fiscal Provisions.



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V. FISCAL PROVISIONS

- A. In consideration for the services provided by Town to County, County agrees to pay Town the actual cost of salaries/benefits, supplies, administrative overhead directly associated with the Town's provision of animal shelter service to the County in the manner described in Sections II. and III. of this Contract, subject to the restrictions of Section V.B., below.
- B. The maximum amount of payment made under this Contract shall not exceed \$274,257 for the period July 1, 2008 through June 30, 2009 and shall be subject to the availability of funds to the County. The consideration to be paid to Town, as provided herein, shall be in full payment for all Town's services and expenses incurred in the performance hereof, including travel and per diem. County shall not be responsible for any costs incurred by Town, associated with the Town's provision of animal shelter services to County, which exceed the maximum amounts identified in this paragraph.
- C. Payment Method:
 - 1. Town shall submit quarterly invoices to County no later than thirty (30) days following the end of each quarter. Quarterly invoices shall be based on actual cost minus the revenue received for that quarter, as specified in Section V.C.2. Town agrees that the "unanticipated costs" budget line item, included in **Attachment C**, shall only be used by Town if necessary and at contract year-end, to cover County share of cost directly associated with services defined in this Contract. Quarterly invoices must include all required reports as defined in Section II.R. of this contract.
 - 2. One hundred percent (100%) of the applicable shelter/field revenues and related penalty fees received for animals of the Unincorporated Areas of the County shall be credited to the County, which shall in turn reduce the quarterly contract amount owed by the County to the Town.
 - 3. All funds collected by Town for County in connection with the licensing of animals shall be paid to County on or before the fifteenth day of each month for the previous month's service, pursuant to Section II.U. of this Contract.
 - 4. County shall process Town's claim for payment within thirty (30) days following receipt of Town invoice.
- D. Costs for services under the terms of this Contract shall be incurred during the contract period except as approved by County. Town shall not use current year funds to pay prior or future year obligations.
- E. Funds made available under this Contract shall not supplant any federal, state or any governmental funds intended for services of the same nature as this Contract. Town shall not claim reimbursement or payment from County for, or apply sums received from County, with respect to that portion of its obligations that have been paid by another source of revenue. Town agrees that it will not use funds received pursuant to this Contract, either directly or indirectly, as a contribution or compensation for purposes of obtaining funds from another revenue source without prior written approval of the County.
- F. County is not liable for the payment of any taxes, other than applicable sales or use tax, resulting from this Contract however designated, levied or imposed, unless County would otherwise be liable for the payment of such taxes in the course of its normal business operations.

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- G. Town shall accept all payments from County via electronic funds transfer (EFT) directly deposited into the Town's designated checking or other bank account. Town shall promptly comply with directions and accurately complete forms provided by County required to process EFT payments.
- H. Town shall provide County with annual statistical data for County's preparation and filing of a State Mandated Refund (SB90) claim. The annual statistical data shall be due to County no later than November 30th following the Fiscal Year of service.

VI. RIGHT TO MONITOR AND AUDIT

- A. County shall have the absolute right to monitor the performance of Town in the delivery of services provided under this Contract.
- B. County or any subdivision or appointee thereof, and the State of California or any subdivision or appointee thereof, including the Auditor General, shall have absolute right to review and audit all records, books, papers, documents, corporate minutes, and other pertinent items as requested, and shall have absolute right to monitor the performance of Town in the delivery of services provided under this Contract. Full cooperation shall be given by Town in any auditing or monitoring conducted.
- C. Town shall cooperate with County in the implementation, monitoring and evaluation of this Contract and comply with any and all reporting requirements established by this Contract.
- D. All records pertaining to service delivery and all fiscal, statistical and management books and records shall be available for examination and audit by County, Federal and State representatives for a period of three years after final payment under the Contract or until all pending County, State and Federal audits are completed, whichever is later. Records of Town which do not pertain to the services under this Contract may be subject to review or audit unless otherwise provided in this Contract. Technical program data shall be retained locally and made available upon County's reasonable advance written notice or turned over to County. If said records are not made available at the scheduled monitoring visit, Town may, at County's option, be required to reimburse County for expenses incurred due to required rescheduling of monitoring visit(s). Such reimbursement will not exceed \$50 per hour (including travel time) and will be deducted from the following month's claim for reimbursement.
- E. Town shall provide all reasonable facilities and assistance for the safety and convenience of County's representatives in the performance of their duties. All inspections and evaluations shall be performed in such a manner as will not unduly delay the work of the Town.
- F. Upon County request, Town shall hire a licensed Certified Public Accountant, approved by the County, who shall prepare and file with County, within 60 days after the termination of the Contract, an audit of Town expenditures related to this Contract. The cost of such audit shall be shared equally by Town and County

VII. CORRECTION OF PERFORMANCE DEFICIENCIES

- A. Failure by Town to comply with any of the provisions, covenants, requirements or conditions of this Contract shall be a material breach of this Contract.
- B. In the event of a non-cured breach, County may, at its sole discretion and in addition to immediate termination and any other remedies available at law, in equity, or otherwise specified in this Contract:

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1. Afford Town thereafter a time period within which to cure the breach, which period shall be established at the sole discretion of County; and/or
2. Discontinue reimbursement to Town for and during the period in which Town is in breach, which reimbursement shall not be entitled to later recovery; and/or
3. Withhold funds pending duration of the breach; and/or
4. Offset against any monies billed by Town but not yet paid by County, those monies disallowed pursuant to Section VII, B.2. of this paragraph; and/or
5. Terminate this Contract and be relieved of the payment of any consideration to Town should Town fail to perform the covenants herein contained at the time and in the manner herein provided. In event of such termination, County may proceed with the work in any manner deemed proper by the County. The cost to County shall be deducted from any sum due to Town under this Contract and the balance, if any, shall be paid by Town upon demand.

VIII. TERM

This Contract is effective as of July 1, 2008 and expires June 30, 2009 but may be terminated earlier in accordance with provisions of Section IX. or Section X.I. of this Contract.

IX. EARLY TERMINATION

- A. The County may terminate the Contract immediately under the provisions of Section VII. of the Contract. In addition, the Contract may be terminated without cause by the County serving a written notice to the Town thirty (30) days in advance of termination. The County Public Health Director is authorized to exercise County's rights with respect to any termination of this Contract.
- B. Town shall only be reimbursed for costs and un-cancellable obligations incurred prior to the date of termination. Town shall not be reimbursed for costs incurred after the date of termination.

X. GENERAL PROVISIONS

- A. When notices are required to be given pursuant to this Contract, the notices shall be in writing and mailed to the following respective addresses listed below.

Town: Town of Yucca Valley
 Animal Care & Control
Attn: Animal Care & Control Manager
 57090 29 Palms Highway
 Yucca Valley, CA 92284

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County (Program Information):

County of San Bernardino
Department of Public Health
Animal Care & Control Program
Attn: Chief of Animal Care & Control
351 N. Mountain View, Third Floor
San Bernardino, CA 92415-0010

County (Contract Information):

County of San Bernardino
Department of Public Health
Attn: Contracts/Special Projects Unit
351 N. Mountain View, Second Floor
San Bernardino, CA 92415-0010

- B. Nothing contained in this Contract shall be construed as creating a joint venture, partnership or employment arrangement between the Parties hereto, because the Parties acknowledge and agree that at all times relevant to this Contract and for the services herein encompassed, that Town is an independent contractor; nor shall either Party have the right, power or authority to create an obligation or duty, express or implied, on behalf of the other Party hereto.
- C. Town shall not offer (either directly or through an intermediary) any improper consideration such as, but not limited to, cash, discounts, service, the provision of travel or entertainment, or any items of value to any officer, employee or agent of County in an attempt to secure favorable treatment regarding this Contract.

County, by written notice, may immediately terminate this Contract if it determines that any improper consideration as described in the preceding paragraph was offered to any officer, employee or agent of the County with respect to the proposal and award process. This prohibition shall apply to any amendment, extension or evaluation process once this Contract has been awarded.

Town shall immediately report any attempt by a County officer, employee or agent to solicit (either directly or through an intermediary) improper consideration from Town. The report shall be made to the supervisor or manager charged with supervision of the employee or to the County Administrative Office. In the event of a termination under this provision, County is entitled to pursue any available legal remedies.

- D. County shall have Power of Attorney to pay delinquent debts and unpaid wages for work provided under this Contract from accounts payable to Town in the event debts and wages have not been paid on a current basis.
- E. No waiver of any of the provisions of the Contract shall be effective unless it is made in a writing which refers to provisions so waived and which is executed by the Parties. No course of dealing and no delay or failure of a Party in exercising any right under the Contract shall affect any other or future exercise of that right or any exercise of any other right. A Party shall not be precluded from exercising a right by its having partially exercised that right or its having previously abandoned or discontinued steps to enforce that right.

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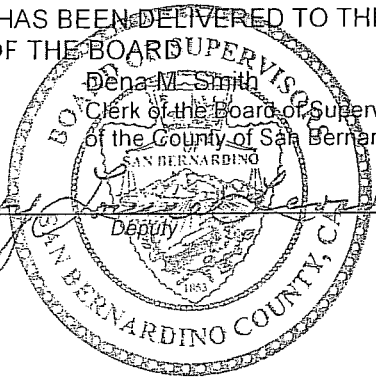
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COUNTY OF SAN BERNARDINO

Paul Biane
Paul Biane, Chairman, Board of Supervisors

Dated: NOV 18 2008

SIGNED AND CERTIFIED THAT A COPY OF THIS DOCUMENT HAS BEEN DELIVERED TO THE CHAIRMAN OF THE BOARD



Dena M. Smith
Clerk of the Board of Supervisors of the County of San Bernardino

By Mayor Robert J. Leone

TOWN OF YUCCA VALLEY

(Print or type name of corporation, company, contractor, etc.)

By Robert J. Leone
(Authorized signature (sign in blue ink))

Name Robert J Leone
(Print or type name of person signing contract)

Title Mayor
(Print or Type)

Dated: 10/10/2008

Address 57090 29 Palms Highway
Yucca Valley, CA 92284

Approved as to Legal Form
Makiko Morisaki
Makiko Morisaki, Deputy County Counsel
Date 11-5-08

Reviewed by Contract Compliance
Date

Presented to BOS for Signature
Jim Lindley
Jim Lindley, Director
Date 11-10-08

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TITLE 3: HEALTH AND SANITATION AND ANIMAL REGULATIONS**DIVISION 2: ANIMALS****Chapter 1: Animal Control Sections:**

- 32.0101 Definitions.
- 32.0102 Impoundment of Animals - Persons Charged with Enforcement.
- 32.0103 Disposition of Impounded Animals.
- 32.0104 Record of Impounded Animals
- 32.0105 Disposition of Dead Animals.
- 32.0106 Deleted by Ordinance 2100.
- 32.0107 Abandoned Animals.
- 32.0108 Control of Animals.
- 32.0109 Female Dogs and Puppies.
- 32.0110 Wild, Exotic or Non-domestic Animals in Captivity.
- 32.0111 Licensing of Animal Establishments Other Than Dog Kennels and Catteries.
- 32.0112 Application for a License to Operate.
- 32.0113 General Regulations Relating to Animals.
- 32.0114 Expiration of License.
- 32.0115 Renewal of License.
- 32.0116 Inspection.
- 32.0117 Revocation of License.
- 32.0118 License not Transferable.
- 32.0119 Animals Which Habitually Make Noise.
- 32.0120 Penalties.
- 32.0121 Injunction.

32.0101 Definitions.

- (a) The term "animal" as used herein shall mean any mammal, poultry, fowl, reptile, fish, or any other living creature.
- (b) The term "abandoned animal" as used herein shall mean any animal left unattended for a minimum of twenty-four (24) hours without receiving proper care and/or treatment by its owner or caretaker.
- (c) The term "animal control officer" as used herein shall mean any person duly appointed by the Health Officer and authorized to act on his/her behalf in the enforcement of the Animal Care and Control Program.
- (d) The term "animal menagerie" as used herein shall mean any place where wild animals are kept or maintained for private or commercial purposes, including places where wild animals are boarded, trained, or kept for hire.
- (e) The term "potentially dangerous animal" as used herein shall mean any of the following:
 - (1) Any animal which, unprovoked, on two separate occasions within any thirty-six month period, engages in any behavior that requires defensive action by any person to prevent bodily injury, but only if the person and the animal are off the property of the owner or keeper of the animal when the animal behavior occurs.
 - (2) Any animal, which, unprovoked, bites a person causing a less than severe injury, as defined in subsection (y) of this section.
 - (3) Any animal, which, unprovoked, kills, seriously bites or otherwise inflicts or causes injury to a domestic animal, but only if such occurs off the property of the owner or keeper of the attacking animal.
- (f) The term "animal shelter" as used herein shall mean all places where impounded animals are to be confined, whether by the County or by a private person or persons under contract or agreement with the County.
- (g) The term "vicious animal" as used herein shall mean any of the following:
 - (1) Any animal seized under section 599(aa) (fighting animals) of the California Penal Code and fighting dogs as provided in subdivision (a) of section 597.5 of the California Penal Code when there has been a conviction of the owner or keeper of the subject dogs under that subdivision of the Penal Code.
 - (2) Any animal which, unprovoked, inflicts severe injury on a human being, as such

- injury is defined in subsection (y) of this section, or kills a human being.
- (3) Any animal previously determined and currently listed as a potentially dangerous animal, which, after its owner or keeper has been notified of this determination, continues the behavior described in subsection 32.0101(e) or is maintained in violation of section 32.1405 of this Code.
- (h) The term "wild animal" as used herein shall mean any wild, exotic, dangerous or venomous animal, including but not limited to mammals, fowl, fish, or reptile.
- (i) The term "cat" as used herein shall mean all domesticated felines.
- (j) The term "chief officer" as used herein shall mean the San Bernardino County Public Health Program Manager assigned to the Animal Care and Control program or any other person so designated.
- (k) The term "dog" as used herein shall mean any dog of any age, female or male.
- (l) The term "altered dog" as used herein shall mean any dog which has been certified in writing by a veterinarian as being nonreproductive.
- (m) The term "guard dog" as used herein shall mean any dog used for the purpose of guard duty.
- (n) The term "unlicensed dog" as used herein shall mean any dog for which a current license has not been paid, or to which the current tag provided for in this Code is not attached.
- (o) The term "enclosure" as used herein shall mean a pen or structure suitable to confine an animal determined potentially dangerous or vicious. The enclosure shall be designed to prevent the animal from escaping and to prevent the entry of young children and other persons.
- (p) The term "health officer" as used herein shall mean the San Bernardino County Health Officer or any other person duly authorized to act on his/her behalf.
- (q) The term "impoundment" as used herein shall mean the picking up of an animal by a duly authorized person and bringing it into an animal shelter for confinement, custody, and disposition.
- (r) The term "leash" as used herein shall mean any rope, leather strap, chain or other material not exceeding six feet in length being held in the hand of a person capable of controlling the animal to which it is attached.
- (s) The term "license tag" as used herein shall mean a piece of metal or other durable material inscribed with a date and number which has been issued by the County or a municipal dog licensing agency.
- (t) The term "livestock" as used herein shall mean all domesticated bovine, equine, caprine, ovine and porcine species.
- (u) The terms "owner or keeper" as used herein shall mean any person who owns or maintains an animal, or who harbors or keeps an animal for fifteen (15) or more consecutive days, except a veterinarian or an operator of a grooming shop, a kennel or a pet shop engaged in the regular practice of this business.
- (v) The term "perimeter fence" as used herein shall mean a fence which shall guard and contain the enclosure and shall be totally separate from such enclosure and shall be a minimum of six (6) feet in height and shall be at least six (6) feet from the enclosure on all sides to prevent contact between the animal and the public.
- (w) The term "person" as used herein shall mean any person, firm, partnership, corporation, trust, or any association of persons.
- (x) The term "registration" as used herein shall mean that any animal which has been declared Potentially Dangerous or Vicious shall be registered as such with the Animal Care and Control Program.
- (y) The term "severe injury" as used herein shall mean any physical injury to a human being, which results in muscle tears or disfiguring lacerations or which requires multiple sutures or corrective or cosmetic surgery.
- (z) The term "shelterkeeper" as used herein shall mean the San Bernardino County Public Health Animal Shelter Supervisor assigned to the Animal Care and Control program or any other person so designated by the Health Officer.
- (aa) The term "stray" as used herein shall mean any animal with no identification or with no known owner or keeper.

Adopted Ordinance 962 (1961); Amended Ordinance 1455 (1968); Amended Ordinance 1603 (1970); Amended Ordinance 1764 (1972); Amended Ordinance 3804 (2000); Amended Ordinance 3908 (2004);

32.0102 Impoundment of Animals – Persons Charged with Enforcement.

- (a) The Sheriff and his deputies, Animal Control Officers, every Shelterkeeper and any person employed or designated for that purpose by the Board of Supervisors are hereby authorized and empowered to:
- (1) Capture, receive, take up and impound:
 - (A) Any dog or other animal found running at large in violation of this Code or of any law of the State of California.
 - (B) Any dog or other animal which is harassing any person.
 - (C) Any dog, which is harassing an animal upon the premises of any person's property or public place, including the owner's or keeper's property.
 - (D) Any animal, including wild animals, being kept or maintained within a person's property in violation of this Code or of any law of the State of California.
 - (E) Stray or abandoned animals.
 - (F) Dogs, which are not licensed or not vaccinated, in violation of this Code.
 - (G) Any animals delivered for disposition, by its owner, when the owner has paid the required fee and signed forms releasing all title and interest in the animal.
 - (H) Any animal which cannot be cared for by its owner or custodian because of the owner or custodian's imprisonment, illness, bankruptcy, litigation, or other contingency, or because the owner or custodian cannot be found.
 - (2) Regularly and adequately provide food, water and otherwise care for all animals impounded under the provisions of this Code.
 - (3) Take up and impound any sick or injured animal whose owner is unknown or unidentified; to humanely destroy any such injured animal, when, in the opinion of the officer, registered veterinary technician or a licensed veterinarian, such destruction is necessary and humane; and make proper disposition of such destroyed animal. Should the owner of an injured or destroyed animal be identified, the owner shall be immediately notified of its injury or destruction.
 - (4) Perform any other acts necessary to carry out the provisions of this Code and of the laws of the State of California relating to animals.
- (b) The officer having custody of any impounded animal may, by humane methods, summarily destroy the animal if:
- (1) the animal is suffering from any incurable or contagious disease as certified to by a licensed veterinarian or registered veterinary technician and the destruction has been approved by the Chief Officer, or designee, of the Animal Care and Control Program;
 - (2) the animal is in the field and it is too severely ill or injured to move or where a veterinarian is not available and it would be more humane to dispose of the animal and the destruction is approved by the Chief Officer, or designee, of the Animal Care and Control Program;
 - (3) the animal is in the act of killing, wounding or persistently pursuing a human being.
- (c) Except as provided in Food and Agriculture Code sections 3175 or 31108 for owner redemption, any officer having in his/her custody any unlicensed, impounded animal not suffering from any infectious or communicable disease may release the animal to any adult person who will pay the pound fees and charges as specified in the San Bernardino County Code Schedule of Fees. If a resident of an unincorporated area, the person shall also pay rabies vaccination and license fees for a dog.
- (d) All the provisions of this Code pertaining to impounded, unlicensed dogs, except the licensing provisions thereof, shall apply to impounded cats.
- (e) The Shelter keeper or any duly authorized person shall have the right to receive and dispose of animals delivered into his/her possession by their owners and shall charge a fee for each animal delivered into custody pursuant to San Bernardino County Code Schedule of Fees.
- (f) Any impounded animal that has not been redeemed or adopted may be disposed of by euthanasia in accordance with State and County laws.

Adopted Ordinance #962 (1961); Amended Ordinance #1455 (1968); Amended Ordinance #1603 (1970); Amended Ordinance #1764 (1972); Amended Ordinance #3804 (2000);

32.0103 Disposition of Impounded Animals.

- (a) An impounded animal may be redeemed by payment of a specified shelter fee in addition to the daily charges and other charges, if any, for each day the animal has been impounded, pursuant to the San Bernardino County Code Schedule of Fees.
- (b) Any dog over the age of four (4) months that has been impounded shall not be released from the pound, or from any shelter that is under contract with the County of San Bernardino, unless it shall first be licensed in accordance with the provisions of this Code.
- (c) Any officer acting under the provisions of this Code and impounding a licensed dog or otherwise identifiable animal, shall give notice of the impounding of the animal in person or by first class mail, postage prepaid, to the last known address of the owner. If the animal is not redeemed and the owner or possessor does not pay the license fee, obtain a license tag, and pay the fees required as specified in this Code after notice has been given, the officer shall destroy or dispose of such animal.
- (d) In accordance with California Food & Agriculture Code, sections 30503 (c) (dogs: spay/neuter), 31108 (b) (impounded dog) and 31752 (b) (cats: spay/ neuter) in which the County is authorized to release any stray dog or cat that is impounded prior to it being euthanized to an animal rescue group that has entered into an agreement with the County, the adoption fee and spay/neuter deposit shall be waived on said animal and authority is given to the Health Officer to enter into such agreements.

Adopted Ordinance #962 (1961); Amended Ordinance #1753 (1972); Amended Ordinance #1764 (1972); Amended Ordinance #3804 (2000);

32.0104 Record of Impounded Animals. Each Shelterkeeper, Animal Control Officer, or any other duly authorized person, shall keep a record of all animals impounded by him/her that shall show:

- (a) Date of impoundment.
- (b) License tag number, if any.
- (c) Complete description of animal.
- (d) Date and manner of its disposal, and
- (e) If redeemed, sold or rescued, the name and address of the person by whom redeemed, purchased or rescued, the amount of all fees and other monies received or collected by him/her and the disposition thereof.

Adopted Ordinance #962 (1961); Amended Ordinance #1753 (1972); Amended Ordinance #1764 (1972); Amended Ordinance #3804 (2000);

32.0105 Disposition of Dead Animals.

When any dog or other animal owned by or in the custody or control of any person or found in any person's private property dies, such person shall, within twenty-four (24) hours, provide for the burial, incineration, or other disposition of the body of such dead animal in a safe and sanitary manner.

It shall be unlawful for any person to dispose of the body of such dead animal in any public or private property, other than his own, without proper authorization from the County Health Department.

Adopted Ordinance #962 (1961); Amended Ordinance #1753 (1972); Amended Ordinance #1764 (1972); Amended Ordinance #3804 (2000);

32.0106 Deleted by Ordinance 2100 (1976).

Adopted Ordinance #962 (1961); Amended Ordinance #1764 (1972); Amended Ordinance #1767 (1972); Amended Ordinance #1779 (1972); Amended Ordinance #1821 (1973); Amended Ordinance #3804 (2000);

32.0107 Abandoned Animals.

It shall be unlawful to abandon any animal in the County of San Bernardino.

Adopted Ordinance #962 (1961); Amended Ordinance #1603 (1970); Amended Ordinance #1753 (1972); Amended Ordinance #1764 (1972); Amended Ordinance #3804 (2000);

32.0108 Control of Animals.

- (a) No person owning or having control of any animal shall permit such animal to stray, to run at large upon any private or public street, sidewalk, schoolground, public park, playground, place of public assembly or any other public place or upon any unenclosed private lot or other unenclosed private place or upon any private property without the consent of the owner or person in control thereof. Parkways comprising the area between the street and sidewalk shall be included as private property for purposes of this section.
- (b) Any person who finds any animal which has strayed or is running at large upon his/her own property or any other place contrary to the provisions of this chapter, may take possession of and hold same provided, within four (4) hours after securing possession thereof, he/she shall notify the Health Officer or Animal Control Officer or the Sheriff of the fact that he/she has such animal in his/her possession and give the Health Officer, Animal Control Officer, or Sheriff full information in regard to the animal, including a complete description of the animal and license number, if any, and shall surrender the animal to the Health Officer, Animal Control Officer, or Sheriff upon demand.
- (c) No person may lawfully bring his/her dog out of his/her property unless:
 - (1) The dog is restrained by a leash and is in the charge of a person competent to restrain the dog; or
 - (2) The dog is properly restrained and enclosed in a vehicle, cage or similar enclosure.
- (d) Any dog found running at large, running loose or unrestrained may be impounded by the Health Officer, Animal Control Officer, or Sheriff for a period of not less than ninety-six (96) hours. Any unclaimed dogs shall then be destroyed or disposed of in accordance with section 32.0103 of this Code.
- (e) There shall be a reclaiming fee for all impounded dogs, as set forth in the San Bernardino County Code Schedule of Fees.
- (f) A person having custody of any dog shall not permit, either willfully or through failure to exercise due care or control, any such dog to defecate or urinate upon a public street or sidewalk; the floor of any common hall in any apartment house, hotel or other multiple dwelling; upon any entrance way, stairway, or wall immediately abutting on a public sidewalk; or upon the floor of any theater, shop, store, office building, or other building used by the public.

Adopted Ordinance #962 (1961); Amended Ordinance #1764 (1972); Amended Ordinance #1767 (1972); Amended Ordinance #1779 (1972); Amended Ordinance #1821 (1973); Amended Ordinance #3804 (2000);

32.0109 Female Dogs and Puppies.

- (a) It shall be unlawful for any person to permit any female dog that is owned, harbored or controlled by that person, when said female dog is in heat or in season or breeding condition, to be unconfined and in such a manner that it attracts stray male dogs.
- (b) All dogs under four (4) months of age and until vaccinated shall be confined to the premises of or kept under physical restraint by the owner or keeper. Nothing in this chapter shall be construed to prevent the sale or transportation of a puppy younger than four (4) months of age.

Adopted Ordinance #962 (1961); Amended Ordinance #1764 (1972); Amended Ordinance #2100 (1976); Amended Ordinance; Amended Ordinance #3804 (2000);

32.0110 Wild, Exotic or Nondomestic Animals in Captivity.

No person shall have, keep, maintain, breed, sell, trade or let for hire, any wild, exotic, dangerous, or nondomestic animal without first applying to any receiving special authorization from the Health Officer. The keeping or maintenance of such animals shall also conform to the appropriate zoning codes as well as laws and regulations promulgated by the State of California and the Federal government.

The Health Officer may authorize the keeping or maintaining of any wild, exotic, dangerous or nondomestic animal when, in his or her opinion, any such animal may be kept or maintained without endangering the safety of any person, any animal or property, nor create a nuisance; provided however, that the Health Officer may require any such animal be properly caged, tethered, or restrained, and may create such additional requirements as may be necessary and proper under the circumstances. The Health Officer shall also require that the owner or keeper of any privately owned wild, exotic, dangerous or nondomestic animal pay a license fee as specified in the County Schedule of Fees; the initial fee to be paid at the time of application. The Health Officer may revoke such authorization when, in his or her opinion, the safety of any person, other animal or property is endangered, or the keeping of such animal creates a nuisance.

The provisions of this section shall not be applicable to licensed circuses, carnivals, zoos, or other collections of wild animals under jurisdiction of a city, or the State or Federal government.

Adopted Ordinance #962 (1961); Amended Ordinance #1512 (1969); Amended Ordinance #1764 (1972); Amended Ordinance #2995 (1986); Amended Ordinance #3804 (2000);

32.0111 Licensing of Animal Establishments Other Than Dog Kennels And Catteries.

No person shall conduct or operate any pet shop, pet grooming parlor, public aquarium, game bird farm, petting zoo, wild animal breeding or boarding facility, or animal menagerie, without first obtaining a license from the County Health Officer. Any such establishment shall also conform to the appropriate zoning codes.

Adopted Ordinance #962 (1961); Amended Ordinance #1764 (1972); Amended Ordinance #3804 (2000);

32.0112 Application for a License to Operate.

An application for a license to operate a pet shop, pet grooming parlor, public aquarium, game bird farm, petting zoo, wild animal breeding or boarding facility, or animal menagerie, shall be made in writing to the Health Officer. Not later than ten (10) days after receipt of the application by the Health Officer, the facilities for which said license is requested will be examined by the Health Officer. No license shall be issued or renewed unless and until all general regulations relating to animals, as set forth by the Health Officer, are complied with, and an annual fee as specified in the County Schedule of Fees is paid. Any building or structure used in the housing or maintaining of said animals shall be approved by the County Building Department.

32.0113 General Regulations Relating to Animals.

Every person within the County of San Bernardino who owns, conducts, manages, or operates any animal establishment for which a license is required by this chapter, shall comply with each of the following conditions:

- (a) Housing facilities for animals shall be structurally sound and shall be maintained in good repair to protect animals from injury and restrict entrance of other animals.
- (b) All animals and all animal buildings or enclosures shall be maintained in a clean and sanitary condition.
- (c) All animals shall be supplied with sufficient good wholesome food and water as often as the feeding habits of the respective animals require.
- (d) Animal buildings and enclosures shall be so constructed and maintained as to prevent the escape of animals.
- (e) All reasonable precautions shall be taken to protect the public from the animals and animals from the public.
- (f) Every building or enclosure wherein animals are maintained shall be properly ventilated to prevent drafts and to remove odors. Heating and cooling shall be provided as required according to the physical needs of the animals.
- (g) All animal rooms, cages, and runs shall be of sufficient size to provide adequate space for

- (h) clean water and proper housing for animals kept therein. All animal runs shall be approved construction and shall be provided with adequate waste and manure disposal and for drainage into an approved sewer or individual sewer disposal installation.
- (i) All animals shall be taken to a licensed veterinarian for examination and treatment if so ordered by the Health Officer.
- (j) Every precaution shall be taken to avoid the production of nuisances and any hazard to the public health as a result of the presence of any wild, dangerous and/or exotic animals.
- (k) Every violation of applicable regulation shall be corrected within a reasonable time to be specified by the Health Officer.
- (l) Failure of the applicant for said license to comply with any of the foregoing conditions shall be deemed just cause for the denial of any license, whether original or renewal.

Adopted Ordinance #962 (1961); Amended Ordinance #1764 (1972); Amended Ordinance #3804 (2000);

32.0114 Expiration of License.

Any license issued under this chapter shall expire at the end of such fiscal year in which the license is issued.

Adopted Ordinance #962 (1961); Amended Ordinance #1764 (1972); Amended Ordinance #3804 (2000);

32.0115 Renewal of License.

The procedure for the renewal of any license shall be subject to the same conditions and shall be done in the same manner as the issuance of an original license.

Adopted Ordinance #962 (1961); Amended Ordinance #1764 (1972); Amended Ordinance #3804 (2000);

32.0116 Inspection.

The Health Officer shall have the authority to enter upon any area or premises to enforce the provisions of this chapter.

Adopted Ordinance #962 (1961); Amended Ordinance #1764 (1972); Amended Ordinance #3804 (2000);

32.0117 Revocation of License.

The Health Officer may revoke any license issued pursuant to this chapter, whenever he or she shall determine from an inspection that any animal establishment fails to meet all conditions contained in section 32.0113, or for any other violation of this chapter.

Any revocation of a license shall be effective until all conditions of section 32.0113 have been met and complied with or such other violation of this chapter has been remedied, to the satisfaction of the Health Officer and written notice of this fact has been given to the licensee. Upon receipt of notice of compliance the license shall be deemed in full force and effect for the remainder of the original term for which issued.

Adopted Ordinance #962 (1961); Amended Ordinance #1764 (1972); Amended Ordinance #3804 (2000);

32.0118 License Not Transferable.

Licenses issued pursuant to this chapter shall not be transferable, except when the owner of such property sells the original property that included a licensed animal establishment within such property, and the licensed animal establishment remains within the confines of the original property.

Adopted Ordinance #962 (1961); Amended Ordinance #1764 (1972); Amended Ordinance #3804 (2000);

32.0119 Animals Which Habitually Make Noise.

- (a) Excluding noise from property not zoned for residential purposes (property without "R" in its zoning classification), it shall be unlawful for any person owning or having control of one or more of any animal, either willfully or through failure to exercise proper control, to allow such animal to habitually bark, howl, crow, or make any other loud noises in such a manner as to at any time, day or night, cause general annoyance or discomfort to a neighboring inhabitant. The standard of general annoyance or discomfort is a "reasonable person"

standard, i.e., the noise is such that a reasonable person, under the same or similar circumstances, would suffer annoyance or discomfort.

- (b) Evidence of a violation may be based upon complaints from neighboring inhabitant(s), hereby defined as persons living within two hundred (200) yards of such animal owner or keeper's premises, or if said animal wanders outside of said premises, within two hundred (200) yards of any place where such animal wanders outside of said premises.

If there is more than one neighboring inhabitant, as defined above, evidence of a violation requires complaints from at least two (2) neighboring inhabitants living in separate residences.

If there is only one neighboring inhabitant, evidence of a public nuisance may be based on a complaint from only one (1) person or persons in that household.

If there is more than one neighboring inhabitant, as defined above, evidence of a public nuisance may, upon application of a single complaining neighboring inhabitant, be established by that person by seeking a waiver from the chief officer of the two-complainant requirement. To obtain such a waiver, a single complainant shall provide to the Animal Control Officer additional credible evidence of a violation, which may include, but is not limited to, tape recordings, videotapes, sound monitoring logs, photographs, maps, or declarations of other persons.

If the complainant(s) lives in excess of two hundred (200) yards of such animal owner or keeper's premises, that person or those persons may establish evidence of a violation by seeking a waiver from the chief officer of the two hundred (200) yard requirement. To obtain such a waiver, a complainant or complainants living more than two hundred (200) yards from the noise shall provide to the Animal Control Officer additional credible evidence that he/she/they are experiencing a level of noise comparable to a person residing within two hundred (200) yards of the noise, which evidence may include, but is not limited to, tape recordings, videotapes, sound monitoring logs, photographs, maps, or declarations of other persons living a similar distance away from the noise.

- (c) The Animal Control Officer will substantially follow the procedures below in responding to all complaints of noisy animals, however, the procedures and timelines set forth herein are discretionary and not mandatory. Should a particular stage in the process take longer than the period set forth, or should exceptional circumstances require any of the periods be shortened, the process may proceed to the next step without the necessity of repeating any prior step.

- (1) Upon receiving an initial complaint from any person, either orally or in writing, the owner(s) or keeper(s) of the animal that may be violating this section will be sent a courtesy abatement letter. The letter will notify the owner(s) or keeper(s) that San Bernardino County Animal Care and Control has received a complaint or complaints regarding his/her/their animal(s) that may be in violation of this section, describing the substance of the complaint. The letter will also explain the process and potential costs/consequences for all parties of the process going to citation, will encourage the parties to attempt to resolve the complaint themselves, and, if that is unsuccessful, to seek mediation services, and will provide information on free and low cost mediation services available. Upon sending out the initial courtesy abatement letter, Animal Care and Control personnel will enter the date and address of the animal owner or keeper in the Nuisance Animal Noise Letter Log that is kept on file. A blind copy of the letter will be sent to the complainant, with a cover memo requesting the complainant contact Animal Care and Control if the noise has not abated by the end of the two-week period specified in the letter. At the same time the initial letter is sent, the complainant will be sent a Nuisance Animal Noise Information Sheet along with two Nuisance Animal Noise Complaint Forms, with instructions that, if the nuisance has not abated by the end of the two week period, to complete the form

- and have at least one neighboring inhabitant in a separate household complete the second form. The complainants must complete and sign the forms under penalty of perjury, and return them to Animal Care and Control. The letter shall also contain a Waiver Application Form, and advise a single complainant, or complainants or a complainant that lives further than two hundred (200) yards from the animal owner(s) or keeper(s), that he/she/they may, by filling it out, obtain from the chief officer a waiver of the two-complainant requirement. Upon sending out the Nuisance Animal Noise Information Sheet and Nuisance Animal Noise Complaint Form, Animal Care and Control personnel will enter the date, complainant's name and address and the alleged violator's name and address on the Nuisance Animal Noise Complaint Form Log that is kept on file.
- (2) If, at the end of the two-week period, the complainant(s) advise(s) Animal Care and Control that the noise is not abated, the complainant(s) will be advised that he/she/they may file a formal written complaint by submitting the Nuisance Animal Noise Complaint Form. At the time of this second contact, in which the complainant(s) indicate(s) that a nuisance animal noise problem still exists, the Nuisance Animal Noise Letter Log will be checked to verify that an initial letter has been sent to the animal owner or keeper.
 - (3) Upon receipt of two or more completed Nuisance Animal Noise Complaint Forms, or one if there is only one neighboring inhabitant or a waiver of the two-complainant rule is granted, an Animal Control Officer will be assigned to serve a Notice of Violation on the animal owner(s) or keeper(s). The notice shall be served in person, or sent first class mail, postage prepaid, and shall advise the animal owner or keeper that he/she will be given two-weeks from the mailing or service of the notice to comply with the provisions of this section in order to avoid further enforcement action. A file will be kept on the residential address of the animal owner or keeper. The completed Nuisance Animal Noise Complaint Form(s) and a copy of the Notice of Violation will be kept on file. A blind copy of the Notice of Violation will be sent to the complainant(s), with a cover memo requesting the complainant(s) contact Animal Care and Control if the noise has not abated by the end of the two-week period specified in the Notice of Violation.
 - (4) If, at the end of the two-week period specified in the Notice of Violation, the complainants or complainant advises Animal Care and Control that the noise is not abated, a citation will be issued to the violator. The complainants or complainant at that stage must be willing to have his/her/their name(s) appear on the citation in the area designated for "arresting officer". An Animal Control Officer will be assigned to issue a citation to the animal owner or keeper for violation of this section on behalf of the complainant(s). The Animal Control Officer will sign the citation in the area designated for "issuing officer".
 - (5) Each subsequent day, or portion thereof, that an animal owned or kept by a party receiving a Notice of Violation creates an animal noise nuisance beyond the two-week period specified in (4) above, shall constitute a separate violation and a separate citation may be issued. For each citation issued, steps (6) and (7) below shall be followed.
 - (6) Once a citation or citations have been issued to the animal owner or keeper, the issuing Animal Control Officer must complete an Investigation Report. The immediate supervisor or Supervising Animal Control Officer II will review the court's copy of the citation or citations and the completed Investigation Report. After the report has been approved and typed, the following documents will be attached and forwarded to the appropriate court:
 - (A) Court's copy of the citation or citations.
 - (B) Investigation Report.
 - (C) Copy of the Notice of Violation.
 - (D) All copies of the Nuisance Animal Noise Complaint Form or forms received from the complainant or complainants, if there is more than one complainant.
 - (7) A complete copy of the documents that are forwarded to the appropriate court will be

placed in the file kept on the animal owner or keeper.

Adopted Ordinance #3280 (1988); Amended Ordinance #3804 (2000);

32.0120 Penalties.

- (a) Any person, firm, partnership, corporation or other entity violating any provision of this chapter shall be guilty of an infraction or misdemeanor as hereinafter specified. Each day or portion thereof such violation is in existence shall be a new and separate offense. Any person so convicted shall be:
 - (1) Guilty of an infraction offense and punished by a fine not exceeding one hundred dollars (\$100.00) and not less than fifty dollars (\$50.00) for a first offense.
 - (2) Guilty of an infraction offense and punished by a fine not exceeding two hundred dollars (\$200.00) and not less than one hundred dollars (\$100.00) for a second offense.
 - (3) The third and any additional offenses shall constitute misdemeanors and shall be punishable by fines not exceeding one thousand dollars (\$1,000.00) and not less than five hundred dollars (\$500.00) or six (6) months in jail, or both.
 - (4) Notwithstanding the above, a first or second offense may be charged and prosecuted as a misdemeanor.
- (b) Payment of any fine or service of a jail sentence shall not relieve a person, firm, partnership, corporation or other entity from the responsibility of correcting the condition resulting from the violation.
- (c) In addition to the above penalties, the court may order that the guilty party reimburse the County for all of its costs of investigating, analyzing, inspecting, abating and prosecuting the enforcement action against the guilty party. The court shall fix the amount of any such reimbursement upon submission of proof of such costs by the County.
- (d) The owner, manager, and operator of every activity or facility subject to this chapter shall be responsible for any violation of this chapter by an employee.

Adopted Ordinance #3280 (1988); Amended Ordinance #3804 (2000);

32.0121 Injunction.

Any violation of this chapter is hereby declared to be unlawful and a public nuisance. Upon request of the Health Officer, an action for injunctive relief may be commenced for the abatement, removal and enjoinder thereof in the manner provided by law. Application shall be made to such court that has jurisdiction to grant such relief to abate or remove such illegal activity and to restrain any person from engaging in such illegal activity. This remedy shall be in addition to any other civil or criminal relief or penalty.

Adopted Ordinance #3804 (2000);

TITLE 3: HEALTH AND SANITATION AND ANIMAL REGULATIONS**DIVISION 2: ANIMALS****Chapter 2: Rabies (Biting and Bitten Animals: Vaccination and Licensing)****Sections:**

- 32.021 Duty to Report Animal Bites.
- 32.022 Confinement of Biting Animal.
- 32.023 Reporting and Confinement of Rabid Animals.
- 32.024 Disposition of Animals Bitten by Rabid Animals.
- 32.025 Posting of Quarantine Sign.
- 32.026 Prohibiting the Keeping and Sale of Skunks.
- 32.027 Possession of Unvaccinated Dogs.
- 32.028 Vaccination.
- 32.029 License Responsibility.
- 32.0210 License Application.
- 32.0211 License Fees.
- 32.0212 Exceptions to Vaccination.
- 32.0213 Penalty Fee.
- 32.0214 Effective Duration of License.
- 32.0215 Duplicate License Tag.
- 32.0216 Wearing of Tag.
- 32.0217 Falsification of License Tag.
- 32.0218 Unlawful Use of Tag.
- 32.0219 Exemption of Payment of License Fee.
- 32.0220 Categories of Dogs Not Requiring License.
- 32.0221 Transfer of Ownership.
- 32.0222 Renewal of License.
- 32.0223 Authority to Enter Any Premises.
- 32.0224 Penalty Provisions.

32.021 Duty to Report Animal Bites.

It shall be the duty of any person having knowledge that any animal subject to rabies, whether or not the animal is suspected of having rabies, has bitten any human being within the unincorporated areas of the County to immediately report that fact to the Health Officer or to the Sheriff with full information in regard to the incident.

Amended Ordinance #1764 (1972);

32.022 Confinement of Biting Animal.

Upon receipt of a report that a person has been bitten by an animal subject to rabies (all warm -blooded mammals), any person authorized to enforce the provisions of this chapter, is hereby empowered to enter upon any private property, including the home or residence where the biting animal is kept or has strayed, to inspect and strictly isolate, and to seize and impound if necessary, in a place and manner approved by the County Health Officer, any such animal for a period of ten (10) days (for dogs and cats) and fourteen (14) days (for other animals). Excepted are rodents, (members of the order Rodentia) rabbits and hares (members of the order Lagomorpha).

Notwithstanding the foregoing provisions, the Health Officer may authorize, with permission of the owner, if known, and other legal restrictions permitting, the euthanasia of a biting animal for the purpose of laboratory examination for rabies using the fluorescent rabies antibody (FRA) test in the County Health Department Laboratory.

It shall be unlawful for any person to remove from any place of isolation or quarantine, any animal which has been isolated or quarantined under the provisions of this chapter, without the consent of the Health Officer.

Amended Ordinance #1764 (1972);

32.023 Reporting and Confinement of Rabid Animals.

It is the duty of any person having knowledge of the whereabouts of an animal known to have or suspected of having rabies to report the fact immediately to the Health Officer. If such person is the owner or possessor or has custody of such animal, he shall immediately confine it and keep said animal strictly confined until it shall be established to the satisfaction of said official that such animal has or has not rabies.

Where such owner or possessor does not have the proper facility for such confinement, or where the owner of such rabid or suspected rabid animal is not known, such animal shall be isolated in strict confinement under proper care and under the observation of a licensed veterinarian in a pound, veterinary hospital, or other adequate facility in a manner approved by the County Health Officer, and shall not be killed or released for at least ten (10) days after the onset of symptoms suggestive of rabies. If such animal creates a menace to the public health and safety, the Health Officer or his representative may kill or destroy the animal forthwith and examine it for rabies in the laboratory using the fluorescent rabies antibody (FRA) test in the County Health Department Laboratory.

Whenever any such owned biting animal is quarantined in a place other than the premises of its owner, all expenses incurred in its confinement shall be the liability of the owner, possessor or custodian of such biting animal.

Amended Ordinance #1764 (1972);

32.024 Disposition of Animals Bitten by Rabid Animals.

Any animal that is subject to rabies which has been exposed to a known rabid animal or suspected rabid animal shall, upon notification of its owner, possessor or custodian, be:

- (a) Immediately securely confined in a place and manner approved by the Health Officer for a period of six (6) months; or
- (b) Immediately destroyed unless the biting animal is determined by laboratory examination to be negative from rabies; except that in the case of dogs and cats, the following alternative is permitted:
 - 1) The dog or cat shall be revaccinated and then quarantined for a period of thirty (30) days provided such dog or cat has been vaccinated not less than thirty (30) days, with a rabies vaccine approved by the California State Department of Public Health.

The Health Officer may, in his discretion, kill or quarantine the animal so bitten, in case the owner, possessor or custodian, thereof shall fail to do so immediately, or in case the owner, possessor or custodian thereof is not readily accessible or is not known.

The carcass of any dead animal exposed to rabies will, upon demand, be surrendered to the Health Officer. Upon the discretion of the Health Officer, the County Health Laboratory shall examine for rabies specimens of high-risk or medium -risk animals involved in a biting incident. Specimens of low-risk animals may be examined upon payment of reasonable laboratory fees.

Amended Ordinance #1512 (1969); Amended Ordinance #1764 (1972); Amended Ordinance #2354 (1979);

32.025 Posting of Quarantine Sign.

It shall be the duty of any person authorized to enforce the provisions of this chapter to post an appropriate sign in a conspicuous place at a location where a dog or cat or any biting, vicious or rabid animal is being

quarantined or confined to warn the public of this fact. It shall be unlawful for anyone to obstruct the posting of such a sign or to remove or destroy such a posted sign without permission of the Health Officer.

Amended Ordinance #1512 (1969); Amended Ordinance #1764 (1972);

32.026 Prohibiting the Keeping and Sale of Skunks.

It shall be unlawful for any person, firm or corporation to (a) trap or capture skunks for pets; (b) trap, capture or hold skunks in captivity for sale, barter, exchange or gift; and (c) transport skunks from or into the County, except that the importation or exportation of skunks may be permitted by the Health Officer for recognized zoological gardens or research institutions.

Amended Ordinance #1764 (1972);

32.027 Possession of Unvaccinated Dogs.

It shall be unlawful for any person within the County of San Bernardino, outside municipal corporations, to own, have an interest in, harbor and feed, or have the care, charge, custody, or possession of a dog over the age of four (4) months, whether such dog is confined or not, unless such dog has a current vaccination with the rabies vaccine approved by the California State Department of Public Health and is officially tagged as provided for in this chapter. Said vaccine shall be used exclusively to vaccinate all dogs within the County of San Bernardino. Vaccination with said vaccine shall be valid for a period not to exceed one (1) year when administered to a dog under one (1) year of age, or three (3) years when administered to a dog over one (1) year of age.

Amended Ordinance #1764 (1972); Amended Ordinance #3402 (1990);

32.028 Vaccination.

Said rabies vaccination shall be performed only by a veterinarian who is duly licensed to practice in the State of California. Vaccination for rabies may be done in any veterinary clinic or hospital or in a low-cost rabies vaccination clinic sponsored by the County or any incorporated city.

Amended Ordinance #1764 (1972);

32.029 License Responsibility.

- (a) Every resident in the unincorporated areas of San Bernardino County who owns, has an interest in, harbors and feeds, or has the care, charge, custody, or possession of a dog four (4) months of age or over, and whether such dog is confined or not, shall obtain a San Bernardino County dog license for such a dog. Each dog shall have a current rabies vaccination as evidenced by a valid rabies certificate issued by the veterinarian who performed the vaccination as a requisite to licensing. Provided further that rabies vaccination certificate shall not be required if the license is obtained at the time the dog is vaccinated at a County or City low-cost clinic.
- (b) While a dog is being used as a guard dog within the unincorporated area of San Bernardino County, it must have a San Bernardino County dog license and the license tag must be securely fixed to the dog's collar regardless of where the owner resides and whether a license has been obtained for that jurisdiction.

Amended Ordinance #1764 (1972); Amended Ordinance #2354 (1979);

32.0210 License Application.

Each application for a license shall be in writing upon a form to be furnished by the Health Officer, and shall contain such information as the Health Officer, by rule or regulation, shall require.

Amended Ordinance #1764 (1972);

32.0211 License Fees.

Each application for a dog license shall be accompanied by a license fee as specified in the County fee schedule, and shall be obtained:

- (a) Within a period of thirty (30) days after expiration of a San Bernardino County dog license;
- (b) Within thirty (30) days after said dog attains the age of four (4) months;
- (c) Within fifteen (15) days after the purchase or obtaining control, care or custody of a dog which previously attained the age of four (4) months, and provide further the proof of recent acquisition as indicated by the date of purchase receipt as shown at the time of application; or
- (d) Within thirty (30) days after the date of establishing residency in the County provided further that said dog had a current license from another county or a city and within fifteen (15) days if said dog has no current license.

Amended Ordinance #1764 (1972); Amended Ordinance #1795 (1973); Amended Ordinance #2000 (1975); Amended Ordinance #3208 (1988); Amended Ordinance #3402 (1990);

32.0212 Exceptions to Vaccination.

Notwithstanding the provisions of this chapter, a dog may be exempted from rabies vaccination if such vaccination would jeopardize the health of such dog due to infirmity or other disability provided the owner has in his possession a written certification from a licensed veterinarian attesting to such infirmity or disability. The owner or custodian of such dog shall, within ten (10) days after the termination of such infirmity or disability, cause such dog to be vaccinated and licensed. Any such dog with infirmity or disability shall be securely confined within its owner's or harborer's premises so that it does not come in contact with any other animal or person.

Amended Ordinance #1764 (1972);

32.0213 Penalty Fee.

Any person who obtains a license not in conformity with any of tile provisions of Section 32.0211, shall pay a penalty fee as specified in the County Fee Schedule in addition to the regular license fee.

Amended Ordinance #1764 (1972);

32.0214 Effective Duration of License.

The San Bernardino County dog license shall remain valid for a period not less than one (1) month and not greater than thirty-six (36) months.

Amended Ordinance #1764 (1972); Amended Ordinance #3402 (1990);

32.0215 Duplicate License Tag.

When the original license tag is lost, a duplicate tag shall be obtained upon submission to the Health Officer such proof as he may require. The cost of each duplicate tag shall be as specified in the County Fee Schedule.

Amended Ordinance #1764 (1972);

32.0216 Wearing of Tag.

It shall be the responsibility of every County resident who owns, harbors, cares for, or has in custody a

licensed dog, to securely attach or fasten the license tag to the dog's collar or harness so that such tag is worn by the dog at all times except while such dog remains indoors or in any enclosed yard or pen where the dog cannot escape.

Amended Ordinance #1764 (1972);

32.0217 Falsification of License Tag.

It shall be unlawful for any person to place upon or attach to a dog any false, counterfeit or unauthorized tag for the purpose of evading the provisions of this chapter.

Amended Ordinance #1764 (1972);

32.0218 Unlawful Use of Tag.

It shall be unlawful to attach a license tag on a dog to which said tag was not originally issued. It shall be unlawful to attach a license tag to any dog that does not have a current rabies vaccination.

It shall be unlawful for an unauthorized person to remove from any dog, any collar or harness or other device to which is attached a San Bernardino County license tag for the current year or remove such tag therefrom.

Amended Ordinance #1764 (1972);

32.0219 Exemption of Payment of License Fee.

- (a) The Health Officer may, upon his/her discretion, issue a license without payment of the required license fee to an owner or custodian of a dog, if such dog meets the following conditions:
- (1) Such dog is a guide dog and the owner is blind or deaf and can submit proof that such dog has been successfully trained to lead the blind or aid the deaf as a guide dog.
 - (2) Such dog is a service dog and the owner is handicapped and can submit proof that such dog has been successfully trained to aid the handicapped as a service dog.

Amended Ordinance #1764 (1972); Amended Ordinance #3402 (1990);

32.0220 Categories of Dogs Not Requiring License.

San Bernardino County license is not required for the following categories of dogs, however, they must have a current rabies vaccination:

- (a) Any dog within the unincorporated areas of the County when the owner thereof resides in any municipality within the County, and such dog is wearing or has attached to it a license tag for the current year issued by such municipality.
- (b) Any dog owned by or in the charge of any person who is a nonresident of the County and is traveling through the County or temporarily sojourning therein for a period of not exceeding thirty (30) days.
- (c) Any dog brought into the County and kept therein for a period not exceeding thirty (30) days for the exclusive purpose of entering the same in any bench show or dog exhibition or field trials or competition.
- (d) Any dog brought or sent into the unincorporated territory of the County from any point outside thereof for the exclusive purpose of receiving veterinary care in any dog hospital, in the event that such dog is kept at all times strictly confined within such hospital.
- (e) Dogs kept for the sole purpose of being used for research in research institutions approved by the California State Department of Public Health.
- (f) Dogs over four (4) months of age which are offered for sale in a duly licensed pet shop or dog kennel.

Amended Ordinance #1764 (1972);

32.0221 Transfer of Ownership.

If a currently licensed dog is sold or title to the dog is otherwise transferred to a new owner, such new owner may apply to the Health Officer for a transfer of such dog's tag and license and pay a transfer fee as specified in the County Fee Schedule. Upon receipt of such application fee, the Health Officer shall issue a certificate of transfer of such tag and the name and addresses of the owner and new owners.

Amended Ordinance #1764 (1972); Amended Ordinance #3402 (1990);

32.0222 Renewal of License.

Each San Bernardino County dog license shall expire on the date recorded on the license receipt and shall be renewed:

- (a) Prior to expiration or within a period of thirty (30) days after expiration.
- (b) Within one hundred and twenty (120) days after license expiration, or thirty (30) days after expiration of the vaccination, whichever date is later if rabies vaccination expires during the period of July 1, 1990, through October 31, 1990.

Amended Ordinance #1764 (1972); Amended Ordinance #3402 (1990)

32.0223 Authority to Enter Any Premises.

The Health Officer shall have the authority to enter upon any area or premises to enforce the provisions of this chapter.

Amended Ordinance #1764 (1972);

32.0224 Penalty Provisions.

Any person violating any of the provisions of this chapter shall be guilty of an infraction and upon being found guilty thereof, shall be punished as set forth in Section 11.021 of this Code, pertaining to the penalty for infractions.

Amended Ordinance #1795 (1973); Amended Ordinance #2354 (1979)

TITLE 1: GOVERNMENT AND ADMINISTRATION
 DIVISION 6: COUNTY FEES
 CHAPTER 2: Schedule of Fees.
 Section: 16.0213A Health Services.

EFFECTIVE July 1, 2008

- (b) Animals:
 - (1) Animal handling:
 - (A) Pick-up/handling of dog or cat
 - (I) During normal operating hours \$35.00
 - (II) Picked up between 6:00 p.m. & 7:00 a.m. \$70.00
 - (B) Pick-up, euthanasia, and disposal of owned animal (owner requested) \$70.00
 - (C) Apprehension fee (leash law areas only):
 - (I) Altered dog, loose dog violation
 - (i) First violation \$40.00
 - (ii) Second violation \$80.00
 - (iii) Third & every subsequent violation \$180.00
 - (II) Unaltered dog or cat, loose animal violation
 - (i) First violation \$80.00
 - (ii) Second violation \$160.00
 - (iii) Third & every subsequent violation \$210.00
 - (III) Animal picked up after hours (6p.m.–7a.m.)\$70.00 additional
 - (IV) Refund to animal owner if animal is altered within thirty (30) days of redemption (owner must apply) \$40.00
 - (D) Trap rentals, per day \$2.00
 - (E) Large animals, pickup and impoundment: (see Section 32.012)
 - (I) Pickup for large animals: horses, cattle \$52.00/hour/minimum 1 hour
 - (II) Pickup for small animals: goats, calves and pigs \$52.00/hour/minimum 1 hour
 - (III) Pickup for sheep:
 - (i) 1 - 20 sheep \$52.00/hour/minimum 1 hour
 - (ii) over 20 sheep \$52.00/hour/minimum 1 hour
 - (F) Animal Investigations:

ATTACHMENT B

- (I) Investigation time\$52.00/hour
- (II) Investigation report \$25.00
- (III) Vicious Animal Compliance Inspection \$50.00/year
- (G) Quarantine of Animals (other than at shelter):
 - (I) At owner's home \$25.00
 - (II) Quarantine break\$52.00/hour
- (2) Animal licensing:
 - (A) Dog license fees:
 - (I) Unspayed/un-neutered monthly fee \$8.00
 - (II) Spayed/neutered monthly fee
 - (ii) 1-23 months \$1.25
 - (ii) 24-35 months \$1.05
 - (iii) 36 or more months \$1.00
 - (III) Spayed/neutered - owned by persons 65 years of age or older (monthly) \$0.75
 - (IV) Spayed/neutered - owned by disabled persons - monthly fee \$0.75
 - (V) Delinquent fee (waived at licensing clinic) (does not include annual fee) \$15.00
 - (VI) Medically Determined monthly fee\$2.00
(Animal is at high risk for Spay/Neuter surgery)
 - (B) Voluntary cat registration fees:
 - (I) Unspayed/unneutered monthly fee..... \$0.75
 - (II) Spayed/neutered monthly fee \$0.50
 - (III) Spayed/neutered - owned by persons 65 years of age or older (monthly) \$0.25
 - (IV) Spayed/neutered - owned by disabled persons - monthly fee \$0.25
 - (C) New owner registration of currently licensed/registered animal \$3.00
 - (D) Replacement dog/cat tag \$3.00
 - (E) Registration of dog/cat currently licensed/registered in another jurisdiction and issuance of County tag \$3.00

(3)	Animal sheltering:	
(A)	Impound and disposal fee:	
	(I) Initial Impoundment	\$44.00
	(II) Daily (after initial impoundment)	\$9.00
(B)	Euthanasia fee:	
	(I) Dogs	\$35.00
	(II) Cats	\$25.00
(C)	Dead animal disposal	\$5.00
(D)	Owner turned in animals	
	(I) Without adoption hold	\$35.00
	(II) With adoption hold	\$50.00
(E)	Spay/Neuter fee	
	(I) Dog (over 4 months)	\$55.00
	(II) Cat (over 4 months)	\$30.00
(F)	Adoption fee (persons 65 or older exempt - 1 per year)	
	(I) Dog	\$15.00
	(II) Cat	\$10.00
	(III) Puppy (under 4 months)	\$20.00
	(IV) Kitten (under 4 months)	\$15.00
(G)	Adoption fee – horses	\$300.00
(H)	Adoption fee – donkeys	\$300.00
(I)	Adoption fee - pigs 200 lbs. in weight or more	\$150.00
(J)	Adoption fee - pigs under 200 lbs. in weight	\$50.00
(K)	Adoption fee – sheep	\$50.00
(L)	Adoption fee – goats	\$50.00
(M)	Adoption fee – rabbits	\$5.00
(N)	Adoption fee - chickens and other fowl	\$5.00

- (O) Daily board charge:
 - (I) Horses, cattle, large animals per day \$10.00
 - (II) Calves, sheep, small animals per day \$8.00
 - (III) Chickens, other fowl per day \$2.00
Maximum holding period - 7 days. After 7 days, animals will be sold at public auction to reclaim County expense.
- (O) Microchip Fee\$20.00
- (P) Vaccination Fees:
 - (I) Dogs – 5 in 1\$10.00
 - (II) Cats – 4 in 1\$8.00
- (4) Kennel license:
 - (A) 5 - 10 dogs \$150.00
 - (B) 11 - 15 dogs \$155.00
 - (C) 16 - 20 dogs \$160.00
 - (D) 21 - 30 dogs \$170.00
 - (E) 31 - 40 dogs \$180.00
 - (F) 41 - 60 dogs \$190.00
 - (G) 61 - 80 dogs \$205.00
 - (H) 81 - 100 dogs \$215.00
 - (I) 101 - 150 dogs \$250.00
 - (J) For each successive range of 50 dogs, add \$55.00
- (5) Cattery License:
 - (A) 5 - 10 cats \$140.00
 - (B) 11 - 20 cats \$150.00
 - (C) 21 - 30 cats \$160.00
 - (D) 31 - 40 cats \$170.00
 - (E) 41 - 50 cats \$180.00
 - (F) For each successive range of 10 cats, add \$40.00

- (6) Calf growers permit fees:
 - (A) 10 - 2,500 calves \$365.00
 - (B) 2,501 - 5,000 calves \$425.00
 - (C) 5,001 - 10,000 calves \$480.00
 - (D) 10,001 calves or more \$645.00
- (7) Privately owned wild, exotic or non-domestic animals permit fee..... \$150.00/year
- (8) Game bird farm permit fee \$190.00/year
- (9) Pet grooming parlor permit fee \$145.00/year
- (10) Pet shop permit fee \$165.00/year
- (11) Petting zoo permit fee \$110.00/year
- (12) Public aquarium permit fee \$85.00/year
- (13) Animal menagerie permit fee \$225.00/year
- (14) Wild animal breeding or boarding permit fee \$165.00/year
- (15) Miscellaneous animal auction/swap meet permit fee \$110.00/year
- (16) Application fee for permit to operate an educational (student) animal project \$17.00
- (17) Hog ranch permit fee:
 - (A) Less than 5,000 hogs \$365.00/year
 - (B) 5,001 to 10,000 hogs \$550.00/year
 - (C) Over 10,000 hogs \$825.00/year
- (18) Application fee - kennels, catteries, menageries, exotic animals \$165.00
- (19) Renewal application late fee – kennels, catteries, menageries, exotic animals 25% of permit fee
- (20) Application fee – pet shops, grooming parlors \$85.00
- (21) Renewal application late fee – pet shops, grooming parlors 25% of permit fee

TOWN OF POCONO VALLEY
 FY 2008-2009 ESTIMATED BUDGET

ATTACHMENT C

Cost Item	Total Cost to Contractor	Percent Charged to Contract	Total Cost to Contract
A. Salaries and Benefits			
1. Position Title - Animal Care & Control Manager			
FTE - 1.0			
Salary & Benefits	\$96,945	25%	\$24,236
2. Position Title - Animal Shelter Supervisor			
FTE - 1.0			
Salary & Benefits	\$79,290	50%	\$39,645
3. Position Title - Administrative Assistant II			
FTE - 1.0			
Salary & Benefits	\$65,492	25%	\$16,373
4. Position Title - Animal Control Officer I			
FTE - 1.0			
Salary & Benefits	\$55,058	50%	\$27,529
5. Position Title - Animal Control Officer I			
FTE - 1.0			
Salary & Benefits	\$55,089	50%	\$27,545
6. Position Title - Kennel Tech			
FTE - 1.0			
Salary & Benefits	\$45,828	50%	\$22,914
7. Position Title - Kennel Tech			
FTE - 0.5			
Salary & Benefits	\$12,495	50%	\$6,248
8. Position Title - Overtime - Shelter Staff			
FTE -			
Salary & Benefits	\$3,444	50%	\$1,722
Subtotal A	\$413,642	---	\$166,212
B. Services and Supplies			
1. Office Supplies	\$1,800	50%	\$900
2. Operating Supplies	\$2,900	50%	\$1,450
3. Animal Food/Bedding	\$12,500	50%	\$6,250
4. Veterinary Supplies	\$14,500	50%	\$7,250
5. Clothing	\$1,700	50%	\$850
6. Custodial Supplies	\$3,800	50%	\$1,900
7. Reference Materials	\$500	50%	\$250
8. Tools & Equipment	\$1,300	50%	\$650
9. Professional Services	\$60,000	50%	\$30,000
10. Contract Legal Svcs	\$1,500	50%	\$750
11. Utilities	\$13,000	50%	\$6,500
12. Computer Maint.	\$2,500	50%	\$1,250
13. Maintenance - Equipment	\$1,000	50%	\$500
14. Printing	\$2,000	50%	\$1,000
15. Conferences/Travel	\$2,400	50%	\$1,200
16. Dues/Memberships	\$500	50%	\$250
17. Basic Phone	\$1,800	50%	\$900
18. Internet/DSL	\$3,600	50%	\$1,800
19. Vehicle Replacement	\$7,000	50%	\$3,500
Subtotal B	\$134,300	---	\$67,150
Subtotal A	\$413,642	---	\$166,212
Subtotal B	\$134,300	---	\$67,150
Administrative Overhead	\$31,925	50%	\$15,962
Program Cost Sub-Total	\$579,867	---	\$249,324
Unanticipated Costs (10%)	\$57,987	---	\$24,932
Total	\$637,854	P.60 ---	\$274,256

TOWN COUNCIL STAFF REPORT

To: Honorable Mayor & Town Council
From: Curtis Yakimow, Director of Administrative Services
Jessica Rice, Administrative Assistant III
Date: February 27, 2014
For Council Meeting: March 4, 2014

Subject: Beverage Container Recycling City/County Payment Program

Prior Council Review: None.

Recommendation: That Town Council authorizes Staff to send a letter to Assembly Member Brian Nestande and Senator Jean Fuller seeking support against the elimination of the existing Beverage Container Recycling City/County payments.

Order of Procedure:

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

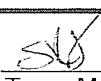
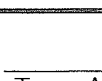

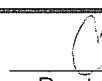
Discussion: California's Beverage Container Recycling Program includes a legislatively mandated \$10.5 million annual payment to city and county governments for beverage container recycling and litter reduction activities. The Town currently receives approximately \$5,700 per year that helps to support the Earth Day event as well as other education and recycling programs.

The Governor and CalRecycle are proposing to shift this funding to other CalRecycle programs, thus eliminating the payments to cities and counties. Staff is seeking Council direction to send a letter to legislative officials to oppose the elimination of these payments.

Since the Town is a member of the Mojave Desert and Mountain Recycling Authority, the JPA's administrator has drafted a sample letter which Staff would use as a template to send to the legislative officials.

Alternatives: None recommended

Fiscal impact: The Town would not receive the annual payment of approximately \$5,700

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 checked="" type="checkbox"/> Consent	<input checked="" type="checkbox"/> Minute Action	<input type="checkbox"/> Receive and File	<input type="checkbox"/> Study Session

that is used to support the Earth Day event, as well as other education and recycling programs.

Attachments: Sample draft letter to legislative officials
Background information on City/County payment program elimination

Dear Senator/Assembly Member

Re: Governor's Budget Proposal to Cut City and County Payments - Beverage Container Recycling – Oppose

The Mojave Desert and Mountain Recycling Authority includes eight cities and unincorporated San Bernardino County working together since 1992 to provide recycling opportunities and information to our residents and businesses. During 2012/2013 our members received nearly \$170,000 from CalRecycle through a straight-forward and effective annual payment program that is a key to local efforts providing and promoting recycling opportunities.

This legislatively mandated program supports local beverage container recycling and litter reduction activities such as containers for apartment dwellers and businesses, public information and outreach, and recycling in public spaces and visitor areas.

Unfortunately CalRecycle and the Governor are proposing to shift funding from the City and County payments to other CalRecycle programs. The CalRecycle staff analysis supporting this shift includes unsubstantiated, misleading, questionable, and contradictory information apparently intended only to justify cannibalizing the City and County payments.

The Beverage Container Recycling Program currently expends over \$100 million more annually than it receives in revenue, and is using accumulated reserves when container recycling rates were lower. Legislative action is needed to fix some of the Programs structural issues, but eliminating a successful program based on spurious information is not good policy. Shifting City and County payments to new and ongoing CalRecycle programs does nothing to address the annual shortfall.

Please help to preserve the City and County payments now. The Authority's Administrator John Davis is available for your questions or comments, at recyclingjpa@gmail.com or (909) 797-7717.

Sincerely,

Cc: Carol Mortensen, Director, CalRecycle, 1001 I Street, Sacramento, CA 95814

Chris McKenzie, Executive Director, League of California Cities, 1400 K Street Suite 400, Sacramento, CA 95814

John Davis, Mojave Desert and Mountain Recycling Authority

Mojave Desert and Mountain Recycling Authority Board

Proposed Beverage Container Recycling Program Reforms Focused on City and County Payment Program Elimination

Background

California's Beverage Container Recycling Fund (BCRF) currently expends over \$100 million more annually than it receives in revenue. That is, beverage distributors annually pay roughly \$100 million less into the BCRF (as California redemption payments) than the Program is required to payout for:

1. California Redemption Value (CRV) when consumers redeem their used beverage containers at certified recycling centers);
2. Other program payments mandated by statute, and
3. Program operations.

The payments required by law combined with the annual appropriation to operate the program guarantee that expenditures will exceed revenues any time the recycling rate (i.e., the ratio of containers redeemed to containers sold) is greater than roughly 75 percent (the currently-estimated "breakeven" point). Statute sets the recycling rate goal as 80 percent. The current rate is 84 percent.

In recent years, reserves in the BCRF-accumulated when recycling rates were below the break-even point-have offset the program's structural deficit and provided the liquidity necessary to maintain operations. CalRecycle projects that, on a cash basis, the reserves will be depleted by July 2015. The FY 2012-13 structural deficit is \$121 million.

CalRecycle's most recent (November 2013) Quarterly Report on the Status of the Beverage Container Recycling Fund forecasts that the Program will require nearly \$161 million in expenditure reductions in 2015-16.

The Governor's 2014-15 budget proposes several programmatic changes to ensure the BCRF's fiscal integrity, while continuing efforts to increase the state's recycling rate. These program reforms, as well as those implemented through budget actions last year, were developed through a stakeholder process aimed at addressing the structural imbalance and better aligning financial incentives to encourage recycling. This proposal focuses on increasing Program fiscal sustainability, reducing non-critical expenditures and improving the effectiveness of some remaining expenditures while promoting increased recycling.

Specifically, the Budget proposes the following reforms:

- **Three-year phase-out of processing fee subsidies.** Currently, the program subsidizes glass and plastic manufacturers by offsetting a portion of the cost to recycle containers. Under this proposal, manufacturers will ultimately bear the full cost of recycling. A three-year phase out will provide the industry with time to adjust to these reductions.
- **Eliminate fee payments.** Administrative fees paid to processors and recyclers will be eliminated, while also relieving their administrative burden by requiring and facilitating electronic filing.
- **Redirect existing funds to support local recycling and deter fraud.** Eliminating existing city and county payments, and redirecting funds to increase a competitive grant program by \$3.5 million and establish a \$7 million Recycling Enforcement competitive grant program.
- **Diversify funding for local conservation corps.** Reducing \$15 million of existing BCRF grant funding to local conservation corps, and redirecting a like amount of other

special funds to support local corps recycling programs. New funding for local corps will be provided by the Tire Recycling Management Fund (\$5 million), the Electronic Waste Recovery and Recycling Account (\$8 million), and the Used Oil Recycling Fund (\$2 million). The BCRF would provide \$6 million in grants.

In total, when fully implemented, these proposals will reduce annual SCRF expenditures by roughly \$127 million (as compared to actual past expenditures), increase processing fee revenues by roughly \$67.4 million (in FY 2016-17) and improve the effectiveness of an additional \$10 million in SCRF expenditures

City and County Grants

CalRecycle claims to “improve expenditure effectiveness of programs funded from the California Beverage Container Recycling Fund” by:

- Expanding the existing beverage container recycling competitive grant program,
- Creating a Recycling Enforcement Grant program for local agencies
- Providing funding for the new and/or expanded grants by redirecting existing payments to cities and counties (amend, delete or add Sections 14581, 14591.1 and 3 new sections of the Public Resources Code)”

CalRecycle’s analysis states:

Payments to Cities and Counties: Statute [PRC Section 14581 (a) (4)] mandates a \$10.5 million annual payment to incorporated city and county governments for unspecified beverage container recycling and litter reduction activities. CalRecycle issues the full \$10.5 million payment once per year distributing it in proportion to the population residing in each jurisdiction. To receive payment, jurisdictions simply complete a one-page request form.

The existing city/county payment program was created by Chapter 815, Statutes of 1999 (SB 332) as a program to assist local jurisdictions to comply with Chapter 1095, Statutes of 1989 (AB 939) stipulating 50% waste diversion by the year 2000. At that time, many cities and counties had not yet achieved the diversion goal, and the payments were intended to assist in reaching that goal by providing resources to implement beverage container recycling programs. As of 2012, the statewide per capita diversion rate stands at about 65 % and the overall beverage container recycling rate is at an all-time high reaching 83% in FY 2011-12.

Cities and counties receive payment by submitting a request to CalRecycle with little else expected other than that the money be used for beverage container recycling- or litter reduction-related activities. There is little accountability for the use of the funds. While the program's flexibility may help the jurisdictions (by allowing them, in effect, to use the payment in any manner that they please), the program does not allow CalRecycle to direct funding to specific activities promoting BCRF policy goals. Current law does not allow or require any oversight or reporting.

Each year CalRecycle selects 60 jurisdictions at random from the roughly 540 jurisdictions which received payment that year. CalRecycle requests that those randomly-selected jurisdictions submit a report of expenditures identifying how the payment was spent. The jurisdictions receiving payment have no other obligations under current statute.

Comments on Cal Recycle's analysis:

To receive payment, jurisdictions simply complete a one-page request form. PRC 14581(a)(4)(E) requires that the request form not exceed one double sided page. Since the funds are allocated on a per-capita basis (with a \$5000 minimum), and the statute specifies use, it is unclear why a more elaborate and lengthy request form is needed.

The existing city/county payment program was created by Chapter 815, Statutes of 1999 (SB 332) as a program to assist local jurisdictions to comply with Chapter 1095, Statutes of 1989 (AB 939) stipulating 50% waste diversion by the year 2000. At that time, many cities and counties had not yet achieved the diversion goal, and the payments were intended to assist in reaching that goal by providing resources to implement beverage container recycling programs. Neither SB 332 nor the bill's ten committee and floor analyses mention AB 939 at all, let alone describing intent that the payments were related to diversion goal satisfaction. Beverage containers generally comprise a relatively small fraction of municipal generation (less than 4% of disposed waste in 1999).

Cities and counties receive payment by submitting a request to CalRecycle with little else expected other than that the money be used for beverage container recycling- or litter reduction-related activities. The statute specifies (C) that "[t]hese funds shall not be used for activities unrelated to beverage container recycling or litter reduction." Furthermore (B) states:

"Eligible activities for the use of these funds may include, but are not necessarily limited to, support for new or existing curbside recycling programs, neighborhood dropoff recycling programs, public education promoting beverage container recycling, litter prevention, and cleanup, cooperative regional efforts among two or more cities or counties, or both, or other beverage container recycling programs."

Moreover CalRecycle's Notice of Funds Available: City/County Payment Program (FY 2013/14), and accompanying City/County Payment Program Guidelines, advise recipients (emphasis added) that:

"Pursuant to Section 14581(a)(4)(C) of the Public Resources Code, these funds shall not be used for activities unrelated to beverage container recycling or litter abatement. Approved activities are listed in the "Activities" tab, by category, on the Funding Request. An "other" box is provided to allow additional activities to be listed. These are subject to approval by CalRecycle."

CalRecycle's NOFA even adds to the list of legislated activities:

- "Eligible activities include, but are not necessarily limited to:
- Supporting AB 341 Mandatory Commercial Recycling requirements.
 - Infrastructure for businesses to recycle beverage containers.
 - Support for new or existing beverage container recycling programs for multi-family residential dwellings.
 - Public education and outreach that includes a beverage container recycling component."

The guidelines also provide notes on specific expenditures for:

- Advertising/Promotion: If you plan to spend City/County Payment Program funds on advertising/promotion, submit the artwork, brochure, radio script, flyer, poster or advertisement to the assigned Regional Recycling Representative for your jurisdiction for approval prior to going to print/production. Regional Recycling Representatives are listed on the Funding Request page in CAPRS.
- Recycled Content Products: If you are purchasing recycled content products, please ensure the recycled content includes beverage containers. The intent of the funds is to promote beverage container recycling.
- CRRRA Conference: If you anticipate attending the California Recycling Recovery Association annual conference, please limit the expenditures to registration and travel for no more than two (2) staff. Travel expenses must follow the criteria for State Travel expenses. The DPA website has the most current info related to travel expenses reimbursable by the State (<http://www.dpa.ca.gov/personnel-policies/travel/personal-vehicle-mileage-reimbursement.htm>)
- Personnel Hours: If you are charging personnel hours, ensure they are auditable by hours. City/County Payment Program funding will only pay for direct time toward increasing beverage container recycling.
- Litter Clean-Up Event: If you are sponsoring a litter cleanup event, in which beverage containers are part of the waste stream and are being recycled, city/county payment funds may be used to pay for charges related to the cleanup. This may include supplies (bags, liners, grabbers, gloves), personnel, and safety items (i.e., water, vests, goggles). However, giveaways, incentives, food and/or T-shirts are ineligible expenditures.
- SWAG: In accordance with the governor's directive, promotional items are ineligible expenses under CalRecycle's grant/direct payment programs. More information on this directive can be found at the following link:
<http://www.calrecycle.ca.gov/Grants/SWAG/default.htm>

Jurisdictions must contact CalRecycle if changes are proposed to pre-approved activities.

There is little accountability for the use of the funds. The NOFA advises that:

"Each eligible recipient must maintain documentation for a minimum of three years from the date of project completion. Cities and counties will be randomly chosen to submit a report of expenditures; therefore, all entities should be prepared to report how fiscal year 2013/14 City/County Payment Program funds were spent. Jurisdictions chosen to submit a report will be notified by email."

The Budget proposal indicates that "Each year CalRecycle selects 60 jurisdictions at random from the roughly 540 jurisdictions which received payment that year. CalRecycle requests that those randomly-selected jurisdictions submit a report of expenditures identifying how the payment was spent."

However the proposal does not indicate whether the expenditure reports vary from the pre-approved activities; or what accountability is needed beyond the 5-page program guidelines and local jurisdictions own laws, policies and practices.

While the program's flexibility may help the jurisdictions (by allowing them, in effect, to use the payment in any manner that they please), the program does not allow CalRecycle to direct funding to specific activities promoting BCRF policy goals.

As described above, CalRecycle provides considerable program direction – enumerating eligible activities (both generally and specifically) including activities not contained in the empowering legislation; requiring activity identification and pre-approval; and setting guidelines for specific expenditures. It is unclear what specific activities would promote “BCRF policy goals” better than those listed in the NOFA and Guidelines.

The statement that jurisdictions are allowed “in effect, to use the payment in any manner that they please” is specious and inflammatory. Perhaps the comment is intended to criticize the “program flexibility” that allows local discretion in fund expenditures. Perhaps CalRecycle would prefer directing the use of the funds locally. The proposal indicates (State Level Considerations) that *“the proposal's restructuring of grant programs is consistent with the Administration's approach to shifting responsibility to the most appropriate and effective level of government.”* Apparently the proposal assumes that the State may more appropriately and effectively decide local priorities than cities and counties.

All recycling is local, and City and County staff possess far more knowledge of local conditions than someone sitting in Sacramento. Yet the proposal clearly intends to substitute local discretion with centralized control, and to do so with no discussion as to why the State may better make local decisions affecting local programs. If CalRecycle's experience with the Recycling Grant Program suggests that some needs are unaddressed locally, that information should be shared with city and county staff. A school district implementing a recycling program, for example, may not be aware that containers and program information can be provided by local coordinators or haulers. Cities and counties may use Payment Program funding if they were to learn of apparent unmet needs. CalRecycle should not sit on that information, and then claim that the apparent unmet needs justify their taking over local decisions.

The Recycling Enforcement Agency Grants discussion indicates that *“This proposal would be consistent with the Governor's realignment efforts which are predicated on the idea that costs are minimized when government actions occur at the lowest possible level.”* City and County Payments fit into comprehensive local programs, and those programs continually adjust to changed local conditions. State run programs are largely insensitive to local conditions and rather impose conditions that direct local efforts. If the State decides that interior recycling containers should be emphasized, for example, local governments that already provide those containers are penalized and those that fail to provide those containers are rewarded. Conversely a jurisdiction wanting to provide public space containers would receive no support.

The ability to write a convincing competitive grant application, or to pitch a State priority program, is inconsistent with government cost minimization at the lowest possible level. City and County Payment flexibility allows more money to spent on programs and less on overhead or grantsmanship, while empowering the people closest to actual recycling.

Current law does not allow or require any oversight or reporting. Current law also does not specifically allow 60 random expenditure reports. Prudent management includes reporting and

oversight. The Beverage Container Recycling Grant Program authorization is far briefer than the City and County language:

PRC 14581(a)(5)(A) One million five hundred thousand dollars (\$1,500,000) may be expended annually in the form of grants for beverage container recycling and litter reduction programs.

The budget proposal does not mention that "Current law does not allow or require any oversight or reporting" for the Recycling Grant Program.

Funding

The Budget Proposal includes information about BCRF funding.

1. Two tables show Projected Structural Deficits (one under proportional reductions on page 5, and the other under proposed program reforms on page 13). Both tables list 2012-2013 Redemption Fee Revenue as \$1,162,265,000. However the three subsequent years show projected revenue of \$1,131,347,000. The Beverage Container Recycling Fund Condition Statement (Fund 0133), Projected Revenues and Expenditures as of October 1, 2013, uses the same figures.
2. The logic in using reduced Redemption Fee Revenue is unaddressed although the Fund Condition Statement does acknowledge the increased Redemption Fee Revenue for the quarter ending September 30, 2013, and includes a chart showing the increased revenue.
3. The Fund Condition Statement includes narrative that:

"During the past year CalRecycle successfully implemented regulations that require beverage distributors and manufacturers to register with the department and to notify CalRecycle if another entity has agreed to report and make payments on behalf of that beverage distributor. To facilitate registration, CalRecycle has also developed an online electronic registration tool that makes it easier for manufacturers and distributors to become recognized participants in the program.

"Moreover, CalRecycle analyzed point of sale data that revealed 735 beverage distributors and manufacturers that were not registered in California to sell beverages in CRV labeled containers. CalRecycle is in the process of contacting these businesses to educate them of the registration requirements and to determine if Redemption Fees are due."

The Statement indicates that 3,182 distributors and manufacturers pay redemption fees and processing fees into the program. Increase that total by nearly 25% suggests that ever more funds are likely to be paid into the program. Since those unregistered distributors and manufacturers may already be selling covered containers, those containers may already be redeemed. So any additional revenue would contribute directly to fund balance.

4. The Budget Proposal would not change the Distributor Administrative Fees retention. Administrative fees retained by distributors totaled approximately \$17 million in fiscal year 2012-2013. Eliminating Distributor Administrative Fees would increase BCRF revenue by \$17 million, more than enough to expand the Beverage Container Grant Program and institute the Recycling Enforcement Agency Grant Program without cannibalizing the City/County Payment Program.

While the Distributor Administrative Fees retention may be a quid-pro-quo for CalRecycle to receive submit additional data on redeemable containers sold or transferred in California, cities and counties should not be penalized for something that CalRecycle could require with rewarding distributors.

5. The Budget Proposal dismisses the suggestion that to add new beverages to the BCRF, since this would “not eliminate the structural deficit nor avoid proportional reductions.” However the additional containers would generate more revenue in excess of redemption payments to be directed to programs like expanding the Beverage Container Grant Program and adding a Recycling Enforcement Agency Grant Program while preserving cannibalizing the City/County Payment Program.

Since recycling rates typically are lower for new containers or beverages, their addition would add proportionately revenue initially.

If more glass containers, i.e. wine and liquor, were included consumers would be incentivized to redeem them rather than adding them disproportionately to curbside containers where they significantly contaminate recycling and compost materials.

TOWN COUNCIL STAFF REPORT

To: Honorable Mayor & Council
From: Curtis Yakimow, Director of Administrative Services
Date: February 26, 2014
For Agency Meeting: March 4, 2014

Subject: Review and affirmation of the Long Range Property Management Plan (LRPMP) for the Successor Agency to the Dissolved Yucca Valley Redevelopment Agency

Prior Council Review: Prior approval of various related facility master plans, the Old Town Specific Plan and other long-term planning guidance documents.

Recommendation: Review and adopt the resolution affirming the Long Range Property Management Plan (LRPMP) of the Successor Agency to the Dissolved Town of Yucca Valley Redevelopment Agency.

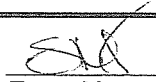

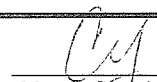
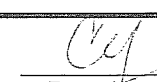
Executive Summary/Discussion: Health and Safety Code Section 34191.5, added by AB 1484 (signed into law on June 27, 2012), requires each successor agency to prepare and approve a long range property management plan (LRPMP) that addresses the disposition and use of the real properties of the former redevelopment agency.

Order of Procedure:

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

Discussion:

State Assembly Bill X1 26 requires successor agencies to dispose of real property assets owned by former redevelopment agencies as part of their dissolution process. Clarification on the disposal of assets was addressed in AB 1484, which directed successor agencies to prepare a Long Range Property Management Plan (LRPMP) to be submitted to the Oversight Board and the State Department of Finance within six months of receiving a Finding of Completion.

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

The plan, included as an attachment to this report, represents the Long Range Property Management Plan that was submitted by the Successor Agency after review by the Oversight Board in September of 2013.

AB 1484 stipulates that the LRPMP must include an inventory and site history of each of the former Agency-owned properties as well as a plan for the future use or disposition of each site. AB 1484 allows for four permissible uses of the properties, including:

1. The retention of the property for governmental use.
2. The retention of the property for future development.
3. The use of the property to fulfill an enforceable obligation (either through sale of the property or revenue received from license agreements or rents).
4. Sale of the property

Successor Agency Properties

The Agency currently holds 15 parcels under prior Yucca Valley Redevelopment Agency title. These properties were purchased in accordance with the prior RDA’s approved Five-Year Implementation Plan, Town Facility Master plans, Old Town Specific Plan and other long-term planning documents as part of three programmatic areas focusing on:

1. Realignment of SR-62 around Old Town.
2. Future relocation of the Hi Desert Nature Museum and the Yucca Valley Branch of the San Bernardino County Library.
3. Future public facilities.

These properties are identified as follows:

Map Ref	Assessor Parcel Number	Address	Recommended Disposition
1	0586-322-04	7313 Elk Trail	Retain for Government Use pursuant to Subdivision (a) of Section 34181.
	0586-322-05	7305 Elk Trail	
2	0586-321-11	7325 Fox Trail	Retain for Government Use pursuant to Subdivision (a) of Section 34181.
	0586-321-12	7315 Fox Trail	
	0586-321-13	7302 Fox Trail	
	0586-321-14	7312 Fox Trail	
	0586-321-15	7346 Fox Trail	
3	0586-101-08	55460 29 Palms Hwy	Retain for Government Use pursuant to Subdivision (a) of Section 34181.
	0586-101-09	7350 Inca Trail	

4	0586-321-01	Elk Trail @ 29 Palms Hwy	Retain for Government Use pursuant to Subdivision (a) of Section 34181.
	0586-321-02	Elk Trail @ 29 Palms Hwy	
	0586-321-16	55786 Elk Trail	
	0586-321-17	7635 Elk Trail	
5	0595-162-08	29 Palms Hwy	Retain for Government Use pursuant to Subdivision (a) of Section 34181.
	0595-162-09	57271 29 Palms Hwy.	

Due to the specific purpose of each of the parcels in these programmatic focus areas, and their inclusion in an approved project area plan, Successor Agency staff believes that the recommended disposition of the parcels be to "Retain for Government Use pursuant to Subdivision (a) of Section 34181." This action, if approved, will allow the Town to continue to utilize the properties as originally envisioned and planned for in the Town's multiple facilities master plan studies, approved Old Town Specific Plan as well as the prior Yucca Valley RDA's approved 5-Year Implementation Plan.

The plan will also provide options for the continuation of current and future public facilities to serve taxpayers not only in the RDA project area, but in the broader community basin as well as other affected public entities may be able to jointly develop assets that are most beneficial to the taxpayers region-wide.

Alternatives: None recommended.

Fiscal impact: None at this time. If approved by the Oversight Board and the State Department of Finance, the identified parcels will be transferred to the Town in accordance with State law.

Attachments: Resolution with Exhibit

RESOLUTION NO. 14-XX

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA AFFIRMING THE LONG RANGE PROPERTY MANAGEMENT PLAN OF SUCCESSOR AGENCY TO THE DISSOLVED YUCCA VALLEY REDEVELOPMENT AGENCY

WHEREAS, pursuant to Assembly Bill 1484 and California Health & Safety Code section 34191.5, each Successor Agency shall have completed a Long Range Property Management Plan (LRPMP) governing the disposition and use of the former Agency owned properties; and

WHEREAS, California Health and Safety Code Section 34191.5(b) states that the “successor agency shall prepare a long-range property management plan that addresses the disposition and use of the real properties of the former redevelopment agency. The report shall be submitted to the oversight board and the Department of finance for approval no later than six months following the issuance to the successor agency of the finding of completion.” ; and

WHEREAS, the Successor Agency to the former Yucca Valley Redevelopment Agency (Successor Agency) received it’s Finding of Completion on March 13, 2013; and

WHEREAS, the Successor Agency approved the Long Range Property Management Plan at its meeting in September 2013; and

WHEREAS, the Oversight Board to the Successor Agency to the dissolved Yucca Valley Redevelopment Agency reviewed and allowed for public comment on the Long Range Property Management Plan at its meeting on September 12, 2013; and

WHEREAS, The Oversight Board approved the Long Range Property Management Plan at its meeting on September 12, 2013.

WHEREAS, the Long Range Property Management Plan as drafted and submitted by the Successor Agency to the dissolved Yucca Valley Redevelopment Agency is consistent with the intent of the Town as incorporated in the Town’s various master planning documents, the Old Town Specific Plan, the former Yucca Valley Redevelopment Agency’s approved 5-Year Implementation Plan; and

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

SECTION 1. The Town Council affirms the Long Range Property Management Plan as completed by the Successor Agency and incorporated into this resolution as Exhibit A.

SECTION 2. The Town Council affirms that the Long Range Property Management Plan is consistent with the intent of the Town through current use and by incorporation in the Town's various master planning documents, the Old Town Specific Plan and the former Yucca Valley Redevelopment Agency's approved 5-Year Implementation Plan for the following properties:

Map Ref	Assessor Parcel Number	Address	Intended Use of Property	Recommended Disposition
1	0586-322-04	7313 Elk Trail	Assemblage of parcels for Old Town Specific Plan and realignment of SR 62	Retain for Government Use pursuant to Subdivision (a) of Section 34181.
	0586-322-05	7305 Elk Trail		
2	0586-321-11	7325 Fox Trail	Assemblage of parcels for Old Town Specific Plan and realignment of SR 62	Retain for Government Use pursuant to Subdivision (a) of Section 34181.
	0586-321-12	7315 Fox Trail		
	0586-321-13	7302 Fox Trail		
	0586-321-14	7312 Fox Trail		
	0586-321-15	7346 Fox Trail		
3	0586-101-08	55460 29 Palms Hwy	Assemblage of parcels for Old Town Specific Plan and realignment of SR 62	Retain for Government Use pursuant to Subdivision (a) of Section 34181.
	0586-101-09	7350 Inca Trail		
4	0586-321-01	Elk Trail @ 29 Palms Hwy	Relocation of the Yucca Valley Branch of the San Bernardino County Library	Retain for Government Use pursuant to Subdivision (a) of Section 34181.
	0586-321-02	Elk Trail @ 29 Palms Hwy		
	0586-321-16	55786 Elk Trail		
	0586-321-17	7635 Elk Trail		
5	0595-162-08	29 Palms Hwy	Relocation of the Hi Desert Nature Museum and related public facility use; California Welcome Center	Retain for Government Use pursuant to Subdivision (a) of Section 34181.
	0595-162-09	57271 29 Palms Hwy.		

SECTION 3. The Town Council directs that this resolution of affirmation be forwarded to the California Department of Finance as part of the record of the Successor Agency's Long Range Property Master Plan submission package.

APPROVED AND ADOPTED this 4th day of March, 2014

MAYOR

ATTEST:

TOWN CLERK

Exhibit A

Long Range Property Management Plan

**Town of Yucca Valley
Successor Agency**



Long Range Property Management Plan

September 3, 2013

September 3, 2013

Subject: Long Range Property Management Plan (LRPMP)

Honorable Chair and Members of the Successor Agency:

The California Legislature introduced and the Governor signed Assembly Bill 1484 (“AB 1484”) into law on June 27, 2012 to address issues and ambiguities arising from the implementation of Assembly Bill x1 26 (“ABx1 26”). AB 1484 not only provides clarification but also imposes several new obligations on both successor agencies and oversight boards.

AB 1484 also added Section 34191.5 to the Health and Safety Code which requires a Successor Agency to prepare a long-range property management plan that identifies all Successor Agency real estate assets along with their proposed disposition. Specifically, AB 1484 requires the report contain information for each parcel:

1. The date of acquisition of the parcel, the value of the property at the time of acquisition, and the purpose for which the property was acquired;
2. Parcel data including address, lot size and current zoning;
3. An estimate of the current value of the property (including any appraisal information, if available);
4. An estimate of any lease, rental or other revenue generated by the property along with a description of the contract terms;
5. A history of any environmental contamination (including designation as a Brownfield site), any related environmental studies, and history of any remedial actions taken;
6. A description of the property’s potential for transit-oriented development and the advancement of the planning objectives of the Successor Agency;
7. A description of previous development proposals, including rental or lease property.

In addition to the information required by AB 1484, we have included staff’s recommendations regarding the disposition of each property (i.e.: retain, sell, etc.).

Attached is the Town of Yucca Valley’s Long Range Property Management Plan listing all Agency properties, which is being transmitted for the Oversight Board’s review and approval, along with this letter.

Sincerely,

Curtis Yakimow
Director of Administrative Services



Town of Yucca Valley Successor Agency Long Range Property Management Plan

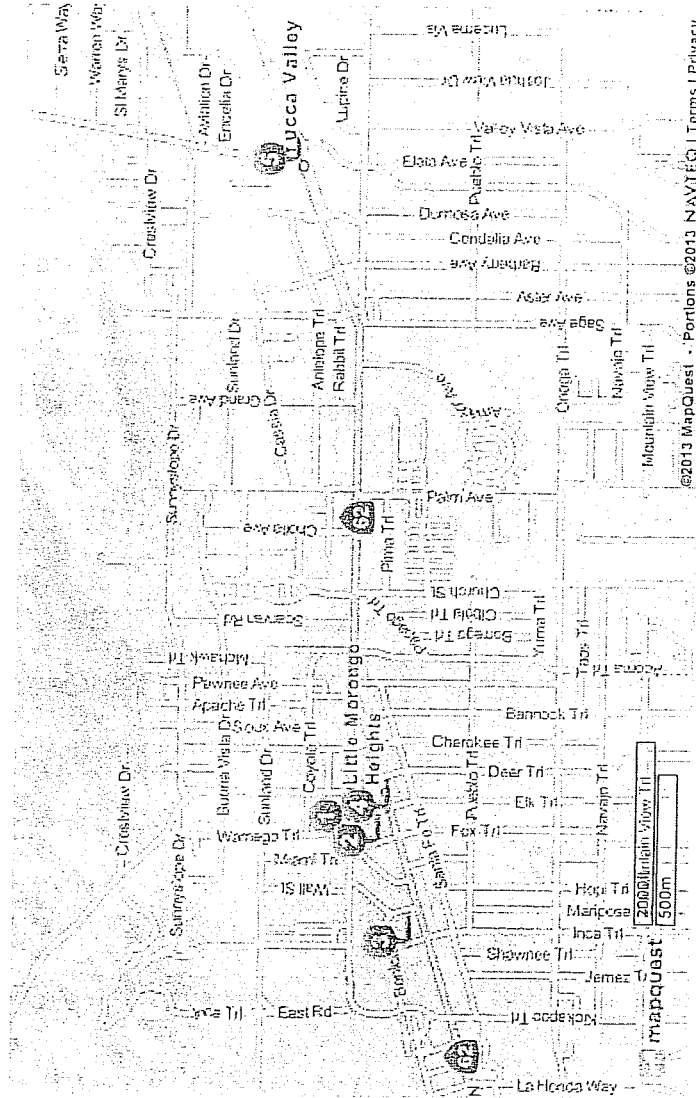
VICINITY MAP INDEX AND SUMMARY OF RECOMMENDATIONS

Map Ref	Assessor Parcel Number	Address	Estimated Current Value	Recommended Disposition
1	0586-322-04	7313 Elk Trail	\$99,612	Retain for Government Use pursuant to Subdivision (a) of Section 34181.
	0586-322-05	7305 Elk Trail		
2	0586-321-11	7325 Fox Trail	\$286,820	Retain for Government Use pursuant to Subdivision (a) of Section 34181.
	0586-321-12	7315 Fox Trail		
	0586-321-13	7302 Fox Trail		
	0586-321-14	7312 Fox Trail		
	0586-321-15	7346 Fox Trail		
3	0586-101-08	55460 29 Palms Hwy	\$165,950	Retain for Government Use pursuant to Subdivision (a) of Section 34181.
	0586-101-09	7350 Inca Trail		
4	0586-321-01	Elk Trail @ 29 Palms Hwy	\$102,000	Retain for Government Use pursuant to Subdivision (a) of Section 34181.
	0586-321-02	Elk Trail @ 29 Palms Hwy		
	0586-321-16	55786 Elk Trail		
5	0586-321-17	7635 Elk Trail	\$450,000	Retain for Government Use pursuant to Subdivision (a) of Section 34181.
	0595-162-08	29 Palms Hwy		
	0595-162-09	57271 29 Palms Hwy.		
Total Estimated Current Value			\$1,104,382	



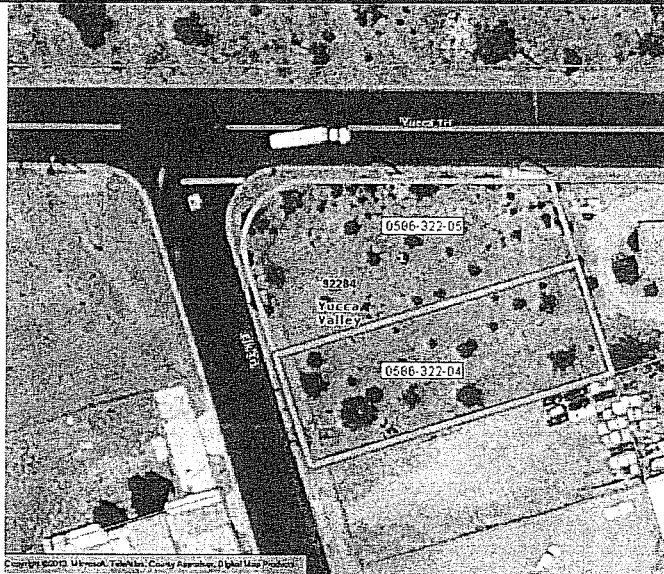
Town of Yucca Valley Successor Agency Long Range Property Management Plan

VICINITY MAP





Town of Yucca Valley Successor Agency Long Range Property Management Plan



Background Information

• Map Reference	1
• Address	7313 & 7305 Elk Trail
• Assessor Parcel Number(s)	0586-322-04 & 05
• Current Zoning	Old Town Mixed Use
• Current Use	Vacant
• Original Seller	Lester J Rooks and Ruth Marie Rooks
• Original Appraised Value	\$126,092
• Purchase Price	\$126,092
• Primary and Supplemental Funding Sources	RDA Bond Funds

• Property History
N/A

Parcel Information

• Land Description	
Lot Size	.72 acres (combined)
Topography	Level
Known Drainage Issues	None
Known Ground Stability Issues	None
• Building Description	
No. of Buildings	None
Building Area	N/A
Construction Type	N/A
Year Built	N/A
Improvement Date	N/A
Vehicle Parking	N/A

Agency Revenue

Is Agency receiving lease or rental income for the private use of the property?	No
If Yes, indicate amount of Agency's annual rent/lease income.	N/A
If Yes, describe essential contract provisions (i.e., renter/lessee, term, rent calculations, restrictions/obligations, etc.)	N/A

Environmental

• Have any environmental tests or assessments been performed on the property?	No
• If Yes, describe the work performed and dates (i.e.: Phase 1, Phase 2, borings, etc.)	N/A
• If Yes, describe the current environmental condition of the site.	N/A
• Has the property been designated as a "Brownfield" site?	No
• If No, would the property qualify for such a Brownfield designation?	No
• Describe any remediation work performed on the property.	N/A

Previous Development Proposals

• Describe any previously proposed or solicited development plans for the property, including any short-term and/or long-term lease/rental arrangements.	Property was acquired in support of the Old Town Specific Plan, as well as the approved Yucca Valley Redevelopment Agency Project Area One Five-Year Implementation Plan. Property was purchased after the Agency initiated the evaluation of specific parcels necessary for the realignment of SR 62.
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Estimate of Current Property Value

- **Fair Market Value Appraisal**

A market analysis was done by Capital Realty Analysts, La Quinta, and sent to the Town on August 12, 2009. The appraisal determined the value of both parcels to be \$126,092 (using the formula of 31,523 sq. ft x \$4.00 PSF = \$126,092).

Sales Comparison

N/A

Income Capitalization Analysis

N/A

- **Estimated Current Value**

\$99,612. Value estimated utilizing the purchase price discounted by 21%, representing the change in assessed value in the Yucca Valley Redevelopment Agency Plan Area as provided by the San Bernardino County Assessor's Office, from the time of purchase until 2013.

Reuse Assessment and Recommended Action

<ul style="list-style-type: none"> • Describe the property's potential for transit-oriented development. 	None
<ul style="list-style-type: none"> • Describe the reuse potential of the property in terms of advancing the Successor Agency's planning objectives. 	Property was acquired in support of the Old Town Specific Plan, as well as the approved Yucca Valley Redevelopment Agency Project Area One Five-Year Implementation Plan. Property was purchased after the Agency initiated the evaluation of specific parcels necessary for the realignment of SR 62.
<ul style="list-style-type: none"> • Recommended action: 	Retain for Government Use pursuant to Subdivision (a) of Section 34181.



Town of Yucca Valley Successor Agency Long Range Property Management Plan



Background Information

• Map Reference	2
• Address	7325, 7315, 7302, 7312, 7346 Fox Trail
• Assessor Parcel Number(s)	0586-321-11, 12, 13, 14, 15
• Current Zoning	Industrial
• Current Use	Parcels 11 – 14: Vacant Land Parcel 15: Unoccupied combined SFR & light industrial bldg (to be demolished)
• Original Seller	David Frank Grimmatt
• Original Appraised Value	\$500,000
• Purchase Price	\$500,000
• Primary and Supplemental Funding Sources	RDA Bond Funds
• <u>Property History</u>	N/A

Parcel Information

• Land Description	
Lot Size	2.45 acres (all parcels combined)
Topography	Level
Known Drainage Issues	No
Known Ground Stability Issues	No
• Building Description	
No. of Buildings	2 (on Parcel 15)
Building Area	Approx. 2,700 sf
Construction Type	SFR: wood frame Industrial Bldg: concrete block, steel sided
Year Built	Between 9/6/07 – 2/27/09
Improvement Date	N/A
Vehicle Parking	N/A

Agency Revenue

Is Agency receiving lease or rental income for the private use of the property?	No
If Yes, indicate amount of Agency's annual rent/lease income.	N/A
If Yes, describe essential contract provisions (i.e., renter/lessee, term, rent calculations, restrictions/obligations, etc.)	N/A

Environmental

<ul style="list-style-type: none"> Have any environmental tests or assessments been performed on the property? 	No
<ul style="list-style-type: none"> If Yes, describe the work performed and dates (i.e.: Phase 1, Phase 2, borings, etc.) 	N/A
<ul style="list-style-type: none"> If Yes, describe the current environmental condition of the site. 	N/A
<ul style="list-style-type: none"> Has the property been designated as a "Brownfield" site? 	No
<ul style="list-style-type: none"> If No, would the property qualify for such a Brownfield designation? 	No
<ul style="list-style-type: none"> Describe any remediation work performed on the property. 	N/A

Previous Development Proposals

<ul style="list-style-type: none"> Describe any previously proposed or solicited development plans for the property, including any short-term and/or long-term lease/rental arrangements. 	<p>Property was acquired in support of the Old Town Specific Plan, as well as the approved Yucca Valley Redevelopment Agency Project Area One Five-Year Implementation Plan. Property was purchased after the Agency initiated the evaluation of specific parcels necessary for the realignment of SR 62.</p>
--	---

Estimate of Current Property Value

- **Fair Market Value Appraisal**

An appraisal was done by Capital Realty Analysts and sent to the Town on March 7, 2009. The appraisal established a fair market value of \$458,000 for the five parcels.

Sales Comparison

N/A

Income Capitalization Analysis

N/A

- **Estimated Current Value**

\$286,820. Value estimated utilizing the purchase price discounted by 21%, representing the change in assessed value in the Yucca Valley Redevelopment Agency Plan Area as provided by the San Bernardino County Assessor's Office from the time of purchase to 2013. An additional \$75,000 reduction in value is associated with the anticipated costs of demolition necessary for the existing structures on site.

Reuse Assessment and Recommended Action

<ul style="list-style-type: none"> • Describe the property's potential for transit-oriented development. 	<p>None</p>
<ul style="list-style-type: none"> • Describe the reuse potential of the property in terms of advancing the Successor Agency's planning objectives. 	<p>Property was acquired in support of the Old Town Specific Plan, as well as the approved Yucca Valley Redevelopment Agency Project Area One Five-Year Implementation Plan. Property was purchased after the Agency initiated the evaluation of specific parcels necessary for the realignment of SR 62.</p>
<ul style="list-style-type: none"> • Recommended action: 	<p>Retain for Government Use pursuant to Subdivision (a) of Section 34181.</p>



Town of Yucca Valley Successor Agency Long Range Property Management Plan



Background Information

• Map Reference	3
• Address	Parcel 08: 55460 29 Palms Hwy Parcel 09: 7350 Inca Trail
• Assessor Parcel Number(s)	0586-101-08, 09
• Current Zoning	Old Town Highway
• Current Use	Vacant
• Original Seller	Yucca Valley Commercial Building, LLC
• Original Appraised Value	\$305,000
• Purchase Price	\$305,000
• Primary and Supplemental Funding Sources	RDA Bond Funds
• <u>Property History</u>	N/A

Parcel Information

• Land Description	
Lot Size	20,915 sq ft (combined)
Topography	Level
Known Drainage Issues	None
Known Ground Stability Issues	None
• Building Description	
No. of Buildings	2
Building Area	1) 3,843 sq ft vacant commercial auto service building 2) 1,212 sq ft storage building
Construction Type	1) Wood frame, concrete block 2) Metal storage building
Year Built	N/A
Improvement Date	N/A
Vehicle Parking	Yes, 10 parking spaces

Agency Revenue

Is Agency receiving lease or rental income for the private use of the property?

No

If Yes, indicate amount of Agency's annual rent/lease income.

N/A

If Yes, describe essential contract provisions (i.e., renter/lessee, term, rent calculations, restrictions/obligations, etc.)

N/A

Environmental

• Have any environmental tests or assessments been performed on the property?

Yes

• If Yes, describe the work performed and dates (i.e.: Phase 1, Phase 2, borings, etc.)

Phase 1

• If Yes, describe the current environmental condition of the site.

Phase 1 - Cleared

• Has the property been designated as a "Brownfield" site?

No

• If No, would the property qualify for such a Brownfield designation?

No

• Describe any remediation work performed on the property.

Previous Development Proposals

• Describe any previously proposed or solicited development plans for the property, including any short-term and/or long-term lease/rental arrangements.

Property acquired in support of the Old Town Specific Plan, as well as the approved Yucca Valley Redevelopment Agency Project One Five-Year Implementation Plan. Property was purchased to assist in the future relocation of the Hi Desert Nature Museum and the Yucca Valley Branch of the San Bernardino County Library.

Estimate of Current Property Value

• **Fair Market Value Appraisal**

A market analysis was done by Capital Realty Analysts, La Quinta, and sent to the Town on September 18, 2009. The appraisal determined the value of both parcels to be \$305,000.

Sales Comparison

N/A

Income Capitalization Analysis

N/A

• **Estimated Current Value**

\$165,950. Value estimated utilizing the purchase price discounted by 21%, representing the change in assessed value in the Yucca Valley Redevelopment Agency Plan Area as provided by the San Bernardino County Assessor's Office, from the time of purchase until 2013. An additional reduction in value of \$75,000 is associated with the anticipated demotion costs necessary for the existing structures on the site.

Reuse Assessment and Recommended Action

<ul style="list-style-type: none"> Describe the property's potential for transit-oriented development. 	<p>None</p>
<ul style="list-style-type: none"> Describe the reuse potential of the property in terms of advancing the Successor Agency's planning objectives. 	<p>Property acquired in support of the Old Town Specific Plan, as well as the approved Yucca Valley Redevelopment Agency Project One Five-Year Implementation Plan. Property was purchased to assist in the future relocation of the Hi Desert Nature Museum and the Yucca Valley Branch of the San Bernardino County Library. In accordance with the Plan, the development of these public facilities will assist in creating a focal point for the area.</p>
<ul style="list-style-type: none"> Recommended action: 	<p>Retain for Government Use pursuant to Subdivision (a) of Section 34181.</p>



Town of Yucca Valley Successor Agency Long Range Property Management Plan



Background Information

• Map Reference	4
• Address	Parcels 01 & 02: Elk Trail @ 29 Palms Hwy Parcel 16: 55786 Elk Trail Parcel 17: 7635 Elk Trail
• Assessor Parcel Number(s)	0586-321-01, 02, 16, 17
• Current Zoning	Old Town Mixed Use
• Current Use	Parcels 01 & 02: Vacant Land Parcel 16 & 17: Unoccupied combined SFR & light industrial bldg
• Original Seller	High Desert Homes, INC
• Original Appraised Value	\$201,000
• Purchase Price	\$201,000
• Primary and Supplemental Funding Sources	RDA Bond Funds
• Property History	N/A

Parcel Information

• Land Description	
Lot Size	32,160 sq ft (all parcels combined)
Topography	Level
Known Drainage Issues	No
Known Ground Stability Issues	No
• Building Description	
No. of Buildings	2 (on Parcels 16 & 17)
Building Area	Approx. 1,430 sf (combined)
Construction Type	Wood frame
Year Built	Unknown
Improvement Date	N/A
Vehicle Parking	N/A

Agency Revenue

Is Agency receiving lease or rental income for the private use of the property?	No
If Yes, indicate amount of Agency's annual rent/lease income.	N/A
If Yes, describe essential contract provisions (i.e., renter/lessee, term, rent calculations, restrictions/obligations, etc.)	N/A

Environmental

• Have any environmental tests or assessments been performed on the property?	No
• If Yes, describe the work performed and dates (i.e.: Phase 1, Phase 2, borings, etc.)	N/A
• If Yes, describe the current environmental condition of the site.	N/A
• Has the property been designated as a "Brownfield" site?	No
• If No, would the property qualify for such a Brownfield designation?	No
• Describe any remediation work performed on the property.	N/A

Previous Development Proposals

• Describe any previously proposed or solicited development plans for the property, including any short-term and/or long-term lease/rental arrangements.	Property acquired in support of the Old Town Specific Plan, as well as the approved Yucca Valley Redevelopment Agency Project One Five-Year Implementation Plan. Property was purchased to assist in the future relocation of the Hi Desert Nature Museum and the Yucca Valley Branch of the San Bernardino County Library.
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Estimate of Current Property Value

- **Fair Market Value Appraisal**

An appraisal was done by Capital Realty Analysts and sent to the Town on January 10, 2006. The appraisal established a fair market value of \$200,000 for the four parcels.

Sales Comparison

N/A

Income Capitalization Analysis

N/A

- **Estimated Current Value**

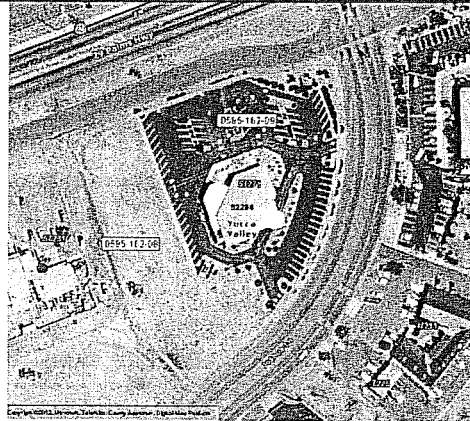
\$102,000. Value estimated utilizing the purchase price discounted by 49%, representing the change in assessed value in the Yucca Valley Redevelopment Agency Plan Area as provided by the San Bernardino County Assessor's Office, from the time of purchase until 2013.

Reuse Assessment and Recommended Action

<ul style="list-style-type: none"> • Describe the property's potential for transit-oriented development. 	<p>None</p>
<ul style="list-style-type: none"> • Describe the reuse potential of the property in terms of advancing the Successor Agency's planning objectives. 	<p>Property acquired in support of the Old Town Specific Plan, as well as the approved Yucca Valley Redevelopment Agency Project One Five-Year Implementation Plan. Property was purchased to assist in the future relocation of the Hi Desert Nature Museum and the Yucca Valley Branch of the San Bernardino County Library. In accordance with the Plan, the development of these public facilities will assist in creating a focal point for the area.</p>
<ul style="list-style-type: none"> • Recommended action: 	<p>Retain for Government Use pursuant to Subdivision (a) of Section 34181.</p>



Town of Yucca Valley Successor Agency Long Range Property Management Plan



Background Information

• Map Reference	5
• Address	57271 Twentynine Palms Hwy.
• Assessor Parcel Number(s)	0595-162-08, 09
• Current Zoning	General Commercial
• Current Use	Parcel 08: 37,600 sq ft vacant land Parcel 09: 7,322 sq ft. building Building currently used as an ancillary municipal purposes facility. Property utilized as a venue for occasional public events as requested.
• Original Seller	PFF Bank and Trust Properties
• Original Appraised Value	\$1,630,000
• Purchase Price	\$1,630,000
• Primary and Supplemental Funding Sources	Fund 930 (RDA Capital Projects)
• <u>Property History</u>	Property was initially constructed and used as a regional bank.

Parcel Information

• Land Description	
Lot Size	113,394 sq ft (combined)
Topography	Sloping above street grade
Known Drainage Issues	None
Known Ground Stability Issues	None
• Building Description	
No. of Buildings	1
Building Area	7,322 sq ft single bank building
Construction Type	Wood frame, stucco exterior, metal roof
Year Built	1970
Improvement Date	Multiple dates
Vehicle Parking	Yes, 70 parking spaces

Agency Revenue

Is Agency receiving lease or rental income for the private use of the property?	No
If Yes, indicate amount of Agency's annual rent/lease income.	N/A
If Yes, describe essential contract provisions (i.e., renter/lessee, term, rent calculations, restrictions/obligations, etc.)	N/A

Environmental

<ul style="list-style-type: none"> Have any environmental tests or assessments been performed on the property? 	No
<ul style="list-style-type: none"> If Yes, describe the work performed and dates (i.e.: Phase 1, Phase 2, borings, etc.) 	N/A
<ul style="list-style-type: none"> If Yes, describe the current environmental condition of the site. 	N/A
<ul style="list-style-type: none"> Has the property been designated as a "Brownfield" site? 	No
<ul style="list-style-type: none"> If No, would the property qualify for such a Brownfield designation? 	No
<ul style="list-style-type: none"> Describe any remediation work performed on the property. 	N/A

Previous Development Proposals

<ul style="list-style-type: none"> Describe any previously proposed or solicited development plans for the property, including any short-term and/or long-term lease/rental arrangements. 	Property was acquired in support of the approved Yucca Valley Redevelopment Agency Project Area One Five-Year Implementation Plan. Property was purchased after the Agency initiated the evaluation of specific parcels necessary for additional public and/or municipal service facilities.
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Estimate of Current Property Value

- **Fair Market Value Appraisal**

A market analysis was done by Capital Realty Analysts, La Quinta, and sent to the Town on July 17, 2009. The appraisal determined the value of both parcels to be \$1,600,000.

Sales Comparison

N/A

Income Capitalization Analysis

N/A

- **Estimated Current Value**

\$450,000. Value estimated utilizing the purchase price discounted by 21%, representing the change in assessed value in the Yucca Valley Redevelopment Agency Plan Area as provided by the San Bernardino County Assessor's Office, from the time of purchase until 2013. Estimated current value also reduced by an additional \$750,000 representing the cost associated with necessary ADA compliance issues as well as the pending connection fees associated with the regional wastewater treatment plant scheduled for 2016, per the Colorado River Basin Water Quality Control Board's order.

Reuse Assessment and Recommended Action

<ul style="list-style-type: none"> • Describe the property's potential for transit-oriented development. 	None
<ul style="list-style-type: none"> • Describe the reuse potential of the property in terms of advancing the Successor Agency's planning objectives. 	Property was acquired in support of the approved Yucca Valley Redevelopment Agency Project Area One Five-Year Implementation Plan. Property was purchased after the Agency initiated the evaluation of specific parcels necessary for public facilities.
<ul style="list-style-type: none"> • Recommended action: 	Retain for Government Use pursuant to Subdivision (a) of Section 34181.

TOWN COUNCIL STAFF REPORT

To: Honorable Mayor & Town Council
From: Richard Boswell, Chief of Police/Sheriff's Captain
Date: February 27, 2014
For **Council** March 4, 2014
Meeting:

Subject: FY 2013/2014 Off-Highway Vehicle (OHV) Grant Application, Resolution

Recommendation: Approve a governing body resolution for the FY 2013/2014 Off-Highway Vehicle grant application.

Order of Procedure:

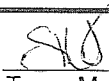
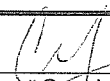
- Department Report
- Request Staff Report
- Request Public Comment
- Council Questions of Staff
- Council Discussion
- Motion/Second
- Discussion on Motion
- Call the Question (Roll Call Vote, Consent Agenda)

Discussion: The Town Police Department has for several years received an OHV enforcement grant from the California State Parks OHMVR Division that funds OHV enforcement officers for the Town of Yucca Valley and surrounding areas. The Town Police Department is again requesting grant funding to continue with OHV enforcement and education efforts. Yucca Valley Police Department will continue to serve as the lead agency under this grant. In order to apply for the grant, the local legislative body must adopt a resolution authorizing the filing of the grant application.

Alternatives: Do not approve the grant request. OHV funding from the FY 2012/2013 grant will be fully expended by June 30, 2014.

Fiscal impact: The anticipated request will be for \$50,000. Based on historical funding levels provided through this grant, it is likely that the award will be in the \$30,000 - \$40,000 level. The Town's funding requirement will be provided through in-kind (man hour) contributions.

Attachments: Resolution No. 14-
 FY 2013/2014 Preliminary Grant Application

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

RESOLUTION NO. 14-

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, APPROVING THE APPLICANT TO APPLY FOR GRANT FUNDS FOR THE STATE OF CALIFORNIA, DEPARTMENT OF PARKS AND RECREATION, OFF-HIGHWAY VEHICLE GRANT FUNDS

WHEREAS, the People of the State of California have enacted the Off-Highway Motor Vehicle Recreation Act of 2003, which provides funds to the State of California and its political subdivisions for Operation and Maintenance, Restoration, Law Enforcement, and Education and Safety for off highway vehicle recreation; and

WHEREAS, the Off-Highway Motor Vehicle Recreation Division with the California Department of Parks and Recreation has been delegated the responsibility to administer the program; and

WHEREAS, procedures established by the California Department of Parks and Recreation require the Applicant's Governing Body to certify by resolution the approval of the Application to apply for Off-Highway Motor Vehicle Grant funds; and

WHEREAS, this Project appears on, or is in conformance with this jurisdiction's adopted general or master plan and is compatible with the land use plans of those jurisdictions immediately surrounding the project.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Yucca Valley hereby:

1. Approves the filing of an Application for an Off-Highway Vehicle Grant or Cooperative Agreement; and
2. Certifies that this agency understands its legal obligations to the State upon approval of the Grant; and
3. Certifies that this agency understands the California Public Resources Code requirement that Acquisition and Development Projects be maintained to specific conservation standards; and
4. Certifies that the Project will be well-maintained during its useful life; and
5. Certifies that this agency will implement the Project with diligence once funds are available and the Applicant has reviewed, understands, and agrees with the Project Agreement; and
6. Certifies that this agency will provide the required matching funds; and
7. Certifies that the public and adjacent property owners have been notified of this Project (as applicable); and
8. Appoints the Project Director as agent to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, amendments, payment requests and so on, which may be necessary for completion of the project.

APPROVED AND ADOPTED this 4th day of March, 2014.

MAYOR

ATTEST:

TOWN CLERK

General Application Requirements

FOR OFFICE USE ONLY: Version # _____ APP # _____
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Agency Information

(Carefully read the instructions before completing this form)

1. Agency Information

- a. Agency Name Yucca Valley Police Department
- b. Organizational Unit 22
- c. Address 63665 29 Palms Highway

- e. City Joshua Tree State CA Zip 92252
- f. Federal Id Number 76-0366417 Reference No. 4000004725-00
- g. Agency fiscal year (begining month and day) July-01
- h. Agency Type (Please check one)
 - City County
 - U.S. Forest Service U.S. Forest Service - Patrol District
 - U.S. Bureau of Land Management Other Federal Agency
 - Federally Recognized Native American Tribe Educational Institution
 - Nonprofit Organization - 501(c)(3) status only State Agency
 - District

2. Project Information

- a. Project Name General Application Requirements
- b. Is implementing agency same as Agency (Please select Yes or No) Yes No
- c. Implementing Agency Name
- d. Amount of Funds Requested Project Cost

Project Request(s) Summary

#	Project Type	Project Title	Grant Request	Match	Total Project Cost
1	G13-03-22-L01	Law Enforcement - 2014 Grant	37,500	12,500	50,000

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3. Contact

a. Project Administrator

Name Jason Radeleff
Title Sergeant
Mailing Address 63665 29 Palms Highway
City Joshua Tree State CA Zip 92223
Telephone (760) 366-4175 Fax (760) 366-5764
E-mail Address jradeleff@sbcscd.org

b. Authorized Representative

Name Rich Boswell
Title Others
Mailing Address 63665 29 Palms Highway
City Yucca Valley State CA Zip 92252
Telephone (760) 366-4175 Fax (760) 366-5764
E-mail Address rboswell@sbcscd.org

Location Map

FOR OFFICE USE ONLY:	Version # _____	APP # _____
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- A. **Location Map**
Attachments:

Yucca Valley Location Map

Equipment Inventory

FOR OFFICE USE ONLY: Version # _____ APP # _____
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A. Equipment Inventory

Has your agency purchased any Equipment with OHV Trust Funds within the last five (5) Yes No
 years? (Please select Yes or No)

#	Item Description	Make	Model	Model Year	Vehicle Identification Number (VIN) or Serial Number	Project Agreement Number

Habitat Management Program (HMP)

FOR OFFICE USE ONLY: Version # _____ APP # _____
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PART 1 - DETERMINE THE NEED FOR FULL HABITAT MANAGEMENT PROGRAM (HMP)

All Applicants submitting Projects involving Ground Disturbing Activities are subject to HMP requirements. The HMP must cover the combined Project Area of all proposed Projects with Ground Disturbing Activities.

Applicants able to certify that none of the proposed activities listed in the Application in areas open to legal OHV Recreation contain any risk factors to special-status species and/or sensitive habitats shall submit only HMP Part 1. Applicants who cannot certify that the proposed activities listed in the Application in areas open to legal OHV Recreation do not contain any risk factors to special-status species and/or sensitive habitats shall submit HMP Parts 1 and 2.

1. Do any of your proposed projects involve Ground Disturbing Activities? (If you checked Yes No YES, complete #2. If you checked NO, stop here.) (Please select Yes or No)

2. Can the Applicant certify that none of the proposed Projects with Ground Disturbing Yes No Activities in areas open to legal OHV Recreation contain any risk factors to special-status species and/or sensitive habitats? (If you checked YES, stop here. If you checked NO, continue (complete HMP PART 2.) (Please select Yes or No)

PART 2 - HABITAT MANAGEMENT PROGRAM (HMP)

Soil Conservation

FOR OFFICE USE ONLY:

Version # _____

APP # _____

PART 1 - DETERMINE THE NEED FOR FULL SOIL CONSERVATION PLAN (SCP)

All Applicants submitting Projects involving Ground Disturbing Activities shall submit a Soil Conservation Plan (SCP) that achieves the Soil Conservation Standard with regard to the proposed Project(s). The SCP must cover the combined Project Area of all proposed Projects with Ground Disturbing Activities.

Applicants able to certify that none of the proposed activities listed in the Application in areas open to legal OHV Recreation have potential to cause erosion or sedimentation which significantly affects resource values beyond the Facilities, or generate soil loss that exceeds restorability, shall submit SCP Part 1.

Applicants who cannot certify that the proposed activities listed in the Application in areas open to legal OHV Recreation have no potential to cause erosion or sedimentation which significantly affects resource values beyond the Facilities, or generate soil loss that exceeds restorability shall submit SCP Parts 1 and 2.

Can the Applicant certify that none of the proposed Projects with Ground Disturbing Activities in areas open to legal OHV Recreation have potential to cause erosion or sedimentation which significantly affects resource values beyond the Facilities, or generate soil loss that exceeds restorability? (If you checked YES, you are done with the SCP) (Please select Yes or No) Yes No

PART 2 - SOIL CONSERVATION PLAN

Public Review Process

FOR OFFICE USE ONLY:

Version # _____

APP # _____

A. Public Notification Efforts

(Check all that apply) (Please select applicable values)

- Notice to interested person(s) (Enter date in mm/dd/yyyy format)
- Published on Applicant's website (Enter date in mm/dd/yyyy format)
- Published in local newspaper
- News release issued
- Public meeting(s)/hearing(s) held

B. Public Comments

C. Application Development as a result of Public Comments

- a. Were changes made to the Application as a result of public comments? (Please select Yes No Yes or No)
- b. Describe how public comments affected the Application

Certifications

FOR OFFICE USE ONLY: Version # _____ APP # _____

1. Applicant Certifications

A. General Conditions

- A. The Applicant hereby certifies, under the penalty of perjury, compliance with the following terms and conditions:
1. If the Project involves a Ground Disturbing Activity, the Applicant agrees to monitor the condition of soils and wildlife in the Project Area each year in order to determine whether the soil conservation standard adopted pursuant to Public Resource Code (PRC), Section 5090.35 and the HMP prepared pursuant to Section 5090.53(a) are being met.
 2. If the Project involves a Ground Disturbing Activity, the Applicant agrees that, whenever the soil conservation standard adopted pursuant to PRC Section 5090.35 is not being met in any portion of a Project Area, the recipient shall close temporarily that noncompliant portion, to repair and prevent accelerated erosion, until the same soil conservation standard adopted pursuant to PRC Section 5090.35 is met.
 3. If the Project involves a Ground Disturbing Activity, the Applicant agrees that, whenever the HMP prepared pursuant to PRC Section 5090.53(a) is not being met in any portion of a Project Area, the recipient shall close temporarily that noncompliant portion until the same HMP prepared pursuant to PRC Section 5090.53(a) is met.
 4. The Applicant agrees to enforce the registration of off-highway motor vehicles and the other provisions of Division 16.5 (commencing with Section 38000) of the Vehicle Code and to enforce the other applicable laws regarding the operation of off-highway motor vehicles.
 5. The Applicant agrees to cooperate with appropriate law enforcement entities to provide proper law enforcement at and around the Facility.
 6. The Applicant's Project is in accordance with local or federal plans and the strategic plan for OHV Recreation prepared by the OHMVR Division.

B. Programmatic Conditions

- B. The Applicant must describe the following programmatic conditions:
1. Identify the potential for the facility to reduce illegal and unauthorized OHV Recreation activities in the surrounding areas:
 2. Describe how the Applicant is meeting the operations and maintenance needs of any existing OHV Recreation Facility under its jurisdiction:

C. Fee Collection

Describe how fees collected pursuant to Section 38230 of the Vehicle Code (in-lieu funds) are utilized and whether the fees complement the Applicant's proposed Project:

D. Compliance with PRC 5090.50(b)(1)(C)

Projects within the O&M category that affect lands identified as inventoried roadless Yes No areas by the U.S. Forest Service, are compliant with PRC 5090.50(b)(1)(C). (Please select Yes or No)

2. Governing Body Resolution

Certification - Non Profits / Education

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1. **Written Permission with Land Manager**
2. **Verification of Nonprofit 501(c)(3) Status**

Law Enforcement - 2014 Grant

FOR OFFICE USE ONLY:

Version # _____

APP # _____

ITEM 1. Proposed Project

The Town of Yucca Valley lies in the high desert of San Bernardino County in an area known as the Morongo Basin. Incorporated in 1991, Yucca Valley has a population of approximately 26,000 and encompasses about 39 square miles. Yucca Valley does not offer designated Off Highway Vehicle (OHV) roads or trails within town limits; however, OHV opportunity abounds in surrounding areas year round and directly effects the town and residents of Yucca Valley.

In addition to Yucca Valley, the Morongo Basin includes the City of 29 Palms and the unincorporated communities of Joshua Tree, Morongo Valley, Pioneertown, Landers, Johnson Valley and Wonder Valley. The 5200 square mile Morongo Basin is home to approximately 100,000 residents, the Joshua Tree National Park (JTNP) and the 29 Palms Marine Corps Air Ground Combat Center (MCAGCC). Both JTNP and MCAGCC are closed to OHV use.

Yucca Valley is criss-crossed by dirt roads used by OHV riders to get to various authorized OHV riding areas or WEMO (Western Mojave Desert Off Road Vehicle Management) trails/roads. This often involves OHV riding on public roads, private property and public land closed to OHV activity. Cabins and vacation homes, many used as weekend staging areas and camps by OHV riders, dot the rural areas of Yucca Valley and the Morongo Basin. OHV activity often increases during weekends and holidays.

The San Bernardino County Sheriff's Department (SBCSD), Morongo Basin Station, is responsible for law enforcement throughout the Morongo Basin. Both Yucca Valley and 29 Palms contract with the sheriff's department for police services. The 188,000 acre Johnson Valley OHV area is located 20 minutes north of Yucca Valley. Though operated by BLM, the area is within the Morongo Basin Station's jurisdiction and deputies respond to calls in this area for crime reports, down riders, search and rescue and more. The primary road to access Johnson Valley is State Highway 247 which travels directly through the middle of Yucca Valley. OHV traffic increases substantially in Yucca Valley during OHV events in Johnson Valley.

This grant will provide funding for OHV enforcement, education and search and rescue operations in Yucca Valley and the surrounding Morongo Basin communities who Yucca Valley routinely assists in such matters. Law enforcement personnel will be provided by SBCSD. Officers assigned to this area receive formal and / or on the job training in OHV laws via SBCSD, BLM (Bureau of Land Management) and the California State Parks Department. This training is provided on an on-going basis.

The Morongo Basin Station's OHV enforcement team is equipped with three dual-sport motorcycles, a 4 x 4 truck and enclosed trailer. OHV enforcement officers routinely ride dual purpose motorcycles from the station to patrol areas. At times, OHV enforcement officers conduct operations in remote areas where fuel and supplies are not readily available. In these cases, the 4 x 4 truck can be used to haul motorcycles, fuel, supplies and personnel. This truck can also be used to recover lost or injured riders and disabled / damaged OHV's from areas not accessible to ambulances or tow vehicles.

Yucca Valley and the Morongo Basin have seen a steady population increase during recent years. Yucca Valley has become the main commercial hub for all of Morongo Basin including the sales and service of OHV's. The rising number of citizens and increasing population density has placed OHV enthusiasts and opponents in closer and more common contact. Yucca Valley and Morongo Basin residents on both sides of the OHV issue have formed citizen's groups to address their concerns.

In an effort to quell illegal OHV activity, Yucca Valley and the SBCSD have taken several steps to address OHV use. Yucca Valley adopted the vehicle code for all dirt roads within town limits and OHV riding on these roads is prohibited. Additionally, San Bernardino County Ordinance 3973, which greatly restricts OHV riding on both public and private property, remains in place and is often a basis for OHV related calls for service. These efforts, in conjunction with past

OHMVR Grant funding, have resulted in a continual decline in OHV related calls for service.

Funds obtained through this grant will provide for continued OHV opportunity and enforcement in Yucca Valley and the Morongo Basin by allowing deputies to continue with OHV enforcement and education efforts. These continued efforts will help to reduce the friction between the citizens on both sides of the OHV issue and ensure that OHV opportunities continue to be present in the Morongo Basin.

ITEM 2. Project Coverage

The town of Yucca Valley Police Department via the SBCSD provides OHV enforcement services to approximately 5200 square miles (over three million acres) of the Mojave Desert. The terrain varies dramatically from vast open expanses to steep and technical rocky outcroppings to mountainous foothills. Elevation varies in the Morongo Basin from under 2000 feet above sea level in the eastern end of the basin to over 5000 feet above sea level in the mountainous northwestern end. With these vastly different elevations come equally different OHV opportunities that span the seasons. During the temperate spring and fall seasons, OHV enthusiasts frequent much of the basin. Groups large and small camp in BLM areas, utilize vacation homes and cabins and visit for days or weekends to enjoy the area's OHV opportunities. Winter brings snow to the higher elevations of the Morongo Basin and presents OHV opportunities not found in most desert areas. Even during the heat of summer, OHV users are found utilizing the roads and trails that wind their way through the Morongo Basin's cities and unincorporated areas.

Two incorporated cities, Yucca Valley (approximate population of 26,000) and 29 Palms (approximately population of 27,000), serve as the Morongo Basin's population centers. Yucca Valley is bordered by the Joshua Tree National Park to the south and the unincorporated communities of Morongo Valley, Landers and Joshua Tree to the west, north and east respectively. A vast network of dirt roads and trails criss-cross the landscape in and around the Town of Yucca Valley and several prominent rural / urban interfaces are present.

The south end of Yucca Valley is largely undeveloped desert which provides access to the west end of the Joshua Tree National Park. Numerous dirt roads and trails lead out of Yucca Valley and into the National Park. OHV riding is prohibited within the boundaries of the National Park and OHV encroachment into this area is a continual problem. The north end of Yucca Valley is also largely undeveloped and is within just a few miles of the BLM managed Hondo Wash OHV area and the unincorporated community of Landers. Landers sits just south of the 188,000 acre Johnson Valley OHV area. OHV activity in the residential areas surrounding both the Hondo Wash and Johnson Valley OHV areas generates numerous law enforcement calls for service each year. A majority of this traffic is generated by OHV riders traveling from or through Yucca Valley. East of Yucca Valley, at the eastern edge of Joshua Tree, lies the Sunfair Dry Lake Bed. This is home to BLM designated OHV routes but, as with many other areas of the Morongo Basin, the residential areas and non-approved riding areas surrounding these designated routes suffer from OHV abuse and the associated damage to natural and cultural resources.

Approximately half of the unincorporated areas patrolled by the Morongo Basin Station are BLM lands. Although there are designated riding areas and routes within these BLM lands, OHV use is prohibited on the balance of these BLM lands. This includes several WEMO trails in the northern part of Yucca Valley. Several areas contain unique geographical and cultural resources that are threatened by OHV abuse. One such site, the Poste Homestead Historic and Natural Area in Wonder Valley, has been repeatedly damaged by OHV use. The surrounding communities, rural and traversed by hundreds of miles of dirt roads and trails, bear the brunt of OHV riders using non-designated routes, road and trails to access both legal and illegal riding areas.

Northwest of Yucca Valley lie the small unincorporated communities of Rimrock and Pioneertown. These communities lie in the foothills of Mt. San Gorgonio and border a large expanse of US Forest Service land frequented by OHV users.

Each area patrolled by the Morongo Basin Station and Yucca Valley Police offers terrain and geographical features that make the entire area attractive to OHV use.

While a majority of the OHV activity lies outside of the Town of Yucca Valley the town and its residents are directly impacted by the activity. OHV riders routinely use the dirt roads, washes and trails to travel through and around Yucca Valley to reach many of the OHV riding areas. Calls for service related to OHV activity (illegal riding, noise complaints, OHV patrols) have decreased in the unincorporated areas of the Morongo Basin and the city of 29 Palms over both 2012 and 2013. However, calls for service in Yucca Valley have increased by approximately %14 over both 2012 and 2013.

ITEM 3. Describe the frequency of the patrols

OHV officers patrol on a random basis, with the frequency varying from weekly to monthly. The frequency of patrols, and number of officers assigned to a given detail, are increased during peak OHV use seasons and to address specific problems / areas identified through crime reporting and statistical analysis. During peak OHV use seasons, officers routinely patrol on weekends and / or several days a week.

ITEM 4. Deployment of Personnel

The Yucca Valley Police Department currently has three officers assigned to the OHV enforcement detail who are certified to patrol using the dual-sport motorcycles. Each of these officers has completed POST approved dual purpose law enforcement motorcycle training and received specialized training relating to OHV laws and enforcement, applicable San Bernardino County codes and more. Additional officers are used to assist in patrol utilizing 4x4 vehicles. The department is seeking to train additional officers and grant funding, if received, may be used to that extent.

During enforcement operations, OHV enforcement officers sometimes patrol alone. Most operations, however, involve two or more officers working in conjunction to patrol areas where a high volume of OHV complaints have historically been generated or specific OHV related problems have been identified. Allied agencies such as BLM and San Bernardino County Code Enforcement sometimes work in conjunction with Yucca Valley officers and Morongo Basin station deputies in furtherance of OHV law enforcement objectives.

During education and public outreach operations, OHV officers generally deploy in single man vehicles. These operations focus on marking and monitoring closed areas and routes, distributing literature to area riders and businesses and educating citizens as to current OHV laws and legal OHV use opportunities.

District and County Information

A. California State Senate Districts

Select one or more of the California State Senate Districts where the proposed project activities will occur. Copy and Paste the URL (http://www.legislature.ca.gov/legislators_and_districts/districts/districts.html) in your browser to determine the State Senate district(s). (Please select applicable values)

- | | | | | |
|--|--|---|--|--|
| <input type="checkbox"/> State Senate 01 | <input type="checkbox"/> State Senate 02 | <input type="checkbox"/> State Senate 03 | <input type="checkbox"/> State Senate 04 | <input type="checkbox"/> State Senate 05 |
| <input type="checkbox"/> State Senate 06 | <input type="checkbox"/> State Senate 07 | <input type="checkbox"/> State Senate 08 | <input type="checkbox"/> State Senate 09 | <input type="checkbox"/> State Senate 10 |
| <input type="checkbox"/> State Senate 11 | <input type="checkbox"/> State Senate 12 | <input type="checkbox"/> State Senate 13 | <input type="checkbox"/> State Senate 14 | <input type="checkbox"/> State Senate 15 |
| <input type="checkbox"/> State Senate 16 | <input type="checkbox"/> State Senate 17 | <input checked="" type="checkbox"/> State Senate 18 | <input type="checkbox"/> State Senate 19 | <input type="checkbox"/> State Senate 20 |
| <input type="checkbox"/> State Senate 21 | <input type="checkbox"/> State Senate 22 | <input type="checkbox"/> State Senate 23 | <input type="checkbox"/> State Senate 24 | <input type="checkbox"/> State Senate 25 |
| <input type="checkbox"/> State Senate 26 | <input type="checkbox"/> State Senate 27 | <input type="checkbox"/> State Senate 28 | <input type="checkbox"/> State Senate 29 | <input type="checkbox"/> State Senate 30 |
| <input type="checkbox"/> State Senate 31 | <input type="checkbox"/> State Senate 32 | <input type="checkbox"/> State Senate 33 | <input type="checkbox"/> State Senate 34 | <input type="checkbox"/> State Senate 35 |
| <input type="checkbox"/> State Senate 36 | <input type="checkbox"/> State Senate 37 | <input type="checkbox"/> State Senate 38 | <input type="checkbox"/> State Senate 39 | <input type="checkbox"/> State Senate 40 |

B. California State Assembly Districts

Select one or more of the California State Assembly Districts where the proposed project activities will occur. Copy and Paste the URL (http://www.legislature.ca.gov/legislators_and_districts/districts/districts.html) in your browser to determine the State Assembly district(s). (Please select applicable values)

- State Assembly 01
- State Assembly 02
- State Assembly 03
- State Assembly 04
- State Assembly 05
- State Assembly 06
- State Assembly 07
- State Assembly 08
- State Assembly 09
- State Assembly 10
- State Assembly 11
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- State Assembly 79
- State Assembly 80

C. California Congressional Districts

Select one or more of the California Congressional Districts where the proposed project activities will occur. Copy and Paste the URL (<https://www.govtrack.us/congress/members/CA>) in your browser to determine the Congressional district(s). (Please select applicable values)

- Congressional District 1
- Congressional District 2
- Congressional District 3
- Congressional District 4
- Congressional District 5
- Congressional District 6
- Congressional District 7
- Congressional District 8
- Congressional District 9
- Congressional District 10
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- Congressional District 43
- Congressional District 44
- Congressional District 45
- Congressional District 46
- Congressional District 47
- Congressional District 48
- Congressional District 49
- Congressional District 50
- Congressional District 51
- Congressional District 52
- Congressional District 53

D. County

Select one or more of the California Counties where the proposed project activities will occur. (Please select applicable values)

- Alameda
- Alpine
- Amador
- Butte
- Calaveras
- Colusa

Law Enforcement Needs for Grants and Cooperative Agreements Program - 2013/2014 2/27/2014
Agency: Yucca Valley Police Department
Application: Law Enforcement - 2014 Grant

- | | | | | | |
|---------------------------------------|--|--------------------------------------|--|-------------------------------------|--|
| <input type="checkbox"/> Contra Costa | <input type="checkbox"/> Del Norte | <input type="checkbox"/> El Dorado | <input type="checkbox"/> Fresno | <input type="checkbox"/> Glenn | <input type="checkbox"/> Humboldt |
| <input type="checkbox"/> Imperial | <input type="checkbox"/> Inyo | <input type="checkbox"/> Kern | <input type="checkbox"/> Kings | <input type="checkbox"/> Lake | <input type="checkbox"/> Lassen |
| <input type="checkbox"/> Los Angeles | <input type="checkbox"/> Madera | <input type="checkbox"/> Marin | <input type="checkbox"/> Mariposa | <input type="checkbox"/> Mendocino | <input type="checkbox"/> Merced |
| <input type="checkbox"/> Modoc | <input type="checkbox"/> Mono | <input type="checkbox"/> Monterey | <input type="checkbox"/> Napa | <input type="checkbox"/> Nevada | <input type="checkbox"/> Orange |
| <input type="checkbox"/> Placer | <input type="checkbox"/> Plumas | <input type="checkbox"/> Riverside | <input type="checkbox"/> Sacramento | <input type="checkbox"/> San Benito | <input checked="" type="checkbox"/> San Bernardino |
| <input type="checkbox"/> San Diego | <input type="checkbox"/> San Francisco | <input type="checkbox"/> San Joaquin | <input type="checkbox"/> San Luis Obispo | <input type="checkbox"/> San Mateo | <input type="checkbox"/> Santa Barbara |
| <input type="checkbox"/> Santa Clara | <input type="checkbox"/> Santa Cruz | <input type="checkbox"/> Shasta | <input type="checkbox"/> Sierra | <input type="checkbox"/> Siskiyou | <input type="checkbox"/> Solano |
| <input type="checkbox"/> Sonoma | <input type="checkbox"/> Stanislaus | <input type="checkbox"/> Sutter | <input type="checkbox"/> Tehama | <input type="checkbox"/> Trinity | <input type="checkbox"/> Tulare |
| <input type="checkbox"/> Tuolumne | <input type="checkbox"/> Ventura | <input type="checkbox"/> Yolo | <input type="checkbox"/> Yuba | | |

LE Certification

FOR OFFICE USE ONLY:

Version # _____

APP # _____

Law Enforcement - Page 1

1. Identify areas with high priority law enforcement needs because of public safety, cultural resources, and sensitive environmental habitats, including wilderness areas and areas of critical environmental concerns:

Within the patrol jurisdiction of the Morongo Basin Station, the following areas of particular concern exist - Dozens of miles of Joshua Tree National Park boundary, habitat areas for the federally threatened desert tortoise, the 188,000 acre Johnson Valley OHV recreation area, the Sunfair Dry Lake and Hondo Wash OHV areas, and the Poste Homestead Historic and Natural Area. Huge swathes of land were burned during the Sawtooth Complex Fire of 2006, directly effecting Yucca Valley. Natural vegetation barriers in these areas were destroyed making new wilderness areas accessible to OHV users.

2. Describe how the proposed Project relates to OHV Recreation and will sustain OHV Recreation, motorized off-highway access to non-motorized recreation, or OHV Opportunities associated with the Project Area:

The mild climate and vast open areas of the Morongo Basin provide year round OHV opportunities. Legal riding areas include the Johnson Valley OHV area, the Hondo Wash OHV area and BLM designated routes in the communities of Joshua Tree and Wonder Valley all exist. Large privately owned parcels also provide legal OHV opportunities. The continued use of these private and public lands is continually threatened by citizen's groups who use illegal OHV activity as evidence to suggest that all OHV activity should be further restricted or banned. Continued receipt of OHV grant funds will help to ensure that education efforts to keep OHV enthusiasts riding in legal areas will be ongoing and that enforcement efforts targeting those who choose to operate their OHV's outside of the law are educated, cited or arrested as appropriate. These combined enforcement and education efforts will ensure that the current OHV opportunities that exist within the Morongo Basin are not further eroded or eliminated.

3. Describe the Applicant's formal or informal cooperation with other law enforcement agencies:

Informal cooperative agreements exist between the San Bernardino County Sheriff's Department (Yucca Valley Police Department), Morongo Basin Station, and the following agencies: (1) San Bernardino County Code Enforcement - This agency is primarily responsible for enforcement of San Bernardino County codes relating to OHV staging and land use. (2) Bureau of Land Management - The BLM maintains primary jurisdiction over BLM lands. The sheriff's department enforces vehicle code violations relating to OHV use on BLM lands. (3) Joshua Tree National Park Rangers and 29 Palms MCAGCC military police both handle calls within their lands, however information and call sharing routinely occurs when jurisdictional boundaries are an issue.

The Morongo Basin Station, BLM and code enforcement have in the past worked in conjunction to target specific areas of concern and / or locations where unusually high OHV call volume exists.

Law Enforcement - Page 2

4. Does the Applicant recover a portion of the law enforcement costs directly associated with privately sponsored OHV events where sponsors have obtained a local permit? (Please select Yes or No)

Yes No

Explain:

The promotor of the King of the Hammers event pays the cost of law enforcement personnel required for the event. This is completely separate from OHMVR Grand funded OHV patrol.

5. The Applicant agrees to implement a public education program that includes information on safety programs available in the area and how to report OHV violations? (Please select Yes or No)

Yes No

6. Describe the Applicant's OHV law enforcement training program including how the training program educates personnel to address OHV safety and natural and cultural resource protection:

Each officer assigned to the OHV Enforcement Team must attend and pass a 40 hour, POST approved dual purpose motorcycle enforcement course if they are going to use the motorcycle. Upon completion of this course, each OHV enforcement officer receives a minimum of 24 hours of on the job training with an OHV enforcement supervisor. This on the job training includes site visits to cultural and natural resources, areas where specific wildlife or environmental concerns exist, areas where OHV problems are regularly reported and areas where OHV use is permitted. Each OHV enforcement officer receives training addressing proper and legal OHV use and CVC and County Code violations relating to OHV use. OHV members also provide briefing training and "calls for service pin maps" to area patrol deputies so that all officers assigned to the Yucca Valley Police Department and the Morongo Basin Station remain up to date on current OHV enforcement issues and strategies.

Law Enforcement - Page 3

7. Is the proposed project in accordance with local or federal plans and the OHMVR Division Strategic Plan? (Please select Yes or No) Yes No
8. LOCAL AGENCIES ONLY - Describe the Applicant's policies and/or agreements regarding enforcement on federal land:
The Town of Yucca Valley Police Department has no formal agreements regarding OHV enforcement on federal lands.
9. COUNTIES ONLY - Describe how the OHV in-lieu of tax funds are being used and whether the use of these fees complements the Applicant's project:

Law Enforcement - Page 4

10. APPLICANTS WHO MANAGE OHV RECREATION FACILITIES – Describe how your organization is meeting its operation and maintenance needs:
The Town of Yucca Valley Police Department does not manage OHV recreation facilities.
11. The Applicant agrees to enforce the registration of OHVs and the other provision of Division 16.5 commencing with Section 38000 of the vehicle code and to enforce other applicable laws regarding the operation of OHVs? (Please select Yes or No) Yes No

Project Cost Estimate

FOR OFFICE USE ONLY:		Version # _____	APP # _____
APPLICANT NAME :	Yucca Valley Police Department		
PROJECT TITLE :	Law Enforcement - 2014 Grant	PROJECT NUMBER (Division use only) :	G13-03-22-L01
PROJECT TYPE :	<input checked="" type="checkbox"/> Law Enforcement <input type="checkbox"/> Development <input type="checkbox"/> Restoration <input type="checkbox"/> Ground Operations <input type="checkbox"/> Education & Safety <input type="checkbox"/> Planning <input type="checkbox"/> Acquisition		
PROJECT DESCRIPTION :	<p>The Town of Yucca Valley lies in the high desert of San Bernardino County in an area known as the Morongo Basin. Incorporated in 1991, Yucca Valley has a population of approximately 26,000 and encompasses about 39 square miles. Yucca Valley does not offer designated Off Highway Vehicle (OHV) roads or trails within town limits; however, OHV opportunity abounds in surrounding areas year round and directly effects the town and residents of Yucca Valley.</p> <p>In addition to Yucca Valley, the Morongo Basin includes the City of 29 Palms and the unincorporated communities of Joshua Tree, Morongo Valley, Pioneertown, Landers, Johnson Valley and Wonder Valley. The 5200 square mile Morongo Basin is home to approximately 100,000 residents, the Joshua Tree National Park (JTNP) and the 29 Palms Marine Corps Air Ground Combat Center (MCAGCC). Both JTNP and MCAGCC are closed to OHV use.</p> <p>Yucca Valley is criss-crossed by dirt roads used by OHV riders to get to various authorized OHV riding areas or WEMO (Western Mojave Desert Off Road Vehicle Management) trails/roads. This often involves OHV riding on public roads, private property and public land closed to OHV activity. Cabins and vacation homes, many used as weekend staging areas and camps by OHV riders, dot the rural areas of Yucca Valley and the Morongo Basin. OHV activity often increases during weekends and holidays.</p> <p>The San Bernardino County Sheriff's Department (SBCSD), Morongo Basin Station, is responsible for law enforcement throughout the Morongo Basin. Both Yucca Valley and 29 Palms contract with the sheriff's department for police services. The 188,000 acre Johnson Valley OHV area is located 20 minutes north of Yucca Valley. Though operated by BLM, the area is within the Morongo Basin Station's jurisdiction and deputies respond to calls in this area for crime reports, down riders, search and rescue and more. The primary road to access Johnson Valley is State Highway 247 which travels directly through the middle of Yucca Valley. OHV traffic increases substantially in Yucca Valley during OHV events in Johnson Valley.</p> <p>This grant will provide funding for OHV enforcement, education and search and rescue operations in Yucca Valley and the surrounding Morongo Basin communities who Yucca Valley routinely assists in such matters. Law enforcement personnel will be provided by SBCSD. Officers assigned to this area receive formal and / or on the job training in OHV laws via SBCSD, BLM (Bureau of Land Management) and the California State Parks Department. This</p>		

	<p>training is provided on an on-going basis.</p> <p>The Morongo Basin Station's OHV enforcement team is equipped with three dual-sport motorcycles, a 4 x 4 truck and enclosed trailer. OHV enforcement officers routinely ride dual purpose motorcycles from the station to patrol areas. At times, OHV enforcement officers conduct operations in remote areas where fuel and supplies are not readily available. In these cases, the 4 x 4 truck can be used to haul motorcycles, fuel, supplies and personnel. This truck can also be used to recover lost or injured riders and disabled / damaged OHV's from areas not accessible to ambulances or tow vehicles.</p> <p>Yucca Valley and the Morongo Basin have seen a steady population increase during recent years. Yucca Valley has become the main commercial hub for all of Morongo Basin including the sales and service of OHV's. The rising number of citizens and increasing population density has placed OHV enthusiasts and opponents in closer and more common contact. Yucca Valley and Morongo Basin residents on both sides of the OHV issue have formed citizen's groups to address their concerns.</p> <p>In an effort to quell illegal OHV activity, Yucca Valley and the SBCSD have taken several steps to address OHV use. Yucca Valley adopted the vehicle code for all dirt roads within town limits and OHV riding on these roads is prohibited. Additionally, San Bernardino County Ordinance 3973, which greatly restricts OHV riding on both public and private property, remains in place and is often a basis for OHV related calls for service. These efforts, in conjunction with past OHMVR Grant funding, have resulted in a continual decline in OHV related calls for service.</p> <p>Funds obtained through this grant will provide for continued OHV opportunity and enforcement in Yucca Valley and the Morongo Basin by allowing deputies to continue with OHV enforcement and education efforts. These continued efforts will help to reduce the friction between the citizens on both sides of the OHV issue and ensure that OHV opportunities continue to be present in the Morongo Basin.</p>					
Line Item	Qty	Rate	UOM	Grant Req.	Match	Total
DIRECT EXPENSES						
Program Expenses						
1 Staff						
Sergeant	285.3000	83.170	HRS	17,796.00	5,932.00	23,728.00
Notes : 25% match						
Law Enforcement Officers	400.0000	65.680	HRS	19,704.00	6,568.00	26,272.00
Notes : 25% match						
Total for Staff				37,500.00	12,500.00	50,000.00

Line Item	Qty	Rate	UOM	Grant Req.	Match	Total
2						
3						
4						
5						
6						
Total Program Expenses				37,500.00	12,500.00	50,000.00
TOTAL DIRECT EXPENSES				37,500.00	12,500.00	50,000.00
INDIRECT EXPENSES						
Indirect Costs						
1						
Total Indirect Costs				0.00	0.00	0.00
TOTAL INDIRECT EXPENSES				0.00	0.00	0.00
TOTAL EXPENDITURES				37,500.00	12,500.00	50,000.00

Project Cost Summary for Grants and Cooperative Agreements Program - 2013/2014
 Agency: Yucca Valley Police Department
 Application: Law Enforcement - 2014 Grant

2/27/2014

Category	Grant Req.	Match	Total	Narrative
DIRECT EXPENSES				
Program Expenses				
1 Staff	37,500.00	12,500.00	50,000.00	The incorporated Town of Yucca Valley contracts with the San Bernardino County Sheriff's Department for law enforcement services and the rates of pay are set by contractual agreement. OHMVR Grant funded enforcement operations are conducted on overtime outside of regular contract hours, and billed at the contractual rate of 1.5x the base pay rate plus Worker's Comp and Medicare insurance costs.
2 Contracts	0.00	0.00	0.00	The top step base rates of pay for fiscal year 2013/14 are as follows: Deputy - \$41.09 per hour, Motor Officer - \$42.84 per hour, Detective/Corporal - \$45.35 per hour, Sergeant - \$52.71 per hour.
3 Materials / Supplies	0.00	0.00	0.00	
4 Equipment Use Expenses	0.00	0.00	0.00	
5 Equipment Purchases	0.00	0.00	0.00	
6 Others	0.00	0.00	0.00	
Total Program Expenses	37,500.00	12,500.00	50,000.00	
TOTAL DIRECT EXPENSES	37,500.00	12,500.00	50,000.00	
INDIRECT EXPENSES				
Indirect Costs				
1 Indirect Costs	0.00	0.00	0.00	
Total Indirect Costs	0.00	0.00	0.00	
TOTAL INDIRECT EXPENSES	0.00	0.00	0.00	
TOTAL EXPENDITURES	37,500.00	12,500.00	50,000.00	

Environmental Review Data Sheet (ERDS)

FOR OFFICE USE ONLY:

Version # _____

APP # _____

ITEM 1 and ITEM 2

ITEM 1

- a. ITEM 1 - Has a CEQA Notice of Determination (NOD) been filed for the Project? Yes No
(Please select Yes or No)

ITEM 2

- b. Does the proposed Project include a request for funding for CEQA and/or NEPA document preparation prior to implementing the remaining Project Deliverables (i.e., is it a two-phased Project pursuant to Section 4970.06.1(b)) (Please select Yes or No) Yes No

ITEM 3 - Project under CEQA Guidelines Section 15378

- c. ITEM 3 - Are the proposed activities a "Project" under CEQA Guidelines Section 15378? Yes No
(Please select Yes or No)
- d. The Application is requesting funds solely for personnel and support to enforce OHV laws and ensure public safety. These activities would not cause any physical change in the environment, or a reasonably foreseeable indirect physical change in the environment and are thus not a "Project" under CEQA. (Please select Yes or No) Yes No
- e. Other. Explain why proposed activities would not cause any physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and are thus not a "Project" under CEQA. DO NOT complete ITEMS 4 - 10.

ITEM 4 - Impact of this Project on Wetlands

ITEM 5 - Cumulative Impacts of this Project

ITEM 6 - Soil Impacts

ITEM 7 - Damage to Scenic Resources

ITEM 8 - Hazardous Materials

Is the proposed Project Area located on a site included on any list compiled pursuant to Section 65962.5 of the California Government Code (hazardous materials)? (Please select Yes or No) Yes No

If YES, describe the location of the hazard relative to the Project site, the level of hazard and the measures to be taken to minimize or avoid the hazards:

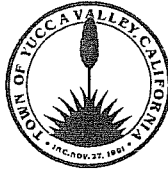
ITEM 9 - Potential for Adverse Impacts to Historical or Cultural Resources

Would the proposed Project have potential for any substantial adverse impacts to historical or cultural resources? (Please select Yes or No) Yes No

Discuss the potential for the proposed Project to have any substantial adverse impacts to historical or cultural resources:

ITEM 10 - Indirect Significant Impacts

CEQA/NEPA Attachment



TOWN COUNCIL STAFF REPORT

To: Honorable Mayor & Town Council
From: Curtis Yakimow, Administrative Services Director
Date: February 26 , 2014
Council Meeting: March 4, 2014

Subject: Warrant Register March 4, 2014

Recommendation:

Ratify the Payroll Registers total of \$272,401.01 dated January 31, 2014 to February 18, 2014. Warrant Registers total of \$78,247.92 for checks dated February 21, 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. 30 dated January 31, 2014 total of \$138,693.13
- Payroll Register No. 32 dated February 14, 2014 total of \$ 122,999.33
- Payroll Register No. 32/2 dated February 18, 2014 total of \$10,708.55
- Warrant Register No. 37 dated February 21, 2014 total of \$78,247.92

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 # 30
CHECK DATE - January 31, 2014


Fund Distribution Breakdown

Fund Distribution

General Fund	\$133,170.26
Gas Tax Fund	5,522.87
Successor Agency	0.00 **
	<hr/>

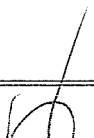
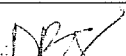
Grand Total Payroll	<u><u>\$138,693.13</u></u>
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**This is not an obligation of the Town of Yucca Valley.

Prepared by P/R & Financial Specialist: 

Reviewed by H/R & Risk Mgr.: 

Town of Yucca Valley
Payroll Net Pay & Net Liability Breakdown
Pay Period 30 - Paid 01/31/2014
(January 11, 2014 - January 24, 2014)
Checks: 4818 - 4825

	Employee	Employer	Total
<u>Net Employee Pay</u>			
Payroll Checks	\$3,972.08		\$3,972.08
Direct Deposit	57,784.02	-	57,784.02
Sub-total	61,756.10		61,756.10
<u>Employee Tax Withholding</u>			
Federal	9,649.82		9,649.82
Medicare	1,624.14	1,624.13	3,248.27
SDI - EE	-	-	-
State	2,880.21		2,880.21
Sub-total	14,154.17	1,624.13	15,778.30
<u>Employee Benefit & Other Withholding</u>			
Misc. Payroll Adjustment Credit's	-	-	-
Deferred Compensation	36,088.44	-	36,088.44
PERS Survivor Benefit	-		-
Health Café Plan	-	-	-
American Fidelity Pre-Tax	-		-
American Fidelity After-Tax	-		-
American Fidelity-FSA	-		-
PERS EE - Contribution 6.25 %	160.97		160.97
PERS EE - Contribution 7%	915.59		915.59
PERS EE - Contribution 8%	4,601.91		4,601.91
PERS Retirement - Employer 6.25 %	-	160.97	160.97
PERS Retirement - Employer 7.846 %	-	1,052.81	1,052.81
PERS Retirement - Employer 18.586 %	-	11,222.78	11,222.78
Wage Garnishment - Employee	10.00		10.00
Life & Disability Insurance		-	-
Other Post Employee Benefit's		2,233.93	2,233.93
Unemployment Insurance		1,433.89	1,433.89
Workers' Compensation		3,277.44	3,277.44
Sub-total	41,776.91	19,381.82	61,158.73
Gross Payroll	\$117,687.18	\$21,005.95	\$138,693.13
Prepared by P/R & Financial Specialist: 	Reviewed by H/R & Risk Mgr.: 		

TOWN OF YUCCA VALLEY
PAYROLL REGISTER # 32/1
CHECK DATE - February 14, 2014

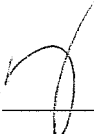
Fund Distribution Breakdown

Fund Distribution

General Fund	\$117,356.48
Gas Tax Fund	5,642.85
Successor Agency	<u>0.00</u> **


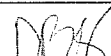
Grand Total Payroll \$122,999.33

****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 32/1 - Paid 02/14/2014
 (January 25, 2014 - February 07, 2014)
 Checks: 4826 - 4833

	Employee	Employer	Total
<u>Net Employee Pay</u>			
Payroll Checks	\$3,925.78		\$3,925.78
Direct Deposit	60,586.60	-	60,586.60
Sub-total	64,512.38		64,512.38
<u>Employee Tax Withholding</u>			
Federal	9,950.79		9,950.79
Medicare	1,194.72	1,194.71	2,389.43
SDI - EE	-	-	-
State	3,037.10		3,037.10
Sub-total	14,182.61	1,194.71	15,377.32
<u>Employee Benefit & Other Withholding</u>			
Misc. Payroll Adjustment Credit's	-	-	-
Deferred Compensation	2,490.44	1,076.93	3,567.37
PERS Survivor Benefit	36.00		36.00
Health Café Plan	1,343.70	11,630.68	12,974.38
American Fidelity Pre-Tax	29.95		29.95
American Fidelity After-Tax	85.25		85.25
American Fidelity-FSA	397.84		397.84
PERS EE - Contribution 6.25 %	253.91		253.91
PERS EE - Contribution 7%	913.81		913.81
PERS EE - Contribution 8%	4,541.84		4,541.84
PERS Retirement - Employer 6.25 %	-	253.91	253.91
PERS Retirement - Employer 7.846 %	-	1,050.75	1,050.75
PERS Retirement - Employer 18.586 %	-	11,076.27	11,076.27
Wage Garnishment - Employee	10.00		10.00
Life & Disability Insurance		883.91	883.91
Other Post Employee Benefit's		2,261.98	2,261.98
Unemployment Insurance		1,452.49	1,452.49
Workers' Compensation		3,319.97	3,319.97
Sub-total	10,102.74	33,006.89	43,109.63
Gross Payroll	\$88,797.73	\$34,201.60	\$122,999.33
Prepared by P/R & Financial Specialist:  Reviewed by H/R & Risk Mgr.: 			

TOWN OF YUCCA VALLEY
PAYROLL REGISTER # 32/2 / Special PR
CHECK DATE - February 18, 2014

Fund Distribution Breakdown

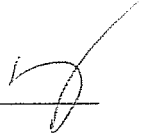
Fund Distribution

General Fund	\$10,708.55
Gas Tax Fund	0.00
Successor Agency	0.00 **
	<hr/>

Grand Total Payroll	\$10,708.55
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****This is not an obligation of the Town of Yucca Valley.**

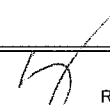
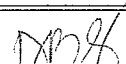
Prepared by P/R & Financial Specialist: _____



Reviewed by H/R & Risk Mgr.: _____



Town of Yucca Valley
Payroll Net Pay & Net Liability Breakdown
Pay Period 32/2 - Paid 02/18/2014 / Special PR
(January 25, 2014 - February 07, 2014)
Checks: 0000 - 0000


	Employee	Employer	Total
<u>Net Employee Pay</u>			
Payroll Checks	0.03972.08		0.03972.08
Direct Deposit	7,547.18	-	7,547.18
Sub-total	7,547.18		7,547.18
<u>Employee Tax Withholding</u>			
Federal	2,048.25		2,048.25
Medicare	153.06	153.05	306.11
SDI - EE	-	-	-
State	807.01		807.01
Sub-total	3,008.32	153.05	3,161.37
<u>Employee Benefit & Other Withholding</u>			
Misc. Payroll Adjustment Credit's	-	-	-
Deferred Compensation	-	-	-
PERS Survivor Benefit	-	-	-
Health Café Plan	-	-	-
American Fidelity Pre-Tax	-	-	-
American Fidelity After-Tax	-	-	-
American Fidelity-FSA	-	-	-
PERS EE - Contribution 6.25 %	-	-	-
PERS EE - Contribution 7%	-	-	-
PERS EE - Contribution 8%	-	-	-
PERS Retirement - Employer 6.25 %	-	-	-
PERS Retirement - Employer 7.846 %	-	-	-
PERS Retirement - Employer 18.586 %	-	-	-
Wage Garnishment - Employee	-	-	-
Life & Disability Insurance		-	-
Other Post Employee Benefit's		-	-
Unemployment Insurance		-	-
Workers' Compensation		-	-
Sub-total	-	-	-
Gross Payroll	\$10,555.50	\$153.05	\$10,708.55
Prepared by P/R & Financial Specialist: 	Reviewed by H/R & Risk Mgr.: 		

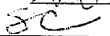
**WARRANT REGISTER # 37
CHECK DATE FEBRUARY 21, 2014**


FUND DISTRIBUTION BREAKDOWN

Checks # 44222 - # 44303 are valid

GENERAL FUND # 001	\$72,015.39
CENTRAL SUPPLIES FUND # 100	\$0.00
CUP DEPOSITS FUND # 200	\$122.92
COPS-ELEAS FUND # 511	\$64.99
STREET MAINTENANCE FUND # 515	\$1,144.91
MEASURE I 2040 REGIONAL FUND # 520	\$662.00
MEASURE I - 2010-2040 FUND # 524	\$4,075.71
PUBLIC LANDS FEDERAL GRANT FUND # 527	\$162.00
GRAND TOTAL	<u><u>\$78,247.92</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

February 21, 2014

Fund	Check #	Vendor	Description	Amount
001	GENERAL FUND			
	44222	A Cone Zone, Inc.	Signage	\$ 212.65
	44223	Action Pumping, Inc.	Annual Septic Maintenance	2,535.00
	44224	Alsco/American Linen, Inc.	Facilities Operating Supplies	163.80
	44225	Janet Anderson	03/14 Medical Insurance	844.62
	44226	Arrowhead Mountain Water	Office Supplies	118.38
	44227	Avalon Urgent Care	Medical Services	15.00
	44228	Boys & Girls Club	Facility Rental Agreement	16,000.00
	44229	Debra Breidenbach-Sterling	Training Expense	320.00
	44230	BSN Sports	Parks Equipment	314.08
	44231	Builders Supply-Yucca Valley	Maintenance Supplies	50.66
	44232	Burrtec Environmental	Brehm Park Expense	273.55
	44233	C & S Electric	Electrical Maintenance & Parts	33.13
	44234	C & S Electric	Electrical Maintenance & Parts	70.16
	44235	Vanessa Cantu	Professional Services	1,855.00
	44236	Dennis Cavins	Sports Referee	24.00
	44237	Dennis Cavins, Jr.	Sports Referee	24.00
	44238	Janine Cleveland	03/14 Medical Insurance	104.90
	44239	Companion Animal Clinic	Veterinary Services & Supplies	150.00
	44240	Department of Consumer Affairs	Membership Renewal	120.00
	44241	Melanie Crider	Safety Equipment	32.39
	44242	Data Ticket	Citation Processing	150.00
	44243	Desert Pacific Exterminators, LLC	Exterminator Services	251.00
	44244	Desert Arc	Park Maintenance Services	4,095.00
	44245	Dept of Justice	Livescan Services	169.00
	44246	Candy Drake	03/14 Medical Insurance	585.31
	44247	Alec Earnest	Sports Referee	24.00
	44248	Eisenhower Occupational Health	Medical Services	75.00
	44249	Farmer Bros. Co.	Office Supplies	114.59
	44250	FedEx	Delivery Service	108.47
	44251	Jess Geeson	Sports Referee	30.00
	44252	Totalfunds by Hasler	Postage	1,000.00
	44253	Hi-Desert Air, Inc.	HVAC Maintenance	419.69
	44254	Hi-Desert Glass	Facility Maintenance	819.30
	44255	Hi-Desert Water	Water Service	390.44
	44256	Hi-Desert Publishing	Legal Advertising	919.50
	44257	Intervet, Inc.	Shelter Adoption Supplies	155.63
	44258	JLT Transportation	Parks Maintenance	183.60
	44259	Robert Kirschmann	03/14 Medical Insurance	1,589.05
	44260	Legacy Office Products	Office Supplies	222.33
	44261	Bill McClay	Sports Referee	30.00
	44262	Brent Murphy	Sports Referee	54.00

Town of Yucca Valley

Warrant Register

February 21, 2014

Fund	Check #	Vendor	Description	Amount
	44263	Morongo Unified School District	Fleet Vehicle Fuel	3,182.09
	44264	Michael Myers	Sports Referee	30.00
	44265	Navitas Lease Corp.	Shelter Phone Lease	567.11
	44266	Oasis Office Supply, Inc.	Office Supplies	539.15
	44267	OnTrac	Delivery Service	7.18
	44268	Pacific Telemanagement Svs.	Public Phone Service	82.64
	44269	Public Agency Retirement Services	11/13 Professional Services	300.00
	44270	Perris Fence & Supply	Brehm Park Maintenance	102.14
	44271	Petty Cash	Miscellaneous Supplies	623.31
	44272	Pool & Spa Center	YVHS Pool Maintenance	89.42
	44273	Pro Security	Annual Security Monitoring Svs.	97.50
	44274	Quick Scores	Recreation Program Supplies	216.00
	44275	Celeste Reyes	Sports Referee	36.00
	44276	Jessica Rice	Training Expense	768.00
	44278	SBCO - Information Services	01/14 Radio Access	2,058.11
	44279	Office of the County Recorder	Filing Fee	15.00
	44280	SCE	Electric Service	6,346.44
	44282	Smith Pipe & Supply, Inc.	Parks Irrigation Supplies	114.31
	44283	So. Cal. Gas Co.	Natural Gas Vehicle Fuel	13.09
	44284	Southwest Networks, Inc.	Computer Maintenance	469.47
	44285	Sprint	Phone Service	4.79
	44286	Star2Star Communications, LLC	Shelter Phone Service	851.21
	44287	Sterling Codifiers, Inc.	2014 Internet Hosting Fee	500.00
	44288	TFI Resources, Inc.	Temporary Employment Svs.	38.04
	44289	The Planning Center	General Plan Update	1,652.50
	44291	Trophy Express	Engraving Services	62.10
	44292	Verizon	Phone Service	4,087.40
	44293	Verizon	Long Distance Phone Svs.	327.17
	44294	Verizon Business	Shelter Internet Svs.	772.84
	44295	Valley Independent	Printing Expense	21.55
	44296	US Bank Voyager Fleet Systems	Natural Gas Vehicle Fuel	104.69
	44297	Walmart Community	Program Supplies	455.42
	44299	Woods Auto Repair	Fleet Vehicle Maintenance	340.00
	44300	YV Chamber of Commerce	Joint Marketing	6,318.32
	44301	Yucca Valley Fire Extinguisher Co.	Facilities Maintenance	706.32
	44302	Yucca Valley Auto Parts, Inc.	Vehicle Maintenance	1,175.96
	44303	Z 107.7 Mobile Music	Recreation Event Expense	175.00
	EFT	First Bankcard	Meetings & Supplies	2,196.10
	EFT	The Home Depot	Facilities Maintenance	1,921.79

Total 001 GENERAL FUND

\$ 72,015.39

Town of Yucca Valley

Warrant Register

February 21, 2014

Fund	Check #	Vendor	Description	Amount
200 DEPOSITS FUND				
	44260	Legacy Office Products	Office Supplies	\$ 122.92
Total 200	DEPOSITS FUND			\$ 122.92
511 COPS-ELEAS FUND				
	44290	Time Warner Cable	Sheriff's Office Cable Svs.	\$ 64.99
Total 511	COPS-ELEAS FUND			\$ 64.99
515 GAS TAX FUND				
	44224	AlSCO/American Linen, Inc.	Streets Uniform Service	\$ 33.25
	44231	Builders Supply-Yucca Valley	Maintenance Supplies	103.16
	44255	Hi-Desert Water	Water Service	96.32
	44280	SCE	Electric Service	654.29
	44302	Yucca Valley Auto Parts, Inc.	Vehicle Maintenance	257.89
Total 515	GAS TAX FUND			\$ 1,144.91
520 MEASURE I-2040 REGIONAL FUND				
	44277	SBCO-Clerk/Board of Supervisors	Filing Fee	\$ 50.00
	44298	Albert A. Webb Assoc.	Dumosa Signal Project	612.00
Total 520	MEASURE I-2040 REGIONAL FUND			\$ 662.00
524 MEASURE I -2010-2040 FUND				
	44280	SCE	Electric Service	\$ 3,825.71
	44281	Siemens Industry, Inc.	Signal Maintenance	250.00
Total 524	MEASURE I -2010-2040 FUND			\$ 4,075.71
527 PUBLIC LANDS FEDERAL GRANT FUND				
	44260	Legacy Office Products	Office Supplies	\$ 162.00
Total 527	PUBLIC LANDS FEDERAL GRANT FUND			\$ 162.00
***	Report Total			\$ 78,247.92

TOWN COUNCIL STAFF REPORT



To: Honorable Mayor & Town Council
From: Shane R. Stueckle, Deputy Town Manager
 Alex Qishta, Project Engineer
Date: February 24, 2014
For Council Meeting: March 4, 2014

Subject: State Route 62
 Discussion of Alternative Access Routes
 Pima Trail, East of Church Street to Palm
 Alley Way, North Side of SR 62, Grand to Palm

Prior Council Review: At the Council meeting of November 19, 2013, staff was directed to return to the Council with a detailed analysis of options for developing alternative access routes including Pima Trail between Church Street and Palm Avenue, and the alley between Palm and Grand.

Recommendation: It is recommended that the Town Council

- Directs staff to include funding in the 2014/2015 Fiscal Year Capital Projects Budget to evaluate rights of way and utility location for Pima Trail, east of Church Street to Palm Avenue, and for the alley between Palm and Grand Avenue on the north side of SR 62.
- Directs staff to include funding in the 2014/2015 Fiscal Year Capital Projects Budget to accept Pima Trail, east of Church Street to Palm Avenue, and for the alley between Palm and Grand Avenue on the north side of SR 62, into the Town's Maintained Road System until completion of wastewater collection systems by HDWD.
- Directs staff to plan funding for paved and maintained improvements for Pima Trail, east of Church Street to Palm Avenue, and for the alley between Palm and Grand Avenue on the north side of SR 62 following completion of the wastewater collection system by HDWD.

Reviewed By:	 Town Manager	 Town Attorney	 Mgmt Services	SRS 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 type="checkbox"/> Minute Action	<input type="checkbox"/> Receive and File	<input type="checkbox"/> Study Session

Executive Summary: The Town Council directed staff to return to the Council with a discussion on two alternative access routes that run parallel to SR 62. This report summarizes the various issues related to these two specific roadway segments as well as identifies other long term similar circulation issues.

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: With construction of raised median islands on SR 62, alternative access and circulation improvements were identified as essential to providing improved access and circulation along the SR 62 commercial corridor. Two specific circulation segments were identified and details for those two segments are addressed in this staff report. There are similar additional SR 62 Corridor alternative access and circulation routes identified in this staff report that will require further future evaluation.

Pima Trail, East of Church Street to Palm Avenue: Pima Trail is improved from Church Street to approximately 500' east of Church Street. This segment is improved with curb and gutter, sidewalk and asphalt paving. When completed it will improve traffic circulation on the south side of SR62, providing an alternative to using SR62 for the businesses and residents. This is a necessary improvement with or without the construction of raised median islands on SR 62. Long range traffic volume projections for SR 62, including both regional and local vehicle trips, will necessitate completing numerous local circulation routes in order to provide alternatives to the use of SR 62. There are two right-of-way issues that will need to be addressed on this segment, and the preliminary construction cost estimate to complete the improvements identifies \$178,000 in anticipated costs.

Alley north of SR62 between Palm Avenue and Grand Avenue: Prior subdivision designs along SR 62 often included either an outer highway and/or a narrow alley to the rear of the lots being created. This is the case with the alley between Palm and Grand, north of SR 62. In a majority of the cases, the County did not require the alleys to be improved and the alleys were not accepted into the County's Maintained Road System.

In its existing condition, the alley is unimproved dirt and provides alternative access to those businesses which front SR 62 between Palm and Grand. The alley between Palm Avenue and Grand Avenue is approximately 1350 LF. The preliminary construction cost estimate to complete the improvements identifies \$121,000 in anticipated costs.

Traffic Safety Policy #5, Acceptance of Roads Into the Maintained System: Traffic Safety Policy #5 establishes procedures and standards for the acceptance of roads into the Town's Maintained Road System. In summary, roads must be improved by property owners/land developers prior to the Town accepting roads for maintenance purposes. The Town may consider accepting roads based upon individual analysis and the need for improved roads for circulation and access purposes. The Town has taken these actions historically for roads such as Sunnyslope Drive, Paxton, Joshua Drive, Kickapoo Trail, Navajo Trail, as well as others. As both regional and local vehicles trips will continue to increase total traffic volumes on SR 62, providing localized improved access without the need for use of SR 62 will increase in its importance.

Wastewater & Other Utilities: In reviewing of the wastewater plans that were submitted by the HDWD, wastewater collection lines are planned for both Pima Trail and the alley between Palm Avenue and Grand Avenue. Based upon Council direction, timing of the construction of improvements will need to be carefully evaluated so as not to result in the removal or cutting of new roadways in order to accommodate the wastewater collection system. There may also be necessary relocation of existing facilities, including water lines, telephone systems, as well as the potential for those utilities companies to desire installing new or replacement systems. Depending upon prior rights, the Town may be responsible for utility relocation costs and those potential costs are not included in the construction cost estimates in this staff report.

Maintenance of Unimproved/Dirt Roads: At the time of incorporation, the Town inherited approximately 1.5 miles of Maintained Dirt Roads. The Town has not added any dirt roads to the Maintained Road System since incorporation. As indicated above regarding the wastewater collection system, it is likely that the collection system will not be installed in these areas till approximately 2017 or 2018, if the Hi Desert Water District's wastewater assessment vote is approved by property owners in 2014. Therefore if improved access, improved being defined as a graded road bed surface, is desired in the near term, consideration should be given for taking that action following evaluation of rights of way and utility locations. It is very common in older subdivisions within the Town to find various utilities were not constructed at appropriate depths, resulting in damaged utilities at the time of grading. Surveys and utility research should be completed prior to final action to accept unimproved roads into the Maintained Road System.

Additional Alternative off-SR 62 Circulation Routes There are numerous alley ways both north and south of SR62 that are dirt alleys that are not maintained by the Town of Yucca Valley. It is estimated that approximately 30,000 L.F of current alleys are dirt alleys.

These alleys provide a primary and secondary access to many businesses located on the SR 62. The Town has no policy in place at this point of time that addresses alleys; cost to construct alleys is estimated at \$2,400,000.00.

Alternatives: The Council may provide direction to staff as deemed necessary.

Fiscal impact: Preliminary Rough Construction Cost Estimates for both Pima and the Alley identify total design and construction costs of approximately \$299,000. No utility research has been conducted and there may therefore be additional costs related to utility relocation.

As indicated in the body of this staff report, very rough estimates for addressing other alley type roads that would provide alternative business access are estimated at approximately \$2.4 million.

While the RDA Bond Ad Hoc Committee has not met prior to the writing of this staff report, both Pima and the alley represent the project classifications for the expenditure of former RDA bond proceeds. While staff is not recommending the expenditure of any of those bond proceeds at this time, this should be considered in future budget and policy discussions.

Attachments: Pima Trail Estimate
Alley between Palm Avenue and Grand Avenue Estimate
Traffic Policy No. 5
Assessor Parcel Maps

ENGINEERS ESTIMATE - PIMA TRAIL

Bid Item	Description	Unit	Quantity	Unit Price	Total
GENERAL CONSTRUCTION					
1	General Overhead & Mobilization/Demobilization	LS	1	\$10,000.00	\$10,000.00
2	Stormwater Pollution Prevention /Erosion Control	LS	1	\$2,500.00	\$2,500.00
3	Traffic Control	LS	1	\$10,000.00	\$10,000.00
4	Clear & Grub	LS	1	\$5,000.00	\$5,000.00
5	Grading	LS	1	\$15,000.00	\$15,000.00
5	3" Asphalt Paving	Ton	500	\$100.00	\$50,000.00
6	4" Class 2 Aggregate Base	Ton	700	\$20.00	\$14,000.00
7	8" Curb and Gutter	LF	1000	\$20.00	\$20,000.00
8	4' sidewalk	SF	2000	\$5.00	\$10,000.00

\$136,500.00

10% Design	\$13,650.00
10% Inspection and Testing	\$13,650.00
10% Contingency	\$13,650.00
TOTAL	\$177,450.00

ENGINEERS ESTIMATE - ALLEY BETWEEN PALM & GRAND

Bid Item	Description	Unit	Quantity	Unit Price	Total
GENERAL CONSTRUCTION					
1	General Overhead & Mobilization/Demobilization	LS	1	\$5,000.00	\$5,000.00
2	Stormwater Pollution Prevention /Erosion Control	LS	1	\$2,500.00	\$2,500.00
3	Traffic Control	LS	1	\$2,500.00	\$2,500.00
4	Clear & Grub	LS	1	\$2,500.00	\$2,500.00
5	Grading	LS	1	\$15,000.00	\$15,000.00
5	3" Asphalt Paving	Ton	650	\$100.00	\$65,000.00
6	4" Class 2 Aggregate Base	Ton	0	\$20.00	\$0.00
7	8" Curb and Gutter	LF	0	\$20.00	\$0.00
8	4' sidewalk	SF	0	\$5.00	\$0.00

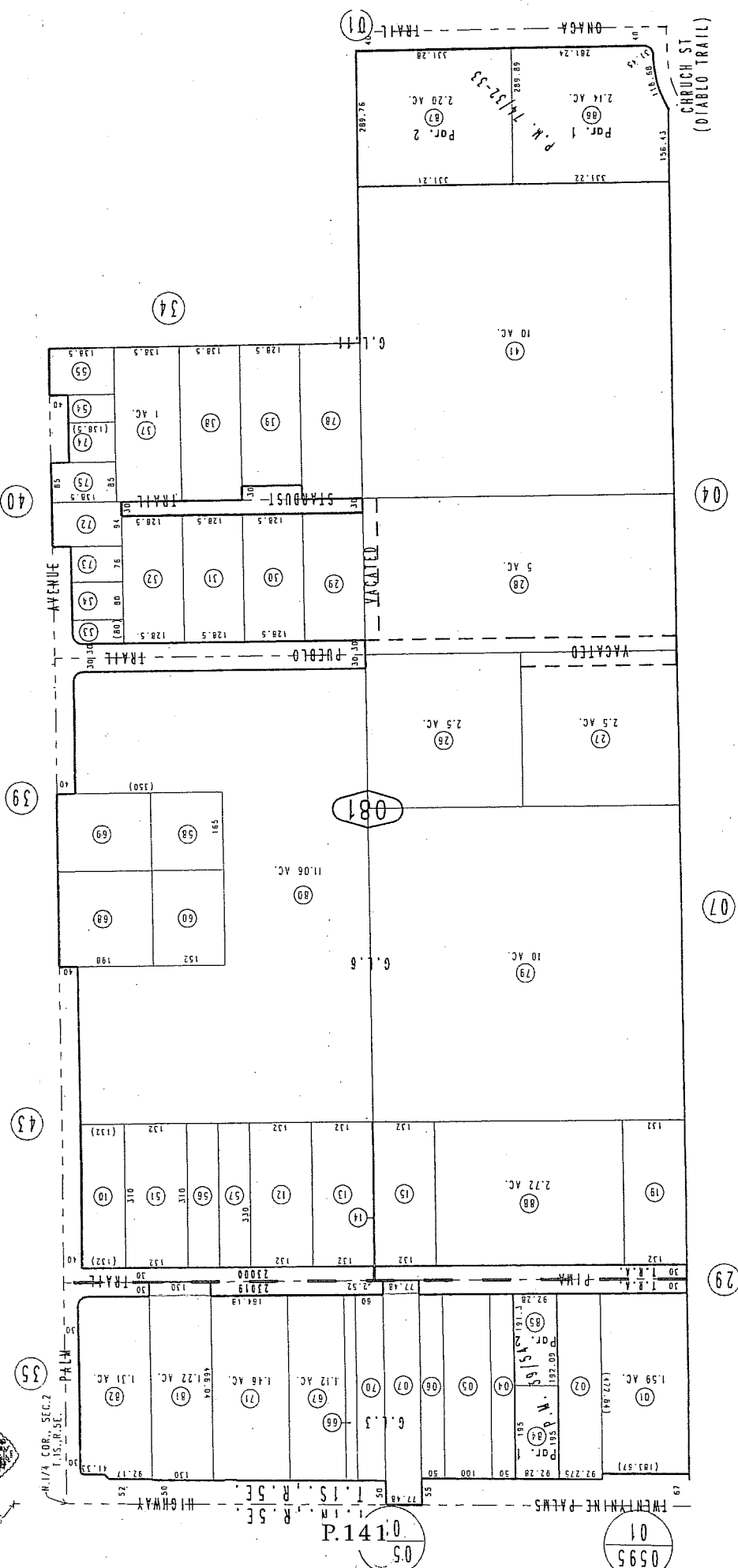
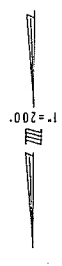
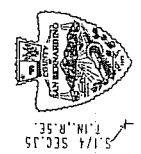
\$92,500.00

10% Design	\$9,250.00
10% Inspection and Testing	\$9,250.00
10% Contingency	\$9,250.00
TOTAL	\$120,250.00

Town of Yucca Valley
 Tax Rate Area
 23000 23019

E.1/2 N.W.1/4 Fractional Sec.2, T.1S.,R.5E., S.B.B.&M.
 R.S. 4/31

THIS MAP IS FOR THE PURPOSE
 OF AD VALOREM TAXATION ONLY.



REVISED
 07/18/12 BK-WC
 10/04/12 RW
 02/26/13 KA
 07/27/13 KA
 07/16/13 RU

Assessor's Map
 Book 0587 Page 08
 San Bernardino County

Parcel Map No. 7243, P.M. 74/32-33
 Parcel Map No. 4059, P.M. 39/54

February 2005

TRAFFIC POLICY # 5

ACCEPTANCE OF ROADS INTO THE MAINTAINED SYSTEM

1. Prior to the Town's acceptance of roadways for maintenance, the Town shall require granting of right-of way and completion of improvements. These improvements must be in accordance with the minimum improvement level standards, including hot-mix asphalt concrete pavement (over appropriate sub-base material), appropriate drainage improvements and appropriate traffic control measures, as approved by the Town's Engineering Division. Determination of required paving structural sections (thickness) will be based upon development and approval of policies and procedures for establishing Traffic Indexes (as a measure of the anticipated traffic loading) and R-values (as a measure of the strength of the underlying soil).
2. When property owners request assistance, the Town will assist in the completion of the required improvements through formation of groups such as assessment districts, community service districts, etc.
3. For new developments, street construction and improvements shall be in conformance with the minimum standards outlined above, OR continuous, long-term private maintenance of roadways must be provided for through the establishment of a homeowners' association, community service district, or other similar method.
4. The Town may consider accepting designated major arterials, collectors and secondary streets, as identified in the General Plan Circulation Element, into the maintained system without the obligation that property owners construct the street to current standards.

Approved by TAC 7/26/93

Approved by Town Council 8/19/93

Amendment #1 approved by TAC on 2/28/94

Amendment #1 approved by Town Council 3/3/94

With adoption (not including amendments) of the '13'14 FY Budget, a year end General Fund fund balance projection of approximately \$180,000 was established. This budget structure was achieved based upon specific policy guidance.

- The Town considers the adoption of a Balanced Budget without the use of Reserves as a way to ensure financial sustainability, and the General Fund Reserves should be reserved for one-time expenditures.
- The Town recognizes the importance of a financial plan that is sustainable in both the near and long term planning horizons. Budget development should consider and incorporate this concept of ongoing sustainability with no exception.
- The Town has limited resources with many demands. To ensure continued transparency, the Town will clearly communicate in the annual budget process the actual and pending changes related to the implementation of the current budget based on Strategic Planning Policy Guidance.
- Organizational, functional, operational and financial planning should incorporate a balanced approach in the implementation of the goals of this Community. Each goal is independently important, and the allocation of fiscal resources will reflect this approach.
- The services provided by the Town to its residents should be of the highest quality as is reasonably possible with available resources. Alternatives that provide equal or improved services in a more efficient or cost effective manner should be utilized where possible.
- Various programs in the Town may or may not receive direct or indirect General Fund subsidy. The determination of the criteria of subsidy is of critical importance to the fiscal sustainability of the organization. Accordingly, the criteria and level of Program/Service subsidy will be determined through a separate and definitive Town Council policy.
- It is anticipated that the community will frequently request the introduction of new services, programs, or facilities. Such requests impact the fiscal sustainability of the organization. Therefore the assumption of any new service, program or facility must be contingent on the ability of the Town to ensure the long-term operational and financial sustainability of the proposed project.
- The Town has a basic obligation to ensure the adequate maintenance of its infrastructure and assets. As part of the annual fiscal plan, the Town will provide continued investments necessary to meet the basic maintenance needs of Town assets.

Based upon the above overarching policies and principles, staff will finalize and present the baseline budget to the Town Council with the following generalized implementation guidance being provided to staff.

- Balanced Budget without the use of reserves;
- Public Safety remains the highest budget priority;
- Retain the goal of general fund revenues allocated to infrastructure maintenance of up to 10%;
- No major program or service delivery modifications or additions are anticipated;
- Identify programs or services that have minimal participation and/or that do not create significant quality of life programs for the community, and propose reasonable modifications or alternatives;
- Identify significant organizational/staffing impacts resulting from prior year budget adoption that may require modifications in FY '14-'16 Budget(s);
- Continue partnerships and community service contracts near existing total budget levels;
- Continue and expand the use of volunteers where appropriate and where volunteers are effective in service delivery to the community;
- Consider allocation of a cost of living adjustment and/or other benefit modification for employees; There has been an effective "0%" COLA for employees since 2007 while requiring employees to contribute significantly more for employment costs
- Continue to seek community financial participation in social, cultural, and other appropriate programs such as concerts in the park;

The public outreach and participation process for budget preparation begins with the Council's deliberations on policy guidance on these matters, in addition to the presentation of the baseline budget at an upcoming Town Council meeting.

While the Town has focused on capital project and infrastructure delivery, as well as major programmatic projects such as the General Plan Update and the Development Code rewrite over the past three to four years, the next several years are anticipated to focus on service delivery and organizational needs and efficiencies. Below are several specific efforts or categories of efforts that staff will be presenting to the Town Council in addition to the baseline budget.

- ✓ Classification and Compensation Plan Update: The current classification and compensation plan was completed in 2007. Based upon the degree of organizational change and resulting modifications to position duties and responsibilities, updating this plan should be considered in the '14-'15 FY.
- ✓ Telephone System Update: The Town's phone system, not including the Animal Shelter, is approximately 15 years old, antiquated, and replacement parts are no longer available. New technology provides for increased functionality and anticipated operating cost reductions.
- ✓ Accounting Software: The Town's accounting software will be phased out in the near future. Funding should be set-a-side annually to minimize those costs being allocated to a single year budget.
- ✓ Web Page Update: The design of the Town's web page is approximately 10 years old and has not been significantly revised through that time period;
- ✓ Council Meeting On-Line Video Hosting/Broadcasting: Also known as "archived streaming", improvements in information accessibility and availability to the community can be gained through combining archived streaming and minute availability. As part of the Town's efforts towards community outreach and communication this may be an effective tool.
- ✓ Vehicle & Equipment Replacement Program: The Town has delayed replacing/updating vehicles and equipment over the past several years while revenues were declining and associated organizational changes were occurring. There are a few vehicle/equipment issues which need to be addressed in the upcoming budget cycle.
- ✓ Development Impact Fee Report Update: With adoption of the General Plan Update, consideration should be given to updating the Public Facilities Development Impact Fee Study. The General Plan Update resulted in reduced long term infrastructure needs (roads), and therefore the resulting impact fees imposed should be reevaluated.

- ✓ Community Outreach & Communication: While the Town uses its web page extensively to provide information to the community, there are other outreach and communication tools which should be considered for funding. These alternative outreach and communication tools should receive consideration in budget review.
- ✓ Indirect Cost Allocation Model: Federal, state and regional financial resource distribution requires an update to the Town's Indirect Cost Allocation Model, which has not been updated since 2004.
- ✓ Additional Public Facility Solar Development: As the Town previously constructed roof-top solar equipment on the Town Hall/Library Building as well as at the Public Works Yard, additional efforts should be made to reduce electrical charges. Implementing additional solar systems at public facilities will require financial resources for the necessary technical studies.

Staff is not projecting any significant changes in annual revenues for the upcoming budget cycle. Therefore public safety, service delivery, community outreach and participation, organizational efficiencies, program prioritization, and organizational optimization will remain as the primary focus points during the upcoming two-year budget cycle.

Alternatives: The Council may provide direction to staff as deemed necessary.

Fiscal impact: NA

Attachments: FY '13/14 Budget Summary Pages

Town of Yucca Valley
Proposed Budget
FY 2013-14

Revenue Detail

Acct	Revenue Description	Actual 10/11	Actual 11/12	Amended FY 12/13	% Var 11/12 Act	Projected FY 12/13	% Var 12/13 Bdgt	Proposed FY 13/14	% Var 12/13 Bdgt
Property Tax									
7979	Prop Tax Admin Fee	\$ -	\$ -	\$ -	#DIV/0!	\$ 198,000	#DIV/0!	\$ -	#DIV/0!
4111	Property Tax-Secured/Unsecured	2,339,724	2,348,830	2,400,000	2%	2,467,435	3%	2,475,000	3%
4112	Prop Tax-Supp Sec'd/Unsec'd	32,072	25,588	20,000	-22%	15,000	-25%	30,000	50%
4114	Property Tax Penalties	8,929	6,483	10,000	54%	5,000	-50%	7,500	-25%
4115	Property Transfer Tax	38,347	45,222	35,000	-23%	27,000	-23%	38,000	9%
4116	HOPTR	32,392	32,592	34,000	4%	28,000	-18%	29,000	-15%
4117	Vehicle In Lieu Property	1,573,407	1,570,696	1,575,000	0%	1,559,000	-1%	1,564,000	-1%
4119	RPTTF-Property Tax		30,706	0	-100%	93,650	-100%	0	#DIV/0!
	Sub-total Prop Tax	2,451,464	4,060,117	4,074,000	0%	4,393,085	8%	4,143,500	2%
Sales Tax/VLF Revenue									
4120	1% Local Tax	2,712,111	2,863,039	3,100,000	8%	2,957,000	-5%	3,010,000	-3%
4805	Vehicle License Fees	97,307	10,533	0	-100%	14,000	#DIV/0!	15,000	#DIV/0!
	Sub-total State/County Subvention	2,809,418	2,873,572	3,100,000	8%	2,971,000	-4%	3,025,000	-2%
Franchise/TOT/Interest Revenues									
4150	Franchise Fees	778,255	809,736	795,000	-2%	760,000	-4%	750,000	-6%
4815	Article 19 WDA	40,088	32,762	38,000	16%	50,000	32%	40,000	5%
4135	TOT Permit Fee	0	0	0	0%	0	0%	0	#DIV/0!
1140	Transient Occupancy Tax	164,614	188,392	160,000	-15%	135,000	-16%	165,000	3%
4610	Money Market Interest	230	206	500	143%	500	0%	0	-100%
4611	LAIF Interest	34,421	27,197	15,000	-45%	22,000	47%	15,000	0%
	Sub-total Franchise/TOT/Interest	1,017,608	1,058,293	1,008,500	-5%	967,500	-4%	970,000	-4%
Administrative Revenues									
4250	Business Registration	37,759	39,382	55,000	40%	51,000	-7%	50,000	-9%
4402	Election Fees	2,095	0	3,500	#DIV/0!	0	100%	0	-100%
4403	Notary Fees	280	60	300	400%	300	0%	300	0%
4404	Passport Fees	3,300	1,625	2,500	54%	2,000	-20%	2,000	-20%
4320	County Fines/Forfeitures	5,907	6,580	8,000	22%	10,000	25%	10,000	25%
4330	Parking Citations	0	6,211	3,500	100%	500	-86%	500	-86%
4340	Booking Fees	389	393	500	27%	250	-50%	250	-50%
4621	Lease/Rents of Bldgs	24,000	24,000	30,000	25%	30,000	0%	32,000	7%
4820	County Reimbursement	7,572	0	0	#DIV/0!	0	0%	0	#DIV/0!
4829	OES Reimbursement- FEMA		104,458	0	-100%	0	0%	0	#DIV/0!
4830	State Reimbursement	0	29,944	0	0%	0	0%	0	#DIV/0!
4831	Mandates/MUSD Reimb	6,984	25,075	25,000	0%	25,000	100%	25,000	0%
4840	Sale Of Town Assets	940,000	0	0	#DIV/0!	5,000	#DIV/0!	0	#DIV/0!
4870	Grant Revenue 05-07	0	8,920	70,000	100%	10,000	-86%	0	-100%
4870	Grant Revenue 25-01	74,123	42,367	17,000	-60%	35,000	106%	51,667	204%
4950	Other Miscellaneous Revenue	771	(1,690)	20,000	-1283%	200,000	900%	25,000	25%
4990	Reimb of Operating Expenses	103,255	0	10,000	#DIV/0!	0	-100%	2,000	-80%
4340	Vehicle Impound Fee	800	6,800	6,500	-4%	6,200	-5%	6,000	-8%
4999	Transfers In	0	0	0	0%	0	0%	0	#DIV/0!
	Sub-total Administrative	1,207,235	294,125	251,800	-14%	375,250	49%	204,717	-19%

Town of Yucca Valley
Proposed Budget
FY 2013-14

Revenue Detail

Acct	Revenue Description	Actual 10/11	Actual 11/12	Amended FY 12/13	% Var 11/12 Act	Projected FY 12/13	% Var 12/13 Bdgt	Proposed FY 13/14	% Var 12/13 Bdgt
Community Services									
4501	Recreation Revenue	165,494	138,203	175,000	27%	150,000	-14%	75,000	-57%
4501	Museum Gift Shop-4052	10,836	11,319	17,500	55%	15,000	-14%	0	-100%
4501	Museum-Revenue	4,594	(9,037)	3,000	-133%	1,000	100%	0	-100%
4620	Facility Rentals	27,261	29,717	25,000	-16%	22,000	-12%	25,000	0%
4902	Donations - Museum	3,744	7,048	0	-100%	2,000	0%	0	#DIV/0!
	Sub-total Com Services	211,929	177,250	220,500	24%	190,000	-14%	100,000	-55%
Community Development									
4310	Administrative Citation Fee	0	21,569	0	-100%	55,000	#DIV/0!	45,000	#DIV/0!
4421	Planning Miscellaneous	6,494	5,249	12,000	129%	10,000	-17%	10,000	-17%
4440	Abatement Related Fees	10,050	34,402	40,000	16%	33,000	-18%	15,000	-63%
4460	Gen Plan Maintenance Fee	1,538	1,156	5,000	333%	8,000	60%	1,000	-80%
4461	Building Inspection Fees	117,785	114,415	355,000	210%	200,000	-44%	127,500	-64%
4462	Plan Check Fees	91,090	28,622	40,000	40%	40,000	0%	60,000	50%
4463	SMIP - Residential	91	15	250	1567%	250	0%	250	0%
4464	SMIP - Commercial	22	1	500	49900%	500	0%	500	0%
4465	Cert of Compliance-MUSD Reim	1,135	150	500	233%	250	-50%	500	0%
4466	Electronic Archive fee	441	143	500	250%	0	100%	0	-100%
4481	Engineering Fees	0	9	250	100%	250	0%	500	100%
4483	Encroachment - Public Improvmt	861	6,545	2,500	-62%	1,200	-52%	1,000	-60%
4484	Encroachment - Utilities	6,120	2,989	2,500	-16%	2,500	0%	1,000	-60%
	Sub-total Com Development	235,627	215,265	459,000	113%	295,950	-36%	217,250	-53%
Animal Control/Shelter									
4210	Commercial Permit - Generic	390	390	500	28%	500	0%	500	0%
4230	License Fees-Dogs	21,060	24,006	25,000	4%	20,000	-20%	20,000	-20%
4350	Impound Fees-Dog/Cat Pickup	10,376	12,924	9,000	-30%	10,000	11%	10,000	11%
4418	Administrative Hearing Fee	0	1,501	500	100%	500	0%	500	0%
4419	Quarantine Fees	45	45	0	-100%	0	100%	0	#DIV/0!
4422	Potentially Dangerous	80	80	0	-100%	0	0%	0	#DIV/0!
4424	Euthanasia Fees	1,175	665	500	-25%	3,000	500%	2,000	300%
4425	Humane Trap Fees	325	105	0	-100%	0	100%	0	#DIV/0!
4427	Boarding Fee	1,295	5,160	1,000	-81%	1,200	20%	1,000	0%
4428	Adoptions	21,547	30,498	20,000	-34%	22,000	10%	20,000	0%
4429	Disposal Fee	510	390	500	28%	1,000	100%	1,000	100%
4430	Turn In Fees	1,696	4,432	2,000	-55%	2,500	25%	2,500	25%
4432	Town Veterinary Fees	519	3,699	2,500	-32%	0	100%	0	-100%
4820	County Reimbursement	280,464	268,431	305,000	14%	295,000	-3%	463,000	52%
4904	Donations/Bequests	0	(3,691)	0	0%	304,850	100%	0	#DIV/0!
	Sub-total Animal Control/Shelter	339,482	348,635	366,500	5%	660,550	80%	520,500	42%
	Total Revenue	\$ 8,272,763	\$ 9,027,257	\$ 9,480,300	5.02%	\$ 9,853,335	3.93%	\$ 9,180,967	-3.16%

Town of Yucca Valley

Operating Budget

FY 2013-14



General Fund Expenditures

Department Budgets

Town of Yucca Valley
Proposed Budget
FY 2013-14

Acct.	Description	2010-11 Year-end Actual	2011-12 Adopted Budget	2011-12 Year-end Actuals	2012-13 Adopted Budget	% Var from PY YE Act	2012-13 Projection	Department Baseline	
								2013-14 Proposed Budget	% Var fr Adopted Budget
Expenditure Summary by Category									
	Personnel Services	3,291,611	3,272,489	3,233,055	3,414,963	6%	3,456,365	2,894,587	-15%
	Operating Supplies and Services	2,129,781	2,115,786	2,087,017	2,108,110	1%	2,340,225	2,014,510	-4%
	Contract Safety	3,327,192	3,429,500	3,490,351	3,600,711	3%	3,610,000	3,738,000	4%
	Partnerships	136,492	82,000	80,500	109,000	35%	108,800	54,500	-50%
	Capital Projects	47,102	711,500	238,473	15,000	-94%	403,229	437,400	2816%
	Total	8,932,178	9,611,275	9,129,396	9,247,784	1%	9,918,619	9,138,997	-1%

Expenditure Summary by Department

	Town Council	103,467	90,672	86,533	86,309	0%	75,694	99,800	16%
	Town Manager	631,716	562,100	580,228	540,348	-7%	940,785	522,635	-3%
	Legal Counsel	166,367	135,000	186,774	140,000	-25%	192,000	150,000	7%
	Administrative Services	728,464	847,672	823,643	763,682	-7%	828,325	765,120	0%
	Community Services	2,076,723	2,060,483	1,980,391	2,121,362	7%	2,122,979	2,213,004	4%
	Community Development	847,406	1,492,758	941,686	1,076,640	14%	1,286,746	717,833	-33%
	Public Works	729,073	732,090	579,971	609,782	5%	579,590	641,905	5%
	Contract Safety	3,327,192	3,429,500	3,490,351	3,600,711	3%	3,610,000	3,738,000	4%
	Interdepartmental	321,771	261,000	459,819	308,950	-33%	282,500	290,700	-6%
	Total	8,932,178	9,611,275	9,129,396	9,247,784	1%	9,918,619	9,138,997	-1%

Town of Yucca Valley
Proposed Budget
FY 2013-14

Acct.	Description	2010-11	2011-12	2011-12	2012-13	% Var	2012-13	Department	% Var
		Year-end Actual	Adopted Budget	Year-end Actuals	Adopted Budget	from PY YE Act	Projection	2013-14 Proposed Budget	Baseline fr Adopted Budget
Departmental Summary									
Town Council		103,467	90,672	86,533	86,309	0%	75,694	99,800	16%
Legal Counsel		166,367	135,000	186,774	140,000	-25%	192,000	150,000	7%
Contract Safety		3,327,192	3,429,500	3,490,351	3,600,711	3%	3,610,000	3,738,000	4%
Interdepartmental		321,771	261,000	459,819	308,950	-33%	282,500	290,700	-6%
Town Manager									
6-01	Town Manager	337,378	258,263	278,215	222,633	-20%	567,355	221,000	-1%
6-07	Disaster Preparedness	6,376	2,350	1,263	2,700	114%	3,200	8,700	222%
6-08	Information Services	121,859	138,000	148,634	146,000	-2%	169,000	146,000	0%
6-09	Recycling & Solid Waste	53,992	55,500	51,539	51,500	0%	51,500	50,000	-3%
6-12	Town Clerk	112,111	107,987	100,577	117,516	17%	149,730	96,935	-18%
	Total Town Manager	631,716	562,100	580,228	540,348	-7%	940,785	522,635	-3%
Administrative Services									
6-10	Finance	330,369	470,591	486,234	460,522	-5%	502,455	420,750	-9%
6-11	Human Resources/Risk Mgr	398,095	377,081	337,409	303,160	-10%	325,870	344,370	14%
	Total Administrative Services	728,464	847,672	823,643	763,682	-7%	828,325	765,120	0%
Community Services									
6-01	Community Services Admin	358,231	281,397	285,775	278,016	-3%	291,240	105,780	-62%
6-20	Recreation	374,462	404,694	370,410	415,165	12%	395,719	330,824	-20%
6-21	Museum	243,776	267,657	258,670	268,129	4%	271,500	134,960	-50%
6-23	Community Relations	20,834	39,650	29,891	21,700	-27%	15,700	12,300	-43%
6-45	Animal Shelter	382,506	518,983	475,242	519,792	9%	513,685	966,075	86%
6-54	Animal Control	246,611	178,442	198,878	214,894	8%	231,230	219,885	2%
6-55	Facilities Maintenance	313,810	287,660	281,024	294,665	5%	295,105	388,680	32%
6-40	Community Partnerships	136,492	82,000	80,500	109,000	35%	108,800	54,500	-50%
	Total Community Services	2,076,723	2,060,483	1,980,391	2,121,362	7%	2,122,979	2,213,004	4%
Community Development									
6-01	Comm Dev Admin	213,652	170,022	166,527	167,640	1%	164,941	178,215	6%
6-50	Planning	155,567	740,061	371,842	196,187	-47%	552,672	94,435	-52%
6-51	Engineering	202,722	197,680	262,375	234,331	-11%	262,085	298,488	27%
6-52	Code Compliance	119,115	203,795	33,646	212,232	531%	152,099	43,145	-80%
6-53	Building & Safety	156,350	181,200	107,296	266,250	148%	154,950	103,550	-61%
	Total Community Development	847,406	1,492,758	941,686	1,076,640	14%	1,286,746	717,833	-33%
Public Works									
6-01	Public Works Admin	68,007	74,166	45,693	54,250	19%	50,400	65,670	21%
6-57	Fleet Maintenance	86,072	133,000	75,737	101,100	33%	101,000	105,600	4%
6-58	Parks Maintenance	411,462	524,924	458,541	454,432	-1%	428,190	470,635	4%
6-59	Streets Operations (GF)	163,532	0	0	0	0%	0	0	0%
	Total Public Works	729,073	732,090	579,971	609,782	5%	579,590	641,905	5%
Total		8,932,178	9,611,275	9,129,396	9,247,784	1%	9,918,619	9,138,997	-1%

TOWN COUNCIL STAFF REPORT

To: Honorable Mayor & Town Council
From: Lesley Copeland, Town Clerk
Date: February 27, 2014
For Council Meeting: March 4, 2014

Subject: Appointment of Voting Delegate to Represent the Town at the Southern California Association of Governments (SCAG) Annual General Assembly

Prior Council Review: None for this particular action.

Executive Summary: The Town of Yucca Valley is a member of the Southern California Association of Governments (SCAG.) All cities that are members send a delegate and/or alternate to represent their City/Town at the General Assembly Conference that is held once a year.

Recommendation: Designate a Voting Delegate to the SCAG General Assembly on May 1-2, 2014 in Indian Wells


Order of Procedure:

1. Request Staff Report
2. Request Public Comment
3. Council Discussion/Questions of Staff
4. Motion/Second
5. Discussion on Motion
6. Call the Question (Voice Vote)

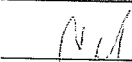
Discussion: The Southern California Association of Governments General Assembly will be held on Thursday and Friday, May 1-2, 2014 at the Renaissance Esmeralda Resort and Spa in Indian Wells. Traditionally, the voting delegate has been the Town's representative to San Bernardino Association of Governments (SANBAG), however, any of the council members may be appointed based on the availability to attend the meeting.


The Town Council discussed committee appointments at the December 17, 2013 meeting; however the SCAG voting delegation was not addressed. Traditionally, the SCAG discussion has been conducted separately. For efficiency, it is staff's recommendation to include the SCAG voting delegation with future annual committee appointment discussions.

Reviewed By:


Town Manager

Town Attorney


Mgmt Services


Dept Head

Department Report

Ordinance Action

Resolution Action

Public Hearing

Consent

Minute Action

Receive and File

Study Session

Alternatives: None

Fiscal impact: None

Attachments: None